

Lambert v. Lincoln Public Schools

Case Number

S-19-0620

Case Audio

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Call Date

March 5, 2020

Case Time

9:30 AM

Court Number

Lancaster

Case Location

Creighton

Court Type

District Court

Case Summary

S-10-0620 Jena Lambert, individually and as guardian and next friend of Oliva Lambert, a minor (Appellant) v. Lincoln Public Schools, Kristine A. Griffin, in her individual and official capacities, and Brian T. Griffin, individually.

Lancaster County District Court, Judge John A. Colborn

Attorneys: John P. Weis (Wolfe Snowden, Hurd, Ahl, Sitzmann, Tannehill & Hahn, LLP, for Appellant)?Joshua J. Schauer and Haleigh B. Carlson (Perry, Guthery, Haase & Gessford, PC, LLO, for Appellee)

Civil: Political Subdivision Tort Claims Act (PSTCA)

Proceedings Below: In a suit arising from a dog bite that occurred on school grounds, the district court granted summary judgment in favor of Lincoln Public Schools (LPS).

Issues: Appellant assigns that the district court erred in granting summary judgment in favor of LPS by 1) determining that LPS owed no duty of care to Appellant; 2) determining that no special relationship existed between Appellant and LPS because the dog bite occurred after classroom instruction concluded; and 3) determining that LPS?s election not to enforce a ?no dogs allowed? policy or to continue to monitor playground areas after instruction concluded was a discretionary function and excepted from claims made under the PSTCA.

Schedule Code

SC
