

BPL Analysis

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B < PL

-

B = burden

P = probability

L = loss

-

B = burden

\$\$\$

measured in dollars*

how much the defendant must spend
to undertake the precaution

-

*or some other unit for comparison

L = loss

\$\$\$

measured in dollars*

how much the plaintiffs stand
to lose if the preventable accident
comes to pass

-
*or some other unit for comparison, as
long as it's the same as the unit for B

P = probability

∈ 0..1

measured as a fraction
the likelihood that the preventable
accident comes to pass

-

IF
B < PL

THEN
the defendant is
NEGLIGENT

because the precaution would have been
worthwhile from the perspective of society
as a whole

-

IF
B ≥ PL

THEN
the defendant is
NOT NEGLIGENT

because the precaution was not worthwhile
from the perspective of society as a whole

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