

# **Bond Case Briefs**

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## **IMMUNITY - UTAH**

### **Cope v. Utah Valley State College**

**Supreme Court of Utah - November 21, 2014 - P.3d - 2014 UT 53**

State college student filed suit against college for head injury sustained during performance of ballroom dance maneuver at direction of instructor. The District Court entered summary judgment for college and dismissed complaint, and student appealed. The Court of Appeals reversed in part based on determination that special relationship exception to public duty doctrine applied. Certiorari review was granted.

The Supreme Court of Utah held that:

- Utah's limitation of its sovereign immunity did not abrogate public-duty doctrine;
- Public duty doctrine did not apply to harm to plaintiff caused by government defendant's affirmative misconduct; overruling *Webb v. University of Utah*, 125 P.3d 906; and
- Public duty doctrine did not apply to state student's negligence claim against college.