Definition of *duty of care*:

**duty of care**
n. a requirement that a person act toward others and the public with the watchfulness, attention, caution and prudence that a reasonable person in the circumstances would use. If a person's actions do not meet this standard of care, then the acts are considered negligent, and any damages resulting may be claimed in a lawsuit for negligence.

See also: [negligence](http://dictionary.law.com/Default.aspx?selected=599)

This definition is dependent on two other legal terms: *standard of care* and *reasonable person*

**standard of care**

n. the watchfulness, attention, caution and prudence that a reasonable person in the circumstances would exercise. If a person's actions do not meet this standard of care, then his/her acts fail to meet the duty of care which all people (supposedly) have toward others. Failure to meet the standard is negligence, and any damages resulting therefrom may be claimed in a lawsuit by the injured party. The problem is that the "standard" is often a subjective issue upon which reasonable people can differ. [http://dictionary.law.com/Default.aspx?selected=2002](http://dictionary.law.com/Default.aspx?selected=2002)

**Reasonable Person**

A phrase frequently used in *TORT* and [Criminal Law](http://dictionary.law.com/Default.aspx?selected=599) to denote a hypothetical person in society who exercises average care, skill, and judgment in conduct and who serves as a comparative standard for determining liability.

The decision whether an accused is guilty of a given offense might involve the application of an objective test in which the conduct of the accused is compared to that of a reasonable person under similar circumstances. In most cases, persons with greater than average skills, or with special duties to society, are held to a higher standard of care. For example, a physician who aids a person in distress is held to a higher standard of care than is an ordinary person. [http://legal-dictionary.thefreedictionary.com/Reasonable%2Bperson%2Bstandard](http://legal-dictionary.thefreedictionary.com/Reasonable%2Bperson%2Bstandard)

For there to be a claim against a party there are four steps that must be proven:

1. Establish that there was a duty
2. A breach of that duty
3. Related causation
4. Damages

The first step in this process is determining if a duty of care is owed. If no duty of care is owed, then there is no reason to determine how a reasonable person would respond. When you sponsor an event or program, you create a duty. If you do not sponsor the event or program, you do not owe a duty. The more control you have / retain, the higher the duty of care you owe.