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Dinsmoor v. City of Phoenix

Supreme Court of Arizona - August 6, 2021 - 50 Arizona Cases Digest 17 - 492 P.3d 313

Mother brought action against school district, city, and school officials, alleging negligence-based claims arising from female student's death after being shot by ex-boyfriend while the two were at a friend's house after school.

The Superior Court entered summary judgment for all defendants. Mother appealed. The Court of Appeals affirmed in part, reversed in part, and remanded. District and officials petitioned for review, and the petition was granted.

The Supreme Court held that:

- A primary or secondary school's duty to protect students exists only while the school is fulfilling its roles as custodian, land possessor, and quasi-parental figure, and once students safely leave the school's control, the special relationship ends, and students are simultaneously released to their parents' or guardians' full custodial care, then the school is relieved of any duty to affirmatively protect students from any hazards they encounter, disapproving *Hill v. Safford Unified Sch. Dist.*, 191 Ariz. 110, 952 P.2d 754, and
- School did not owe duty to protect student from her ex-boyfriend.

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