

Index

ABSOLUTE LIABILITY

- Generally, §§ 48:1 to 48:14
- Damages, § 48:12
- Defenses, § 48:8
- Discovery, § 48:9
- Elements of action, § 48:2
- Evidence, § 48:11
- Instructions to jury, § 48:13
- Jurisdiction, § 48:3
- Law and practice, § 48:10
- Limitation of actions, § 48:5
- Overview, § 48:1
- Parties, § 48:6
- Pleadings, § 48:7
- References, § 48:14
- Venue, § 48:4

ABUSE OF PROCESS

- Generally, §§ 7:1 to 7:14
- Damages, § 7:12
- Defenses, § 7:8
- Discovery, § 7:9
- Elements of action, § 7:2
- Evidence, § 7:11
- Instructions to jury, § 7:13
- Jurisdiction, § 7:3
- Limitation of actions, § 7:5
- Overview, § 7:1
- Parties, § 7:6
- Pleadings, § 7:7
- References, § 7:14
- Trial practice, § 7:10
- Venue, § 7:4

ACCOUNTANT MALPRACTICE

- Generally, §§ 8:1 to 8:14
- Defenses, § 8:8
- Discovery, § 8:9
- Elements of action, § 8:2
- Evidence, §§ 8:11, 8:12
- Instructions to jury, § 8:13
- Jurisdiction, § 8:3

ACCOUNTANT MALPRACTICE—Cont'd

- Limitation of actions, § 8:5
- Overview, § 8:1
- Parties, § 8:6
- Pleadings, § 8:7
- References, § 8:14
- Trial practice, § 8:10
- Venue, § 8:4

AFFIRMATIVE DEFENSES

- Automobile negligence and comparative fault, § 12:17
- Tort and contract actions, § 1:20

AGENCY

- Damages for loss of agent, § 6:10

ALCOHOL AND INTOXICATION

- Driving while intoxicated, negligently assisting a drunk driver, § 6:4
- Negligence, § 2:20
- Supplier of intoxicants to another not liable to third party, § 6:19

ALIENATION OF AFFECTIONS

- Recovery theories rejected in Missouri, §§ 6:14 to 6:16

ANIMAL TORTS

- Generally, §§ 9:1 to 9:14
- Damages, § 9:12
- Defenses, § 9:8
- Discovery, § 9:9
- Dog owners, generally, § 9:2
- Evidence, § 9:11
- Instructions to jury, § 9:13
- Jurisdiction, § 9:3
- Law and practice notes, § 9:10
- Limitation of actions, § 9:5
- Overview, § 9:1
- Parties, § 9:6
- Pleadings, § 9:7
- References, § 9:14
- Venue, § 9:4

APPORTIONMENT AND ALLOCATION

- Comparative fault, apportionment of fault issues, § 3:4

ASBESTOS

- Petition for damages and products liability, § 38:15

ASSAULT AND BATTERY

- Generally, §§ 10:1 to 10:14
- Damages, § 10:12
- Defenses, § 10:8
- Discovery, § 10:9

INDEX

ASSAULT AND BATTERY—Cont'd

- Elements of action, § 10:2
- Evidence, § 10:11
- Instructions to jury, § 10:13
- Jurisdiction, § 10:3
- Limitation of actions, § 10:5
- Overview, § 10:1
- Parties, § 10:6
- Pleadings, § 10:7
- References, § 10:14
- Trial practice, § 10:10
- Venue, § 10:4

ASSIGNMENT

- Tort claims not assignable, § 1:7

ATHLETICS

- Sports Injuries, this index

ATTORNEY MALPRACTICE

- Generally, §§ 11:1 to 11:15
- Damages, § 11:12
- Defenses, § 11:8
- Discovery, § 11:9
- Elements of action, § 11:2
- Evidence, § 11:11
- Forms
 - petition for damages, § 11:15
 - request for production of documents, § 11:15
- Instructions to jury, § 11:13
- Jurisdiction, § 11:3
- Law and practice notes, § 11:10
- Limitation of actions, § 11:5
- Overview, § 11:1
- Parties, § 11:6
- Pleadings, § 11:7
- References, § 11:14
- Request for production of documents, § 11:15
- Venue, § 11:4

ATTORNEYS' FEES

- Generally, § 5:9
- Tort and contract actions, § 1:24

ATTORNEY'S LIEN

- Judgments and settlements, § 1:22
- Settlements and judgments, § 1:22
- Tort and contract actions, § 1:22

ATTRACTIVE NUISANCE

- Duty of care, § 2:31

ATTRACTIVE NUISANCE—Cont'd

Recovery theories rejected in Missouri, § 6:8

AUTOMOBILES AND HIGHWAY TRAFFIC

Driving while intoxicated, negligently assisting a drunk driver, § 6:4

Negligence

Generally, §§ 12:1 to 12:19

Choice of law, § 12:5

Comparative fault as affirmative defense, form, § 12:17

Damages, § 12:13

Defendant's interrogatories, form, § 12:19

Defenses, § 12:9

Discovery, § 12:10

Elements of action, § 12:2

Evidence, § 12:12

Instructions to jury, § 12:14

Jurisdiction, § 12:3

Limitation of actions, § 12:6

Overview, § 12:1

Parties, § 12:7

Petition for damages, form, § 12:16

Plaintiff's interrogatories, form, § 12:18

Pleadings, § 12:8

References, § 12:15

Trial practice, § 12:11

Venue, § 12:4

Rear End Collision Doctrine, this index

BAD FAITH REFUSAL OF INSURER TO SETTLE

Generally, §§ 13:1 to 13:14

Damages, § 13:12

Defenses, § 13:8

Discovery, § 13:9

Elements of action, § 13:2

Evidence, § 13:11

Instructions to jury, § 13:13

Jurisdiction, § 13:3

Law and practice notes, § 13:10

Limitations of action, § 13:5

Overview, § 13:1

Parties, § 13:6

Pleading, § 13:7

References, § 13:14

Venue, § 13:4

BANKRUPTCY

Personal injury claim of debtor, effect on, § 1:11

BATTERY

Assault and Battery, this index

INDEX

BIRTH

Wrongful birth, tort recovery rejected in Missouri, § 6:7

BURDEN OF PROOF

Tort and contract actions, § 1:16

CAUSE IN FACT

Tort and contract actions, elements of, § 1:13

CHILDREN AND INFANTS

Abuse of child, Child Abuse Reporting Act, generally, § 6:21

Alienation of affections, §§ 6:14, 6:15

Attractive nuisance, duty of care, § 2:31

Consortium claims by parents or children, § 6:3

Custody and visitation, interference with temporary custody rights, § 6:9

Torts, minor's liability for, § 1:8

CHOICE OF LAW

Conflict of Laws, this index

CIVIL PROCEDURE RULES

Selected Rules, § App E

CLEARLY ACT

Negligence, recovery theories rejected in Missouri, § 6:30

CLERGY

Malpractice

Generally, §§ 14:1 to 14:15

Damages, § 14:12

Defenses, § 14:8

Discovery, § 14:9

Elements of action, § 14:2

Evidence, § 14:11

Instructions to jury, § 14:13

Jurisdiction, § 14:3

Limitation of actions, § 14:5

Overview, § 14:1

Parties, § 14:6

Pleadings, § 14:7

References, § 14:14

Sexual abuse of minor, petition for damages, § 14:15

Trial practice, § 14:10

Venue, § 14:4

Negligent failure to supervise, § 6:24

Sexual misconduct of clergy based on breach of fiduciary duty, § 6:22

COMPARATIVE FAULT

Generally, §§ 3:1 to 3:10

Actions in which comparative fault applies, § 3:2

Adoption of, § 3:1

Apportionment of fault issues, § 3:4

COMPARATIVE FAULT—Cont'd

- Damages, § 3:8
- Elements of doctrine, § 3:3
- Instructions to jury, § 3:9
- Jury's role, § 3:7
- Pleadings, § 3:6
- References, § 3:10
- Trial practice, § 3:5
- Uniform Comparative Fault Act, § App C

CONCEPTION

- Wrongful Conception, this index

CONFLICT OF LAWS

- Automobile negligence, § 12:5
- Intentional torts, rules as to choice of law, § 4:5

CONSORTIUM

- Generally, §§ 15:1 to 15:15
- Damages, § 15:11
- Defenses, § 15:8
- Discovery, § 15:9
- Elements of action, § 15:2
- Forms, clause for damages, § 15:15
- Instructions to jury, § 15:12
- Jurisdiction, § 15:3
- Limitation of actions, § 15:5
- Overview, § 15:1
- Parents or children, claims by, § 6:3
- Parties, § 15:6
- Pleadings, § 15:7
- References, § 15:14
- Trial practice, § 15:10
- Venue, § 15:4
- Verdict, § 15:13

CONSPIRACY

- Generally, §§ 16:1 to 16:15
- Damages, § 16:12
- Defenses, § 16:8
- Discovery, § 16:9
- Elements of action, § 16:2
- Evidence, § 16:11
- Forms, petition for damages, § 16:15
- Instructions to jury, § 16:13
- Jurisdiction, § 16:3
- Law and practice, § 16:10
- Limitation of actions, § 16:5
- Overview, § 16:1
- Parties, § 16:6

INDEX

CONSPIRACY—Cont'd

- Pleadings, § 16:7
- References, § 16:14
- Venue, § 16:4

CONSTITUTION

- Text of Missouri Constitution, § App A

CONTRIBUTING NEGLIGENCE

- Defense to economic loss, § 2:22

CONTRIBUTION

- Tortfeasors, contribution among, § 2:17

CONVERSION

- Generally, §§ 17:1 to 17:16
- Damages, § 17:13
- Defenses, § 17:9
- Discovery, § 17:10
- Elements of action, § 17:2
- Evidence, § 17:12
- Forms, petition for damages for wrongful towing, § 17:16
- Instructions to jury, § 17:14
- Jurisdiction, § 17:4
- Limitation of actions, § 17:6
- Overview, § 17:1
- Parties, § 17:7
- Pleadings, § 17:8
- Property subject to conversion, § 17:3
- References, § 17:15
- Trial practice, § 17:11
- Venue, § 17:5

CRIMINAL CONVERSATION

- Tort recovery theories rejected in Missouri, § 6:13

CRIMINAL STATUTES

- Tort claims based on, § 1:15
- Violations, recovery theories rejected in Missouri, § 6:2

DAMAGES

- Generally, §§ 5:1 to 5:13
- Abuse of process, § 7:12
- Accountant malpractice, § 8:12
- Agent, damages for loss of, § 6:10
- Animal torts, § 9:12
- Assault and battery, §§ 10:8, 10:12
- Attorney malpractice, §§ 11:12, 11:15
- Attorneys' fees, § 5:9
- Automobile negligence, § 12:13
- Bad faith refusal of insurer to settle, § 13:12

DAMAGES—Cont'd

- Clergy malpractice, § 14:12
- Comparative fault principles, § 3:8
- Consortium, §§ 15:11, 15:15
- Conspiracy, §§ 16:12, 16:15
- Conversion, §§ 17:13, 17:16
- Default judgment procedure, § 5:10
- Electricity suppliers, wrongful conduct by, § 54:12
- Emotional distress, § 18:12
- Engineer malpractice, § 19:12
- Exemplary damages, § 4:12
- False imprisonment, §§ 20:12, 20:15
- Federal Employers Liability Act, §§ 21:12, 21:15
- Forms, §§ 5:12, 5:13
- Fraud and fraudulent misrepresentation, §§ 22:12, 22:15
- General principles, § 5:2
- Inherently dangerous activity, § 23:12
- Insurance, bad faith refusal to settle, § 13:12
- Interest and usury
 - post judgment interest, § 5:8
 - prejudgment interest in tort actions, § 5:7
- Interference with business relationships, §§ 24:12, 24:15
- Invasion of privacy, § 25:12
- Libel, § 26:12
- Malicious prosecution, § 27:12
- Medical malpractice, § 28:12
- Medical records, refusal to furnish, §§ 40:12, 40:15
- Merchandising Practices Act actions, §§ 29:12, 29:15
- Mitigation of damages, § 5:6
- Negligence per se, § 30:12
- Negligent entrustment, § 31:12
- Negligent hiring or retention, § 32:12
- Negligent misrepresentation, §§ 33:12, 33:15
- Nominal damages, § 5:3
- Nuisances, § 35:12
- Overview, § 5:1
- Petition for damages, automobile negligence, § 12:16
- Post judgment interest, § 5:8
- Prejudgment interest in tort actions, § 5:7
- Premises liability, §§ 36:12, 36:15
- Prima facie torts, §§ 37:12, 37:15
- Products liability, §§ 38:12, 38:15
- Punitive damages, §§ 4:12, 5:4, 5:5, 5:12
- Punitive damages clause, form, § 5:12
- Rear end collision doctrine, §§ 39:12, 39:15
- Reduction of verdict, § 5:11
- Res ipsa loquitur, § 41:12

INDEX

DAMAGES—Cont'd

- Rescue doctrine, § 49:12
- Respondeat superior, § 42:13
- Seduction, § 43:12
- Service letter actions, §§ 44:12, 44:15
- Sexual abuse of minor by clergy, petition for damages, § 14:15
- Slander, § 45:12
- Slander of title, §§ 46:12, 46:15
- Sports injuries, § 47:13
- Strict liability, § 48:12
- Supervision, negligence in, § 34:12
- Third party criminal acts, § 50:12
- Tort and contract actions, § 1:2
- Trespass, §§ 51:13, 51:16
- Verdict, punitive damages approved forms, § 5:13
- Waste, §§ 52:12, 52:15
- Wrongful conception, § 53:12
- Wrongful death, §§ 55:12, 55:15
- Wrongful discharge, §§ 56:12, 56:15
- Wrongful foreclosure, §§ 57:12, 57:15

DEATH AND DEATH ACTIONS

- Generally, §§ 55:1 to 55:15
- Damages, §§ 55:12, 55:15
- Defenses, § 55:8
- Discovery, § 55:9
- Election of remedies, § 55:2
- Evidence, § 55:11
- Form, petition for damages, § 55:15
- Instructions to jury, § 55:13
- Jurisdiction, § 55:3
- Law and practice notes, § 55:10
- Limitation of actions, § 55:5
- Overview, § 55:1
- Parties, § 55:6
- Pleadings, § 55:7
- References, § 55:14
- Venue, § 55:4

DECEIT

- Fraud and Fraudulent Misrepresentation, this index

DEFAMATION

- Generally, §§ 26:1 to 26:15, 45:1 to 45:14
- Damages, §§ 26:12, 45:12
- Defenses, §§ 26:8, 45:8
- Discovery, §§ 26:9, 45:9
- Elements of action, §§ 26:2, 45:2
- Evidence, §§ 26:11, 45:11

DEFAMATION—Cont'd

- Instructions to jury, §§ 26:13, 45:13
- Jurisdiction, §§ 26:3, 45:3
- Limitation of actions, §§ 26:5, 45:5
- Overview, §§ 26:1, 45:1
- Parties, §§ 26:6, 45:6
- Pleadings, §§ 26:7, 45:7
- References, §§ 26:14, 45:14
- Title, slander of
 - Generally, §§ 46:1 to 46:15
 - Damages, § 46:12
 - Defenses, § 46:8
 - Discovery, § 46:9
 - Elements of actions, § 46:2
 - Evidence, § 46:11
 - Form, petition for damages, § 46:15
 - Instructions to jury, § 46:13
 - Jurisdiction, § 46:3
 - Law and practice notes, § 46:10
 - Limitation of actions, § 46:5
 - Overview, § 46:1
 - Parties, § 46:6
 - Pleadings, § 46:7
 - References, § 46:14
 - Venue, § 46:4
- Trial practice, §§ 26:10, 45:10
- Venue, §§ 26:4, 45:4

DEFAULTS

- Judgment procedure, damages, § 5:10

DEFENSES

- Abuse of process, § 7:8
- Accountant malpractice, § 8:8
- Affirmative defenses, asserting, tort and contract, § 1:20
- Animal torts, § 9:8
- Assault and battery, § 10:8
- Attorney malpractice, § 11:8
- Automobile negligence, § 12:9
- Bad faith refusal of insurer to settle, § 13:8
- Clergy malpractice, § 14:8
- Comparative fault, affirmative defense to automobile negligence, § 12:17
- Consortium, § 15:8
- Conspiracy, § 16:8
- Contributing negligence as defense to economic loss, § 2:22
- Conversion, § 17:9
- Economic loss, contributing negligence as defense to, § 2:22
- Electricity suppliers, wrongful conduct by, § 54:8

INDEX

DEFENSES—Cont'd

- Emotional distress, § 18:8
- Engineer malpractice, § 19:8
- False imprisonment, § 20:8
- Federal Employers Liability Act, § 21:8
- Federal preemption, § 2:24
- Fraud and fraudulent misrepresentation, § 22:8
- Inherently dangerous activity, § 23:8
- Insurance, bad faith refusal to settle, § 13:8
- Interference with business relationships, § 24:8
- Invasion of privacy, § 25:8
- Libel and slander, §§ 26:8, 45:8, 46:8
- Malicious prosecution, § 27:8
- Medical malpractice, § 28:8
- Medical records, refusal to furnish, § 40:8
- Merchandising Practices Act actions, § 29:8
- Negligence per se, § 30:8
- Negligent entrustment, § 31:8
- Negligent hiring or retention, § 32:8
- Negligent misrepresentation, § 33:8
- Negligent torts, generally, §§ 2:11, 2:19
- Nuisances, § 35:8
- Official immunity, § 2:28
- Premises liability, § 36:8
- Prima facie torts, § 37:8
- Products liability, § 38:8
- Rear end collision doctrine, § 39:8
- Res ipsa loquitur, § 41:8
- Rescue doctrine, § 49:8
- Respondeat superior, § 42:8
- Seduction, § 43:8
- Service letter actions, § 44:8
- Slander, § 45:8
- Slander of title, § 46:8
- Sovereign immunity, §§ 2:11, 2:27
- Sports injuries, § 47:9
- Strict liability, § 48:8
- Supervision, negligence in, § 34:8
- Third party criminal acts, § 50:8
- Tort and contract actions, § 1:19
- Trespass, § 51:9
- Waste, § 52:8
- Wrongful conception, § 53:8
- Wrongful death, § 55:8
- Wrongful discharge, § 56:8
- Wrongful foreclosure, § 57:8

DISCHARGE FROM EMPLOYMENT

Wrongful Discharge, this index

DISCOVERY

Abuse of process, § 7:9
Accountant malpractice, § 8:9
Animal torts, § 9:9
Assault and battery, § 10:9
Attorney malpractice, § 11:9
Automobile negligence, § 12:10
Bad faith refusal of insurer to settle, § 13:9
Clergy malpractice, § 14:9
Consortium, § 15:9
Conspiracy, § 16:9
Conversion, § 17:10
Electricity suppliers, wrongful conduct by, § 54:9
Emotional distress, § 18:9
Engineer malpractice, § 19:9
False imprisonment, § 20:9
Federal Employers Liability Act, § 21:9
Fraud and fraudulent misrepresentation, § 22:9
Inherently dangerous activity, § 23:9
Insurance, bad faith refusal to settle, § 13:9
Interference with business relationships, § 24:9
Invasion of privacy, § 25:9
Libel, § 26:9
Malicious prosecution, § 27:9
Medical malpractice, § 28:9
Medical records, refusal to furnish, § 40:9
Merchandising Practices Act actions, § 29:9
Negligence per se, § 30:9
Negligent entrustment, § 31:9
Negligent hiring or retention, § 32:9
Negligent misrepresentation, § 33:9
Nuisances, § 35:9
Premises liability, § 36:9
Prima facie torts, § 37:9
Products liability, § 38:9
Rear end collision doctrine, § 39:9
Request for production of documents
 attorney malpractice, § 11:15
 interference with business relationships, § 24:16
Res ipsa loquitur, § 41:9
Rescue doctrine, § 49:9
Respondeat superior, § 42:9
Seduction, § 43:9
Service letter actions, § 44:9
Slander, § 45:9

INDEX

DISCOVERY—Cont'd

- Slander of title, § 46:9
- Sports injuries, § 47:10
- Strict liability, § 48:9
- Supervision, negligence in, § 34:9
- Third party criminal acts, § 50:9
- Trespass, § 51:10
- Waste, § 52:9
- Wrongful conception, § 53:9
- Wrongful death, § 55:9
- Wrongful discharge, § 56:9
- Wrongful foreclosure, § 57:9

DOGS

- Animals, this index

DOMESTIC ANIMALS

- Animals, this index

DRIVING WHILE INTOXICATED

- Negligently assisting a drunk driver, § 6:4

EDUCATIONAL MALPRACTICE CLAIM

- Recovery theories rejected in Missouri, § 6:28

ELECTION OF REMEDIES

- Wrongful death, § 55:2

ELECTRICITY SUPPLIERS, WRONGFUL CONDUCT BY

- Generally, §§ 54:1 to 54:14
- Damages, § 54:12
- Defenses, § 54:8
- Discovery, § 54:9
- Elements of action, § 54:2
- Evidence, § 54:11
- Instructions to jury, § 54:13
- Jurisdiction, § 54:3
- Law and practice notes, § 54:10
- Limitation of actions, § 54:5
- Overview, § 54:1
- Parties, § 54:6
- Pleadings, § 54:7
- References, § 54:14
- Venue, § 54:4

EMOTIONAL DISTRESS

- Generally, §§ 18:1 to 18:14
- Damages, § 18:12
- Defenses, § 18:8
- Discovery, § 18:9
- Elements of action, § 18:2

EMOTIONAL DISTRESS—Cont'd

- Evidence, § 18:11
- Instructions to jury, § 18:13
- Jurisdiction, § 18:3
- Limitation of actions, § 18:5
- Overview, § 18:1
- Parties, § 18:6
- Pleadings, § 18:7
- References, § 18:14
- Trial practice, § 18:10
- Venue, § 18:4

ENGINEER MALPRACTICE

- Generally, §§ 19:1 to 19:14
- Damages, § 19:12
- Defenses, § 19:8
- Discovery, § 19:9
- Elements of action, § 19:2
- Evidence, § 19:11
- Instructions to jury, § 19:13
- Jurisdiction, § 19:3
- Law and practice notes, § 19:10
- Limitation of actions, § 19:5
- Overview, § 19:1
- Parties, § 19:6
- Pleadings, § 19:7
- References, § 19:14
- Venue, § 19:4

EVIDENCE

- Abuse of process, § 7:11
- Accountant malpractice, § 8:11
- Animal torts, § 9:11
- Assault and battery, § 10:11
- Attorney malpractice, § 11:11
- Automobile negligence, § 12:12
- Bad faith refusal of insurer to settle, § 13:11
- Clergy malpractice, § 14:11
- Conspiracy, § 16:11
- Conversion, § 17:12
- Electricity suppliers, wrongful conduct by, § 54:11
- Emotional distress, § 18:11
- Engineer malpractice, § 19:11
- False imprisonment, § 20:11
- Federal Employers Liability Act, § 21:11
- Fraud and fraudulent misrepresentation, § 22:11
- Inherently dangerous activity, § 23:11
- Insurance, bad faith refusal to settle, § 13:11

INDEX

EVIDENCE—Cont'd

- Interference with business relationships, § 24:11
- Invasion of privacy, § 25:11
- Libel and slander, § 26:11
- Malicious prosecution, § 27:11
- Medical malpractice, § 28:11
- Medical records, refusal to furnish, § 40:11
- Merchandising Practices Act actions, § 29:11
- Negligence per se, § 30:11
- Negligent entrustment, § 31:11
- Negligent hiring or retention, § 32:11
- Negligent misrepresentation, § 33:11
- Negligent torts, generally, §§ 2:8, 2:9
- Nuisances, § 35:11
- Premises liability, § 36:11
- Prima facie torts, § 37:11
- Products liability, § 38:11
- Rear end collision doctrine, § 39:11
- Res ipsa loquitur, § 41:11
- Rescue doctrine, § 49:11
- Respondeat superior, § 42:12
- Seduction, § 43:11
- Service letter actions, § 44:11
- Slander, § 45:11
- Slander of title, § 46:11
- Spoliation of, § 6:11
- Sports injuries, § 47:12
- Strict liability, § 48:11
- Supervision, negligence in, § 34:11
- Third party criminal acts, § 50:11
- Trespass, § 51:12
- Waste, § 52:11
- Wrongful conception, § 53:11
- Wrongful death, § 55:11
- Wrongful discharge, § 56:11
- Wrongful foreclosure, § 57:11

EXEMPLARY DAMAGES

- Generally, § 4:12

FALSE IMPRISONMENT

- Generally, §§ 20:1 to 20:16
- Damages, § 20:12
- Defenses, § 20:8
- Discovery, § 20:9
- Elements of action, § 20:2
- Evidence, § 20:11

FALSE IMPRISONMENT—Cont'd

Forms

negligence, clause reciting facts alleging, § 20:16

petition for damages where arrest procured by law enforcement, § 20:15

Instructions to jury, § 20:13

Jurisdiction, § 20:3

Limitation of actions, § 20:5

Overview, § 20:1

Parties, § 20:6

Pleadings, § 20:7

References, § 20:14

Trial practice, § 20:10

Venue, § 20:4

FEDERAL EMPLOYERS LIABILITY ACT

Generally, §§ 21:1 to 21:17

Damages, § 21:12

Defenses, § 21:8

Discovery, § 21:9

Elements of action, § 21:2

Evidence, § 21:11

Forms

defendant's interrogatories, § 21:16

petition for damages, § 21:15

plaintiff's interrogatories, § 21:16

Instructions to jury, § 21:13

Jurisdiction, § 21:3

Limitation of actions, § 21:5

Overview, § 21:1

Parties, § 21:6

Pleadings, § 21:7

References, § 21:14

Text of Act, § App D

Trial practice, § 21:10

Venue, § 21:4

FEDERAL HAZARDOUS SUBSTANCES ACT

Generally, § 6:20

FEDERAL PREEMPTION

Defense under federal preemption, § 2:24

FIREFIGHTER'S RULE

Rescue doctrine, § 49:2

FORECLOSURE

Wrongful Foreclosure, this index

FORESEEABILITY

Negligent torts, generally, § 2:6

INDEX

FORMS

- Attorney malpractice
 - petition for damages, § 11:15
 - request for production of documents, § 11:15
- Automobile negligence
 - comparative fault as affirmative defense, § 12:17
 - defendant's interrogatories, § 12:19
 - petition for damages, § 12:16
 - plaintiff's interrogatories, § 12:18
- Clergy malpractice, petition for damages due to sexual abuse of minor, § 14:15
- Consortium, clause for damages, § 15:15
- Conspiracy, petition for damages, § 16:15
- Conversion, wrongful towing and petition for damages, § 17:16
- Damages, § 5:13
- False imprisonment, §§ 20:15, 20:16
- Federal Employers Liability Act
 - defendant's interrogatories, § 21:17
 - petition for damages, § 21:15
 - plaintiff's interrogatories, § 21:16
- Fraud and fraudulent misrepresentation, petition for damages, § 22:15
- HIPAA forms for medical authorizations, § 28:18
- Interference with business relationships
 - petition for damages, § 24:15
 - protective order, § 24:17
 - request for production of documents, § 24:16
- Invasion of privacy
 - misappropriation of name and likeness, § 25:15
 - protective order, § 25:16
- Libel, petition for damages, § 26:15
- Medical malpractice
 - corporate plaintiff's interrogatories, § 28:16
 - defendant's interrogatories, § 28:16
 - individual plaintiff's interrogatories, § 28:15
- Medical records, refusal to furnish, § 40:15
- Merchandising Practices Act actions, § 29:15
- Negligent misrepresentation, § 33:15
- Premises liability
 - defendant's interrogatories, § 36:17
 - petition for damages, § 36:15
 - plaintiff's interrogatories, § 36:16
 - slip and fall case, §§ 36:15 to 36:17
- Prima facie torts, petition for damages, § 37:15
- Products liability
 - answer, § 38:16
 - petition for damages in asbestos case, § 38:15
- Punitive damages clause, § 5:12

FORMS—Cont'd

- Rear end collision doctrine
 - defendant's interrogatories, § 39:17
 - petition for damages, § 39:15
 - plaintiff's interrogatories, § 39:16
- Service letter actions
 - defendant's interrogatories, § 44:16
 - petition for damages, § 44:15
- Slander of title, petition for damages, § 46:15
- Trespass, petition for damages, § 51:16
- Verdict forms, punitive damages, § 5:13
- Waste, petition for damages, § 52:15
- Wrongful death, petition for damages, § 55:15
- Wrongful discharge, petition for damages, § 56:15
- Wrongful foreclosure, petition for damages, § 57:15

FRAUD AND FRAUDULENT MISREPRESENTATION

- Generally, §§ 22:1 to 22:15
- Damages, § 22:12
- Defenses, § 22:8
- Discovery, § 22:9
- Elements of action, § 22:2
- Evidence, § 22:11
- Forms, petition for damages, § 22:15
- Instructions to jury, § 22:13
- Jurisdiction, § 22:3
- Limitation of actions, § 22:5
- Overview, § 22:1
- Parties, § 22:6
- Pleadings, § 22:7
- References, § 22:14
- Trial practice, § 22:10
- Venue, § 22:4

FRIGHT, SHOCK AND MENTAL ANGUISH

- Generally, §§ 18:1 to 18:14
- Damages, § 18:12
- Defenses, § 18:8
- Discovery, § 18:9
- Elements of action, § 18:2
- Evidence, § 18:11
- Instructions to jury, § 18:13
- Jurisdiction, § 18:3
- Limitation of actions, § 18:5
- Overview, § 18:1
- Parties, § 18:6
- Pleadings, § 18:7
- References, § 18:14

INDEX

FRIGHT, SHOCK AND MENTAL ANGUISH—Cont'd

Trial practice, § 18:10

Venue, § 18:4

GARNISHMENT

Tort and contract actions, execution of judgment, § 1:25

GOODS AND MERCHANDISE

Merchandising Practices Act Actions, this index

GOVERNING LAW

Conflict of Laws, this index

HAZARDOUS SUBSTANCES

Emergency statute

Generally, § 6:17

Private action under, § 6:17

Federal Hazardous Substances Act, § 6:20

HEALTH INSURANCE PORTABILITY AND ACCOUNTABILITY ACT

Forms for medical authorizations

prior to filing suit, release of information, §§ 28:20, 28:21

psychotherapy notes, release of, §§ 28:19, 28:21

release of information, § 28:18

HIGHWAY TRAFFIC

Automobiles and Highway Traffic, this index

HIPAA

Forms for medical authorizations, §§ 28:18 to 28:21

HUSBAND AND WIFE

Alienation of affections, § 6:16

IMPRISONMENT

False Imprisonment, this index

INDEMNITY

Negligence, § 2:26

INFANTS

Children and Infants, this index

INHERENTLY DANGEROUS ACTIVITY

Generally, §§ 23:1 to 23:14

Damages, § 23:12

Defenses, § 23:8

Discovery, § 23:9

Elements of action, § 23:2

Evidence, § 23:11

Instructions to jury, § 23:13

Jurisdiction, § 23:3

Limitation of actions, § 23:5

Overview, § 23:1

INHERENTLY DANGEROUS ACTIVITY—Cont'd

Parties, § 23:6
Pleadings, § 23:7
References, § 23:14
Trial practice, § 23:10
Venue, § 23:4

INSTRUCTIONS TO JURY

Abuse of process, § 7:13
Accountant malpractice, § 8:13
Animal torts, § 9:13
Assault and battery, § 10:13
Attorney malpractice, § 11:13
Automobile negligence, § 12:14
Bad faith refusal of insurer to settle, § 13:13
Clergy malpractice, § 14:13
Comparative fault principles, § 3:9
Consortium, § 15:12
Conspiracy, § 16:13
Conversion, § 17:14
Electricity suppliers, wrongful conduct by, § 54:13
Emotional distress, § 18:13
Engineer malpractice, § 19:13
False imprisonment, § 20:13
Federal Employers Liability Act, § 21:13
Fraud and fraudulent misrepresentation, § 22:13
Inherently dangerous activity, § 23:13
Insurance, bad faith refusal to settle, § 13:13
Intentional torts, generally, § 4:4
Interference with business relationships, § 24:13
Invasion of privacy, § 25:13
Libel, § 26:13
Malicious prosecution, § 27:13
Medical malpractice, § 28:13
Medical records, refusal to furnish, § 40:13
Merchandising Practices Act actions, § 29:13
Negligence per se, § 30:13
Negligent entrustment, § 31:13
Negligent hiring or retention, § 32:13
Negligent misrepresentation, § 33:13
Nuisances, § 35:13
Premises liability, § 36:13
Prima facie torts, § 37:13
Products liability, § 38:13
Rear end collision doctrine, § 39:13
Res ipsa loquitur, § 41:13
Rescue doctrine, § 49:13
Respondeat superior, § 42:14

INDEX

INSTRUCTIONS TO JURY—Cont'd

- Seduction, § 43:13
- Service letter actions, § 44:13
- Slander, § 45:13
- Slander of title, § 46:13
- Sports injuries, § 47:14
- Strict liability, § 48:13
- Supervision, negligence in, § 34:13
- Third party criminal acts, § 50:13
- Trespass, § 51:14
- Waste, § 52:13
- Wrongful conception, § 53:13
- Wrongful death, § 55:13
- Wrongful discharge, § 56:13
- Wrongful foreclosure, § 57:13

INSURANCE

- Bad faith refusal to settle
 - generally, §§ 13:1 to 13:14
 - damages, § 13:12
 - defenses, § 13:8
 - discovery, § 13:9
 - elements of action, § 13:2
 - evidence, § 13:11
 - instructions to jury, § 13:13
 - jurisdiction, § 13:3
 - law and practice notes, § 13:10
 - limitations of action, § 13:5
 - overview, § 13:1
 - parties, § 13:6
 - pleading, § 13:7
 - references, § 13:14
 - venue, § 13:4
- Negligence, insuring negligently, § 6:5
- Tort and contract actions, use of term before jury, § 1:14

INTENTIONAL TORTS

- Generally, §§ 4:1 to 4:12
- As to particular intentional torts, see more specific topics
- Choice of law rules, § 4:5
- Elements, § 4:2
- Instructions to jury, § 4:4
- Jurisdiction, § 4:7
- Law and practice, § 4:3
- Malice element in intentional torts, § 4:6
- Mental state requirement for punitive damages, § 4:12
- Negligence, § 1:6
- Overview, § 4:1

INTENTIONAL TORTS—Cont'd

- Punitive damages, § 4:12
- Recklessness, § 4:9
- Standing requirement, § 4:10
- Survival of action, § 4:8
- Tort and contract actions, § 1:6
- Venue, § 4:11

INTEREST AND USURY

- Damages, this index

INTERFERENCE WITH BUSINESS RELATIONSHIPS

- Generally, §§ 24:1 to 24:17
- Damages, § 24:12
- Damages, petition for, § 24:15
- Defenses, § 24:8
- Discovery, § 24:9
- Elements of action, § 24:2
- Evidence, § 24:11
- Instructions to jury, § 24:13
- Jurisdiction, § 24:3
- Limitation of actions, § 24:5
- Overview, § 24:1
- Parties, § 24:6
- Pleadings, § 24:7
- Protective order, § 24:17
- References, § 24:14
- Request for production of documents, § 24:16
- Trial practice, § 24:10
- Venue, § 24:4

INVASION OF PRIVACY

- Generally, §§ 25:1 to 25:16
- Damages, § 25:12
- Defenses, § 25:8
- Discovery, § 25:9
- Elements of action, § 25:2
- Evidence, § 25:11
- Instructions to jury, § 25:13
- Jurisdiction, § 25:3
- Limitation of actions, § 25:5
- Misappropriation of name and likeness, form, § 25:15
- Overview, § 25:1
- Parties, § 25:6
- Pleadings, § 25:7
- Protective order, form, § 25:16
- References, § 25:14
- Trial practice, § 25:10
- Venue, § 25:4

INDEX

JOINT OR JOINT AND SEVERAL CLAIMS OR OBLIGATIONS

Negligent torts, generally, § 2:16

JURISDICTION

Abuse of process, § 7:3
Accountant malpractice, § 8:3
Animal torts, § 9:3
Assault and battery, § 10:3
Attorney malpractice, § 11:3
Automobile negligence, § 12:3
Bad faith refusal of insurer to settle, § 13:3
Clergy malpractice, § 14:3
Consortium, § 15:3
Conspiracy, § 16:3
Conversion, § 17:4
Electricity suppliers, wrongful conduct by, § 54:3
Emotional distress, § 18:3
Engineer malpractice, § 19:3
False imprisonment, § 20:3
Federal Employers Liability Act, § 21:3
Fraud and fraudulent misrepresentation, § 22:3
Inherently dangerous activity, § 23:3
Insurance, bad faith refusal to settle, § 13:3
Intentional torts, generally, § 4:7
Interference with business relationships, § 24:3
Invasion of privacy, § 25:3
Libel, § 26:3
Malicious prosecution, § 27:3
Medical malpractice, § 28:3
Medical records, refusal to furnish, § 40:3
Merchandising Practices Act actions, § 29:3
Negligence per se, § 30:3
Negligent entrustment, § 31:3
Negligent hiring or retention, § 32:3
Negligent misrepresentation, § 33:3
Nuisances, § 35:3
Premises liability, § 36:3
Prima facie torts, § 37:3
Products liability, § 38:3
Rear end collision doctrine, § 39:3
Res ipsa loquitur, § 41:3
Rescue doctrine, § 49:3
Respondeat superior, § 42:3
Seduction, § 43:3
Service letter actions, § 44:3
Slander, § 45:3
Slander of title, § 46:3
Sports injuries, § 47:4

JURISDICTION—Cont'd

- Strict liability, § 48:3
- Supervision, negligence in, § 34:3
- Third party criminal acts, § 50:3
- Trespass, § 51:4
- Waste, § 52:3
- Wrongful conception, § 53:3
- Wrongful death, § 55:3
- Wrongful discharge, § 56:3
- Wrongful foreclosure, § 57:3

JURY AND JURY TRIAL

- Comparative fault principles, § 3:7
- Instructions to Jury, this index
- Insurance, use of term before jury, § 1:14
- Negligence torts before the jury, § 2:3
- Verdict, this index

KNOWLEDGE AND NOTICE

- Corporations and liability element, source of knowledge, § 1:23

LAW AND PRACTICE NOTES

- Bad faith refusal of insurer to settle, § 13:10

LIBEL

- Generally, §§ 26:1 to 26:15
- Damages, § 26:12
- Defenses, § 26:8
- Discovery, § 26:9
- Elements of action, § 26:2
- Evidence, § 26:11
- Former employer, petition for damages alleging libel by, § 26:15
- Instructions to jury, § 26:13
- Jurisdiction, § 26:3
- Limitation of actions, § 26:5
- Overview, § 26:1
- Parties, § 26:6
- Pleadings, § 26:7
- References, § 26:14
- Trial practice, § 26:10
- Venue, § 26:4

LIMITATION OF ACTIONS

- Abuse of process, § 7:5
- Accountant malpractice, § 8:5
- Animal torts, § 9:5
- Assault and battery, § 10:5
- Attorney malpractice, § 11:5
- Automobile negligence, § 12:6
- Bad faith refusal of insurer to settle, § 13:5

INDEX

LIMITATION OF ACTIONS—Cont'd

Clergy malpractice, § 14:5
Consortium, § 15:5
Conspiracy, § 16:5
Conversion, § 17:6
Electricity suppliers, wrongful conduct by, § 54:5
Emotional distress, § 18:5
False imprisonment, § 20:5
Federal Employers Liability Act, § 21:5
Fraud and fraudulent misrepresentation, § 22:5
Inherently dangerous activity, § 23:5
Insurance, bad faith refusal to settle, § 13:5
Interference with business relationships, § 24:5
Invasion of privacy, § 25:5
Libel and slander, §§ 26:5, 45:5
Malicious prosecution, § 27:5
Medical malpractice, § 28:5
Medical records, refusal to furnish, § 40:5
Merchandising Practices Act actions, § 29:5
Negligence per se, § 30:5
Negligent entrustment, § 31:5
Negligent hiring or retention, § 32:5
Negligent misrepresentation, § 33:5
Nuisances, § 35:5
Premises liability, § 36:5
Prima facie torts, § 37:5
Products liability, § 38:5
Rear end collision doctrine, § 39:5
Res ipsa loquitur, § 41:5
Rescue doctrine, § 49:5
Respondeat superior, § 42:5
Seduction, § 43:5
Service letter actions, § 44:5
Slander, § 45:5
Slander of title, § 46:5
Sports injuries, § 47:6
Strict liability, § 48:5
Supervision, negligence in, § 34:5
Third party criminal acts, § 50:5
Tort and contract actions, § 1:21
Trespass, § 51:6
Waste, § 52:5
Wrongful conception, § 53:5
Wrongful death, § 55:5
Wrongful discharge, § 56:5
Wrongful foreclosure, § 57:5

LOSS OF CONSORTIUM

Consortium, this index

LOSS OF WILL TO LIVE

Recovery theories rejected in Missouri, § 6:27

MALICE

Intentional torts, generally, § 4:6

Prosecution. Malicious Prosecution, this index

MALICIOUS PROSECUTION

Generally, §§ 27:1 to 27:14

Damages, § 27:12

Defenses, § 27:8

Discovery, § 27:9

Elements of action, § 27:2

Evidence, § 27:11

Instructions to jury, § 27:13

Jurisdiction, § 27:3

Limitation of actions, § 27:5

Overview, § 27:1

Parties, § 27:6

Pleadings, § 27:7

References, § 27:14

Trial practice, § 27:10

Venue, § 27:4

MALPRACTICE BY ACCOUNTANTS

Generally, §§ 8:1 to 8:14

Defenses, § 8:8

Discovery, § 8:9

Elements of action, § 8:2

Evidence, §§ 8:11, 8:12

Instructions to jury, § 8:13

Jurisdiction, § 8:3

Limitation of actions, § 8:5

Overview, § 8:1

Parties, § 8:6

Pleadings, § 8:7

References, § 8:14

Trial practice, § 8:10

Venue, § 8:4

MALPRACTICE BY ATTORNEYS

Generally, §§ 11:1 to 11:15

Damages, § 11:12

Defenses, § 11:8

Discovery, § 11:9

Elements of action, § 11:2

Evidence, § 11:11

INDEX

MALPRACTICE BY ATTORNEYS—Cont'd

- Forms, § 11:15
- Instructions to jury, § 11:13
- Jurisdiction, § 11:3
- Law and practice notes, § 11:10
- Limitation of actions, § 11:5
- Overview, § 11:1
- Parties, § 11:6
- Pleadings, § 11:7
- References, § 11:14
- Venue, § 11:4

MALPRACTICE BY CLERGY

- Generally, §§ 14:1 to 14:15
- Damages, § 14:12
- Defenses, § 14:8
- Discovery, § 14:9
- Elements of action, § 14:2
- Evidence, § 14:11
- Instructions to jury, § 14:13
- Jurisdiction, § 14:3
- Limitation of actions, § 14:5
- Overview, § 14:1
- Parties, § 14:6
- Pleadings, § 14:7
- References, § 14:14
- Sexual abuse of minor, petition for damages, § 14:15
- Trial practice, § 14:10
- Venue, § 14:4

MALPRACTICE BY ENGINEERS

- Generally, §§ 19:1 to 19:14
- Damages, § 19:12
- Defenses, § 19:8
- Discovery, § 19:9
- Elements of action, § 19:2
- Evidence, § 19:11
- Instructions to jury, § 19:13
- Jurisdiction, § 19:3
- Law and practice notes, § 19:10
- Limitation of actions, § 19:5
- Overview, § 19:1
- Parties, § 19:6
- Pleadings, § 19:7
- References, § 19:14
- Venue, § 19:4

MALPRACTICE BY MEDICAL PROFESSIONS

- Generally, §§ 28:1 to 28:21

MALPRACTICE BY MEDICAL PROFESSIONS—Cont'd

- Corporate plaintiff's interrogatories, form, § 28:16
- Damages, § 28:12
- Defendant's interrogatories, form, § 28:16
- Defenses, § 28:8
- Discovery, § 28:9
- Elements of action, § 28:2
- Evidence, § 28:11
- HIPAA forms for medical authorizations, §§ 28:18 to 28:21
- Individual plaintiff's interrogatories, form, § 28:15
- Instructions to jury, § 28:13
- Jurisdiction, § 28:3
- Law and practice notes, § 28:10
- Limitation of actions, § 28:5
- Overview, § 28:1
- Parties, § 28:6
- Pleadings, § 28:7
- References, § 28:14
- Venue, § 28:4

MEDICAL MALPRACTICE

- Malpractice by Medical Profession, this index

MEDICAL RECORDS

- HIPAA forms for medical authorizations, §§ 28:18 to 28:21
- Negligent maintenance of, § 6:12
- Refusal to furnish
 - Generally, §§ 40:1 to 40:15
 - Damages, § 40:12
 - Defenses, § 40:8
 - Discovery, § 40:9
 - Elements of action, § 40:2
 - Evidence, § 40:11
 - Forms, § 40:15
 - Instructions to jury, § 40:13
 - Jurisdiction, § 40:3
 - Limitation of actions, § 40:5
 - Overview, § 40:1
 - Parties, § 40:6
 - Pleadings, § 40:7
 - References, § 40:14
 - Refusal to furnish records, generally, §§ 40:1 to 40:15
 - Trial practice, § 40:10
 - Venue, § 40:4
- Tort recovery theories rejected in Missouri, § 6:12

MENTAL ANGUISH

- Fright, Shock and Mental Anguish, this index

INDEX

MENTAL STATE

Intentional torts, Mental state requirement for punitive damages, § 4:12

MERCHANDISING PRACTICES ACT ACTIONS

Generally, §§ 29:1 to 29:15

Damages, § 29:12

Defenses, § 29:8

Discovery, § 29:9

Elements of action, § 29:2

Evidence, § 29:11

Forms, petition for damages, § 29:15

Instructions to jury, § 29:13

Jurisdiction, § 29:3

Limitation of actions, § 29:5

Overview, § 29:1

Parties, § 29:6

Pleadings, § 29:7

References, § 29:14

Trial practice, § 29:10

Venue, § 29:4

MINORS

Children and Infants, this index

MISREPRESENTATION

Fraud and Fraudulent Misrepresentation, this index

MITIGATION OF DAMAGES

Generally, § 5:6

MOTOR VEHICLES

Automobiles and Highway Traffic, this index

MUNICIPAL CORPORATIONS AND OTHER POLITICAL SUBDIVISIONS

Negligence actions against, § 2:15

NEGLIGENCE

Generally, §§ 2:1 to 2:32

Attractive nuisance, § 2:31

Cities, negligence actions against, § 2:15

Contributing negligence, § 2:22

Contribution among tortfeasors, § 2:17

Defendant need not offer evidence to support verdict in his favor, § 2:9

Defenses, this index

Dollar limitations under waiver of sovereign immunity, § 2:11

Duty, § 2:5

Economic loss, contributing negligence as defense to, § 2:22

Election of remedies, § 2:30

Elements of action, § 2:2

Entrustment. Negligent Entrustment, this index

Evidence, §§ 2:8, 2:9

NEGLIGENCE—Cont'd

- False imprisonment, clause reciting facts alleging, § 20:16
- Favorable verdict, defendant need not offer evidence to support, § 2:9
- Federal preemption, § 2:24
- Foreseeability, § 2:6
- Hiring. Negligent Hiring or Retention, this index
- Indemnity, § 2:26
- Intentional torts, § 1:6
- Intoxication, § 2:20
- Joint and several liability, § 2:16
- Jury and negligence torts, § 2:3
- Law notes, § 2:18
- Limitation of liability, § 2:25
- Misrepresentation. Negligent Misrepresentation, this index
- Official immunity, § 2:28
- Overview, § 2:1
- Parties, § 2:14
- Per se negligence. Negligence Per Se, this index
- Personal liability of volunteers, § 2:21
- Pleadings, § 2:10
- Proximate cause, § 2:7
- Recklessness as cause of action, § 2:23
- Remedies, election of, § 2:30
- Res Ipsa Loquitur, this index
- Respondeat superior, § 2:13
- Sovereign immunity, §§ 2:11, 2:27
- Summary judgment, § 2:32
- Supervision. Negligent Supervision, this index
- Survival of action, § 2:4
- Tort and contract actions, § 1:6
- Trial practice, § 2:12
- Venue, § 2:29
- Venue, this index
- Volunteers, personal liability of, § 2:21
- Waiver of sovereign immunity, § 2:11

NEGLIGENCE PER SE

- Generally, §§ 30:1 to 30:14
- Damages, § 30:12
- Defenses, § 30:8
- Discovery, § 30:9
- Elements of action, § 30:2
- Evidence, § 30:11
- Instructions to jury, § 30:13
- Jurisdiction, § 30:3
- Law and practice, § 30:10
- Limitation of actions, § 30:5
- Overview, § 30:1

INDEX

NEGLIGENCE PER SE—Cont'd

- Parties, § 30:6
- Pleadings, § 30:7
- References, § 30:14
- Venue, § 30:4

NEGLIGENT ENTRUSTMENT

- Generally, §§ 31:1 to 31:14
- Damages, § 31:12
- Defenses, § 31:8
- Discovery, § 31:9
- Elements of action, § 31:2
- Evidence, § 31:11
- Instructions to jury, § 31:13
- Jurisdiction, § 31:3
- Law and practice notes, § 31:10
- Limitation of actions, § 31:5
- Overview, § 31:1
- Parties, § 31:6
- Pleadings, § 31:7
- References, § 31:14
- Venue, § 31:4

NEGLIGENT HIRING OR RETENTION

- Generally, §§ 32:1 to 32:14
- Damages, § 32:12
- Defenses, § 32:8
- Discovery, § 32:9
- Elements of action, § 32:2
- Evidence, § 32:11
- Instructions to jury, § 32:13
- Jurisdiction, § 32:3
- Limitation of actions, § 32:5
- Overview, § 32:1
- Parties, § 32:6
- Pleadings, § 32:7
- References, § 32:14
- Trial practice, § 32:10
- Venue, § 32:4

NEGLIGENT MISREPRESENTATION

- Generally, §§ 33:1 to 33:15
- Damages, § 33:12
- Defenses, § 33:8
- Discovery, § 33:9
- Elements of action, § 33:2
- Evidence, § 33:11
- Forms, § 33:15
- Instructions to jury, § 33:13

NEGLIGENT MISREPRESENTATION—Cont'd

- Jurisdiction, § 33:3
- Limitation of actions, § 33:5
- Parties, § 33:6
- Pleadings, § 33:7
- References, § 33:14
- Trial practice, § 33:10
- Venue, § 33:4

NEGLIGENT SUPERVISION

- Generally, §§ 34:1 to 34:14
- Clergymen, § 6:24
- Damages, § 34:12
- Defenses, § 34:8
- Discovery, § 34:9
- Elements of action, § 34:2
- Evidence, § 34:11
- Instructions to jury, § 34:13
- Jurisdiction, § 34:3
- Limitation of actions, § 34:5
- Overview, § 34:1
- Parties, § 34:6
- Pleadings, § 34:7
- References, § 34:14
- Trial practice, § 34:10
- Venue, § 34:4

NOMINAL DAMAGES

- Generally, § 5:3

NONSUIT

- Tort and contract actions, § 1:17

NUISANCES

- Generally, §§ 35:1 to 35:14
- Damages, § 35:12
- Defenses, § 35:8
- Discovery, § 35:9
- Elements of action, § 35:2
- Evidence, § 35:11
- Instructions to jury, § 35:13
- Jurisdiction, § 35:3
- Law and practice notes, § 35:10
- Limitation of actions, § 35:5
- Overview, § 35:1
- Parties, § 35:6
- Pleadings, § 35:7
- References, § 35:14
- Venue, § 35:4

INDEX

OCCUPATIONAL SAFETY AND HEALTH ACT

Private right of action under, § 6:23

OFFICIAL IMMUNITY

Generally, § 2:28

Defenses, § 2:28

OSHA

Private right of action under, § 6:23

PARENT

Alienation of affections, § 6:15

PARENTS

Adult child, claim against parents of, § 6:25

Children and Infants, this index

PARTIES

Abuse of process, § 7:6

Accountant malpractice, § 8:6

Animal torts, § 9:6

Assault and battery, § 10:6

Attorney malpractice, § 11:6

Automobile negligence, § 12:7

Bad faith refusal of insurer to settle, § 13:6

Clergy malpractice, § 14:6

Consortium, § 15:6

Conspiracy, § 16:6

Conversion, § 17:7

Electricity suppliers, wrongful conduct by, § 54:6

Emotional distress, § 18:6

Engineer malpractice, § 19:6

False imprisonment, § 20:6

Federal Employers Liability Act, § 21:6

Fraud and fraudulent misrepresentation, § 22:6

Inherently dangerous activity, § 23:6

Insurance, bad faith refusal to settle, § 13:6

Interference with business relationships, § 24:6

Invasion of privacy, § 25:6

Libel, § 26:6

Malicious prosecution, § 27:6

Medical malpractice, § 28:6

Medical records, refusal to furnish, § 40:6

Merchandising Practices Act actions, § 29:6

Negligence per se, § 30:6

Negligent entrustment, § 31:6

Negligent hiring or retention, § 32:6

Negligent misrepresentation, § 33:6

Nuisances, § 35:6

Partnerships, tort and contract actions, § 1:26

PARTIES—Cont'd

- Premises liability, § 36:6
- Prima facie torts, § 37:6
- Products liability, § 38:6
- Rear end collision doctrine, § 39:6
- Relationship status, tort and contract actions, § 1:4
- Res ipsa loquitur, § 41:6
- Rescue doctrine, § 49:6
- Respondeat superior, § 42:6
- Seduction, § 43:6
- Service letter actions, § 44:6
- Slander, § 45:6
- Slander of title, § 46:6
- Sports injuries, § 47:7
- Strict liability, § 48:6
- Supervision, negligence in, § 34:6
- Third party criminal acts, § 50:6
- Tort and contract actions, §§ 1:4, 1:26
- Trespass, § 51:7
- Waste, § 52:6
- Wrongful conception, § 53:6
- Wrongful death, § 55:6
- Wrongful discharge, § 56:6
- Wrongful foreclosure, § 57:6

PARTNERSHIPS

- Parties to tort and contract actions, § 1:26

PATERNITY FRAUD

- Tort recovery theories rejected, § 6:29

PHYSICIAN PATIENT PRIVILEGE

- Intentional interference with, § 6:18

PLEADINGS

- Abuse of process, § 7:7
- Accountant malpractice, § 8:7
- Animal torts, § 9:7
- Assault and battery, § 10:7
- Attorney malpractice, § 11:7
- Automobile negligence, § 12:8
- Bad faith refusal of insurer to settle, § 13:7
- Clergy malpractice, § 14:7
- Comparative fault principles, § 3:6
- Consortium, § 15:7
- Conspiracy, § 16:7
- Conversion, § 17:8
- Electricity suppliers, wrongful conduct by, § 54:7
- Emotional distress, § 18:7
- Engineer malpractice, § 19:7

INDEX

PLEADINGS—Cont'd

- False imprisonment, § 20:7
- Federal Employers Liability Act, § 21:7
- Fraud and fraudulent misrepresentation, § 22:7
- Inherently dangerous activity, § 23:7
- Insurance, bad faith refusal to settle, § 13:7
- Interference with business relationships, § 24:7
- Invasion of privacy, § 25:7
- Libel, § 26:7
- Malicious prosecution, § 27:7
- Medical malpractice, § 28:7
- Medical records, refusal to furnish, § 40:7
- Merchandising Practices Act actions, § 29:7
- Negligence per se, § 30:7
- Negligent entrustment, § 31:7
- Negligent hiring or retention, § 32:7
- Negligent misrepresentation, § 33:7
- Negligent torts, generally, § 2:10
- Nuisances, § 35:7
- Premises liability, § 36:7
- Prima facie torts, § 37:7
- Products liability, § 38:7
- Rear end collision doctrine, § 39:7
- Res ipsa loquitur, § 41:7
- Rescue doctrine, § 49:7
- Respondeat superior, § 42:7
- Seduction, § 43:7
- Service letter actions, § 44:7
- Slander, § 45:7
- Slander of title, § 46:7
- Sports injuries, § 47:8
- Strict liability, § 48:7
- Supervision, negligence in, § 34:7
- Third party criminal acts, § 50:7
- Trespass, § 51:8
- Waste, § 52:7
- Wrongful conception, § 53:7
- Wrongful death, § 55:7
- Wrongful discharge, § 56:7
- Wrongful foreclosure, § 57:7

POLICE OFFICER'S RULE

- Rescue doctrine, § 49:2

PREEMPTION

- Defense under federal preemption, § 2:24

PREMISES LIABILITY

- Generally, §§ 36:1 to 36:17

PREMISES LIABILITY—Cont'd

- Damages, § 36:12
- Defendant's interrogatories, form, § 36:16
- Defenses, § 36:8
- Discovery, § 36:9
- Elements of action, § 36:2
- Evidence, § 36:11
- Instructions to jury, § 36:13
- Jurisdiction, § 36:3
- Limitation of actions, § 36:5
- Overview, § 36:1
- Parties, § 36:6
- Petition for damages, form, § 36:15
- Plaintiff's interrogatories, form, § 36:16
- Pleadings, § 36:7
- References, § 36:14
- Slip and fall case, forms, §§ 36:15 to 36:17
- Trial practice, § 36:10
- Venue, § 36:4

PRIMA FACIE TORTS

- Generally, §§ 37:1 to 37:15
- Damages, § 37:12
- Defenses, § 37:8
- Discovery, § 37:9
- Elements of action, § 37:2
- Evidence, § 37:11
- Instructions to jury, § 37:13
- Jurisdiction, § 37:3
- Limitation of actions, § 37:5
- Overview, § 37:1
- Parties, § 37:6
- Petition for damages, form, § 37:15
- Pleadings, § 37:7
- References, § 37:14
- Trial practice, § 37:10
- Venue, § 37:4

PRIVACY

- HIPAA forms for medical authorizations, §§ 28:18 to 28:21
- Invasion of privacy
 - Generally, §§ 25:1 to 25:16
 - Damages, § 25:12
 - Defenses, § 25:8
 - Discovery, § 25:9
 - Elements of action, § 25:2
 - Evidence, § 25:11
 - Instructions to jury, § 25:13

INDEX

PRIVACY—Cont'd

- Invasion of privacy—Cont'd
 - Jurisdiction, § 25:3
 - Limitation of actions, § 25:5
 - misappropriation of name and likeness, § 25:15
 - Overview, § 25:1
 - Parties, § 25:6
 - Pleadings, § 25:7
 - protective order, § 25:16
 - References, § 25:14
 - Trial practice, § 25:10
 - Venue, § 25:4
- Physician patient privilege, intentional interference with, § 6:18

PRODUCTS LIABILITY

- Generally, §§ 38:1 to 38:16
- Damages, § 38:12
- Defenses, § 38:8
- Discovery, § 38:9
- Elements of action, § 38:2
- Evidence, § 38:11
- Forms
 - answer, § 38:16
 - asbestos case, petition for damages, § 38:15
- Instructions to jury, § 38:13
- Jurisdiction, § 38:3
- Limitation of actions, § 38:5
- Overview, § 38:1
- Parties, § 38:6
- Pleadings, § 38:7
- References, § 38:14
- Trial practice, § 38:10
- Venue, § 38:4

PROPERTY RESCUES

- Rescue doctrine, § 49:2

PROXIMATE CAUSE

- Comparative fault, § 3:3
- Negligent torts, generally, § 2:7

PUBLIC OFFICERS AND EMPLOYEES

- Tort and contract actions, subordinate's acts, § 1:12

PUNITIVE DAMAGES

- Generally, §§ 4:12, 5:4, 5:5

REAR END COLLISION DOCTRINE

- Generally, §§ 39:1 to 39:17
- Damages, § 39:12
- Defenses, § 39:8

REAR END COLLISION DOCTRINE—Cont'd

- Discovery, § 39:9
- Elements of action, § 39:2
- Evidence, § 39:11
- Forms
 - defendant's interrogatories, § 39:17
 - petition for damages, § 39:15
 - plaintiff's interrogatories, § 39:16
- Instructions to jury, § 39:13
- Jurisdiction, § 39:3
- Limitation of actions, § 39:5
- Overview, § 39:2
- Parties, § 39:6
- Pleadings, § 39:7
- References, § 39:14
- Trial practice, § 39:10
- Venue, § 39:4

RECKLESSNESS

- Intentional torts, § 4:9
- Negligence, causes of action, § 2:23

RECOVERY THEORIES REJECTED IN MISSOURI

- Generally, §§ 6:1 to 6:30
- Adult child, claim against parents of, § 6:25
- Agent, damages for loss of, § 6:10
- Attractive nuisance, § 6:8
- Breach of fiduciary duty, sexual misconduct of clergy based on, § 6:22
- Child, claim against parents of adult child, § 6:25
- Child Abuse Reporting Act, § 6:21
- Cleary Act, negligence, § 6:30
- Clergyman, negligent failure to supervise, § 6:24
- Clergy's sexual misconduct based on breach of fiduciary duty, § 6:22
- Consortium claims by parents or children, § 6:3
- Criminal conversation, § 6:13
- Criminal statute violations, § 6:2
- Damages for loss of agent, § 6:10
- Drunken driver, negligently assisting, § 6:4
- Educational malpractice claim, § 6:28
- Evidence, spoliation of, § 6:11
- Federal Hazardous Substances Act, § 6:20
- Hazardous substance emergency statute; private action, § 6:17
- Insuring, negligence in, § 6:5
- Intentional interference with physician/patient privilege, § 6:18
- Interference with visitation or temporary custody rights, § 6:9
- Intoxicants supplied to another not liable to third party, § 6:19
- Loss of consortium claims by parents or children, § 6:3
- Loss of will to live, § 6:27

INDEX

RECOVERY THEORIES REJECTED IN MISSOURI—Cont'd

- Medical records, § 6:12
- OSHA as not creating private right of action, § 6:23
- Paternity fraud, § 6:29
- Physician/patient privilege, intentional interference with, § 6:18
- Private right of action, OSHA as not creating, § 6:23
- Repair of chattel under contract, negligence in, § 6:6
- Sexual misconduct of clergy based on breach of fiduciary duty, § 6:22
- Spoliation, § 6:11
- Supervision of clergyman, negligence in, § 6:24
- Temporary custody rights, interference with, § 6:9
- Third party, supplier of intoxicants to another not liable to, § 6:19
- Unfair Claims Settlement Practices Act, § 6:26
- Visitation rights, interference with, § 6:9
- Will to live, loss of, § 6:27
- Wrongful life/wrongful birth, § 6:7

REFERENCES

- Absolute liability, § 48:14
- Abuse of process, § 7:14
- Accountant malpractice, § 8:14
- Animal torts, § 9:14
- Assault and battery, § 10:14
- Attorney malpractice, § 11:14
- Automobile negligence, § 12:15
- Bad faith refusal of insurer to settle, § 13:14
- Consortium, § 15:14
- Conspiracy, § 16:14
- Conversion, § 17:15
- Death and death actions, § 55:14
- Defamation, §§ 26:14, 45:14, 46:14
- Electricity suppliers, wrongful conduct by, § 54:14
- Emotional distress, § 18:14
- Engineer malpractice, § 19:14
- False imprisonment, § 20:14
- Federal Employers Liability Act, § 21:14
- Fraud and fraudulent misrepresentation, § 22:14
- Fright, shock and mental anguish, § 18:14
- Inherently dangerous activity, § 23:14
- Insurance, bad faith refusal to settle, § 13:14
- Interference with business relationships, § 24:14
- Invasion of privacy, § 25:14
- Libel, § 26:14
- Malicious prosecution, § 27:14
- Malpractice by attorneys, § 11:14
- Malpractice by clergy, § 14:14
- Malpractice by engineers, § 19:14
- Medical records, refusal to furnish, § 40:14

REFERENCES—Cont'd

Merchandising practices act actions, § 29:14
Negligence per se, § 30:14
Negligent entrustment, § 31:14
Negligent hiring or retention, § 32:14
Negligent misrepresentation, § 33:14
Negligent supervision, § 34:14
Nuisances, § 35:14
Premises liability, § 36:14
Prima facie torts, § 37:14
Products liability, § 38:14
Rear end collision doctrine, § 39:14
Res ipsa loquitur, § 41:14
Rescue doctrine, § 49:14
Respondeat superior, § 42:15
Seduction, § 43:14
Service letter actions, § 44:14
Slander, § 45:14
Slander of title, § 46:14
Sports injuries, §§ 47:14, 47:15
Strict liability, § 48:14
Third party criminal acts, § 50:14
Trespass, § 51:15
Waste, § 52:14
Wrongful conception, § 53:14
Wrongful death, § 55:14
Wrongful discharge, § 56:14
Wrongful foreclosure, § 57:14

REMEDIES

Election of, negligence cases, § 2:30

REPAIR AND MAINTENANCE

Chattel under contract, negligent repair of, § 6:6

RES IPSA LOQUITUR

Generally, §§ 41:1 to 41:14
Damages, § 41:12
Defenses, § 41:8
Discovery, § 41:9
Elements of doctrine, § 41:2
Evidence, § 41:11
Instructions to jury, § 41:13
Jurisdiction, § 41:3
Limitation of actions, § 41:5
Overview, § 41:1
Parties, § 41:6
Pleadings, § 41:7
References, § 41:14

INDEX

RES IPSA LOQUITUR—Cont'd

Trial practice, § 41:10

Venue, § 41:4

RESCUE DOCTRINE

Generally, §§ 49:1 to 49:14

Damages, § 49:12

Defenses, § 49:8

Discovery, § 49:9

Elements of action, § 49:2

Evidence, § 49:11

Instructions to jury, § 49:13

Jurisdiction, § 49:3

Limitation of actions, § 49:5

Overview, § 49:1

Parties, § 49:6

Pleadings, § 49:7

Property rescues, § 49:2

References, § 49:14

Trial practice, § 49:10

Venue, § 49:4

RESPONDEAT SUPERIOR

Generally, §§ 42:1 to 42:15

Damages, § 42:13

Defenses, § 42:8

Discovery, § 42:9

Elements of doctrine, § 42:2

Evidence, § 42:12

Instructions to jury, § 42:14

Jurisdiction, § 42:3

Law and practice, § 42:10

Limitation of actions, § 42:5

Negligent torts, generally, § 2:13

Overview, § 42:1

Parties, § 42:6

Pleadings, § 42:7

Scope of employment, § 42:11

Venue, § 42:4

RULES OF CIVIL PROCEDURE

Selected Rules, § App E

SAVINGS STATUTE

Tort and contract actions, § 1:18

SEDUCTION

Generally, §§ 43:1 to 43:14

Damages, § 43:12

Defenses, § 43:8

SEDUCTION—Cont'd

- Discovery, § 43:9
- Elements of action, § 43:2
- Evidence, § 43:11
- Instructions to jury, § 43:13
- Jurisdiction, § 43:3
- Limitation of actions, § 43:5
- Overview, § 43:1
- Parties, § 43:6
- Pleadings, § 43:7
- References, § 43:14
- Trial practice, § 43:10
- Venue, § 43:4

SERVICE LETTER ACTIONS

- Generally, §§ 44:1 to 44:16
- Damages, § 44:12
- Defendant's interrogatories, form, § 44:16
- Defenses, § 44:8
- Discovery, § 44:9
- Elements of action, § 44:2
- Evidence, § 44:11
- Instructions to jury, § 44:13
- Jurisdiction, § 44:3
- Limitation of actions, § 44:5
- Overview, § 44:1
- Parties, § 44:6
- Petition for damages, form, § 44:15
- Pleadings, § 44:7
- References, § 44:14
- Trial practice, § 44:10
- Venue, § 44:4

SETTLEMENTS

- Attorney's lien, tort and contract actions, § 1:22
- Bad Faith Refusal of Insurer to Settle, this index
- Unfair Claims Settlement Practices Act, recovery theories rejected in Missouri,
§ 6:26

SLANDER

- Generally, §§ 45:1 to 45:14
- Damages, § 45:12
- Defenses, § 45:8
- Discovery, § 45:9
- Elements of action, § 45:2
- Evidence, § 45:11
- Instructions to jury, § 45:13
- Jurisdiction, § 45:3
- Limitation of actions, § 45:5

INDEX

SLANDER—Cont'd

- Overview, § 45:1
- Parties, § 45:6
- Pleadings, § 45:7
- References, § 45:14
- Title. Slander of Title, this index
- Trial practice, § 45:10
- Venue, § 45:4

SLANDER OF TITLE

- Generally, §§ 46:1 to 46:15
- Damages, § 46:12
- Defenses, § 46:8
- Discovery, § 46:9
- Elements of actions, § 46:2
- Evidence, § 46:11
- Instructions to jury, § 46:13
- Jurisdiction, § 46:3
- Law and practice notes, § 46:10
- Limitation of actions, § 46:5
- Overview, § 46:1
- Parties, § 46:6
- Petition for damages, form, § 46:15
- Pleadings, § 46:7
- References, § 46:14
- Venue, § 46:4

SOVEREIGN IMMUNITY

- Generally, §§ 2:11, 2:27

SPORTS INJURIES

- Generally, §§ 47:1 to 47:15
- Damages, § 47:13
- Defenses, § 47:9
- Discovery, § 47:10
- Elements of action, § 47:2
- Evidence, § 47:12
- Instructions to jury, § 47:14
- Jurisdiction, § 47:4
- Limitation of actions, § 47:6
- Other participants, injuries not involving, § 47:3
- Overview, § 47:1
- Parties, § 47:7
- Pleadings, § 47:8
- Practice notes, § 47:11
- References, § 47:15
- Venue, § 47:5

STANDING TO SUE

- Intentional torts, § 4:10

STATUTE OF LIMITATIONS

Limitation of Actions, this index

STATUTES

Actions under Merchandising Practices Act, §§ 29:1 to 29:15
Child Abuse Reporting Act, § 6:21
Federal Employer's Liability Act, § App D
Federal Hazardous Substances Act, § 6:20
Recovery theories rejected in Missouri, violations of statutes, § 6:2
Selected Missouri statutes, § App B
Uniform Comparative Fault Act, § App C

STRICT LIABILITY

Generally, §§ 48:1 to 48:14
Damages, § 48:12
Defenses, § 48:8
Discovery, § 48:9
Elements of action, § 48:2
Evidence, § 48:11
Instructions to jury, § 48:13
Jurisdiction, § 48:3
Law and practice, § 48:10
Limitation of actions, § 48:5
Overview, § 48:1
Parties, § 48:6
Pleadings, § 48:7
References, § 48:14
Venue, § 48:4

SUMMARY JUDGMENT

Negligence actions, § 2:32

SURVIVAL OF ACTIONS

Intentional torts, generally, § 4:8
Negligent torts, generally, § 2:4

TEMPORARY ACTS OR MATTERS

Custody and visitation interference with temporary custody rights, § 6:9

THIRD PARTIES

Criminal acts
Generally, §§ 50:1 to 50:14
Damages, § 50:12
Defenses, § 50:8
Discovery, § 50:9
Elements of action, § 50:2
Evidence, § 50:11
Instructions to jury, § 50:13
Jurisdiction, § 50:3
Limitation of actions, § 50:5

INDEX

THIRD PARTIES—Cont'd

Criminal acts—Cont'd

Overview, § 50:1

Parties, § 50:6

Pleadings, § 50:7

References, § 50:14

Trial practice, § 50:10

Venue, § 50:4

Supplier of intoxicants to another not liable to third party, § 6:19

TORT AND CONTRACT ACTIONS

Generally, §§ 1:1 to 1:26

Affirmative defenses, asserting, § 1:20

Assignment of tort claims, § 1:7

Attorney fees, § 1:24

Attorney's lien, § 1:22

Bankruptcy, effect on unliquidated personal injury claim of debtor, § 1:11

Burden of proof, § 1:16

Cause in fact, elements of tort, § 1:13

Claims and criminal statutes, § 1:15

Criminal statutes, claims and, § 1:15

Damages, § 1:2

Defenses, § 1:19

Definitions, § 1:10

Garnishment, execution of judgment by, § 1:25

Insurance, use of term before jury, § 1:14

Judgments and settlements, § 1:22

Knowledge, source as liability element for corporation, § 1:23

Liability in both tort and contract, § 1:3

Limitation of actions, § 1:21

Minor's liability for torts, § 1:8

Nonsuit, § 1:17

Parent responsibility for child's action, § 1:9

Parties relationship status, § 1:4

Partnerships as parties, § 1:26

Performance, failure in, § 1:5

Property torts, § 1:10

Public officers, subordinate's acts, § 1:12

Savings statute, § 1:18

Settlements and judgments, § 1:22

TRAFFIC

Automobiles and Highway Traffic, this index

TRESPASS

Generally, §§ 51:1 to 51:16

Chattel, trespass to, § 51:3

Damages, §§ 51:13, 51:16

Defenses, § 51:9

TRESPASS—Cont'd

- Discovery, § 51:10
- Elements, § 51:2
- Evidence, § 51:12
- Form, petition for damages, § 51:16
- Instructions to jury, § 51:14
- Jurisdiction, § 51:4
- Limitation of actions, § 51:6
- Overview, § 51:1
- Parties, § 51:7
- Pleadings, § 51:8
- References, § 51:15
- Trial practice, § 51:11
- Venue, § 51:5

TRIAL PRACTICE

- Generally, § 27:10
- Abuse of process, § 7:10
- Accountant malpractice, § 8:10
- Assault and battery, § 10:10
- Automobile negligence, § 12:11
- Clergy malpractice, § 14:10
- Comparative fault principles, § 3:5
- Consortium, § 15:10
- Conversion, § 17:11
- Emotional distress, § 18:10
- False imprisonment, § 20:10
- Federal Employers Liability Act, § 21:10
- Fraud and fraudulent misrepresentation, § 22:10
- Inherently dangerous activity, § 23:10
- Interference with business relationships, § 24:10
- Invasion of privacy, § 25:10
- Libel, § 26:10
- Medical records, refusal to furnish, § 40:10
- Merchandising Practices Act actions, § 29:10
- Negligent hiring or retention, § 32:10
- Negligent misrepresentation, § 33:10
- Negligent torts, generally, § 2:12
- Premises liability, § 36:10
- Prima facie torts, § 37:10
- Products liability, § 38:10
- Rear end collision doctrine, § 39:10
- Res ipsa loquitur, § 41:10
- Rescue doctrine, § 49:10
- Seduction, § 43:10
- Service letter actions, § 44:10
- Slander, § 45:10
- Supervision, negligence in, § 34:10

INDEX

TRIAL PRACTICE—Cont'd

- Third party criminal acts, § 50:10
- Trespass, § 51:11
- Wrongful conception, § 53:10
- Wrongful discharge, § 56:10
- Wrongful foreclosure, § 57:10

TROVER

- Conversion, this index

UNFAIR CLAIMS SETTLEMENT PRACTICES ACT

- Recovery theories rejected in Missouri, § 6:26

UNIFORM COMPARATIVE FAULT ACT

- Generally, § App C

VENUE

- Abuse of process, § 7:4
- Accountant malpractice, § 8:4
- Animal torts, § 9:4
- Assault and battery, § 10:4
- Attorney malpractice, § 11:4
- Automobile negligence, § 12:4
- Bad faith refusal of insurer to settle, § 13:4
- Clergy malpractice, § 14:4
- Consortium, § 15:5
- Conspiracy, § 16:4
- Conversion, § 17:5
- Electricity suppliers, wrongful conduct by, § 54:4
- Emotional distress, § 18:4
- Engineer malpractice, § 19:4
- False imprisonment, § 20:4
- Federal Employers Liability Act, § 21:4
- Fraud and fraudulent misrepresentation, § 22:4
- Inherently dangerous activity, § 23:4
- Insurance, bad faith refusal to settle, § 13:4
- Intentional torts in general, § 4:11
- Interference with business relationships, § 24:4
- Invasion of privacy, § 25:4
- Libel, § 26:4
- Malicious prosecution, § 27:4
- Medical malpractice, § 28:4
- Medical records, refusal to furnish, § 40:4
- Merchandising Practices Act actions, § 29:4
- Negligence per se, § 30:4
- Negligent entrustment, § 31:4
- Negligent hiring or retention, § 32:4
- Negligent misrepresentation, § 33:4
- Negligent torts in general, § 2:29
- Nuisances, § 35:4

VENUE—Cont'd

- Premises liability, § 36:4
- Prima facie torts, § 37:4
- Products liability, § 38:4
- Rear end collision doctrine, § 39:4
- Res ipsa loquitur, § 41:4
- Rescue doctrine, § 49:4
- Respondeat superior, § 42:4
- Seduction, § 43:4
- Service letter actions, § 44:4
- Slander, § 45:4
- Slander of title, § 46:4
- Sports injuries, § 47:5
- Strict liability, § 48:4
- Supervision, negligence in, § 34:4
- Third party criminal acts, § 50:4
- Trespass, § 51:5
- Waste, § 52:4
- Wrongful conception, § 53:4
- Wrongful death, § 55:4
- Wrongful discharge, § 56:4
- Wrongful foreclosure, § 57:4

VERDICT

- Consortium, § 15:13
- Favorable verdict, defendant need not offer evidence to support, § 2:9
- Punitive damages approved form, § 5:13
- Reduction of verdict, § 5:11

VIOLATIONS OF CRIMINAL STATUTES

- Recovery theories rejected in Missouri, § 6:2

VISITS AND VISITATION

- Interference with visitation, § 6:9

VOLUNTARY OR INVOLUNTARY ACTS

- Personal liability of, § 2:21

WAIVER

- Negligence, sovereign immunity, § 2:11

WASTE

- Generally, §§ 52:1 to 52:15
- Damages, §§ 52:12, 52:15
- Defenses, § 52:8
- Discovery, § 52:9
- Elements of action, § 52:2
- Evidence, § 52:11
- Form, petition for damages, § 52:15
- Instructions to jury, § 52:13
- Jurisdiction, § 52:3

INDEX

WASTE—Cont'd

- Law and practice notes, § 52:10
- Limitation of actions, § 52:5
- Overview, § 52:1
- Parties, § 52:6
- Pleadings, § 52:7
- References, § 52:14
- Venue, § 52:4

WILL TO LIVE, LOSS OF

- Recovery theories rejected in Missouri, § 6:27

WRONGFUL BIRTH

- Tort recovery rejected in Missouri, § 6:7

WRONGFUL CONCEPTION

- Generally, §§ 53:1 to 53:14
- Damages, § 53:12
- Defenses, § 53:8
- Discovery, § 53:9
- Elements of action, § 53:2
- Evidence, § 53:11
- Instructions to jury, § 53:13
- Jurisdiction, § 53:3
- Limitation of actions, § 53:5
- Overview, § 53:1
- Parties, § 53:6
- Pleadings, § 53:7
- References, § 53:14
- Trial practice, § 53:10
- Venue, § 53:4

WRONGFUL DEATH

- Generally, §§ 55:1 to 55:15
- Damages, §§ 55:12, 55:15
- Defenses, § 55:8
- Discovery, § 55:9
- Election of remedies, § 55:2
- Evidence, § 55:11
- Forms, § 55:15
- Instructions to jury, § 55:13
- Jurisdiction, § 55:3
- Law and practice notes, § 55:10
- Limitation of actions, § 55:5
- Overview, § 55:1
- Parties, § 55:6
- Pleadings, § 55:7
- References, § 55:14
- Venue, § 55:4

WRONGFUL DISCHARGE

- Generally, §§ 56:1 to 56:15
- Damages, §§ 56:12, 56:15
- Defenses, § 56:8
- Discovery, § 56:9
- Elements of action, § 56:2
- Evidence, § 56:11
- Form, petition for damages, § 56:15
- Instructions to jury, § 56:13
- Jurisdiction, § 56:3
- Limitation of actions, § 56:5
- Overview, § 56:1
- Parties, § 56:6
- Pleadings, § 56:7
- References, § 56:14
- Trial practice, § 56:10
- Venue, § 56:4

WRONGFUL FORECLOSURE

- Generally, §§ 57:1 to 57:15
- Damages, §§ 57:12, 57:15
- Defenses, § 57:8
- Discovery, § 57:9
- Elements of action, § 57:2
- Evidence, § 57:11
- Form, petition for damages, § 57:15
- Instructions to jury, § 57:13
- Jurisdiction, § 57:3
- Limitation of actions, § 57:5
- Overview, § 57:1
- Parties, § 57:6
- Pleadings, § 57:7
- References, § 57:14
- Trial practice, § 57:10
- Venue, § 57:4

WRONGFUL TOWING

- Forms, petition for damages for conversion, § 17:16