



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



**AMY YOUNG v. KENNETH AND BARBARA BECK
CV-10-0230-PR**

PARTIES:

Petitioners: Kenneth L. Beck (“Father”) and Barbara Beck (“Mother”).

Respondent: Amy Young.

Amicus Curiae: Arizona Association of Defense Counsel, represented by Andrew J. Petersen, Humphrey & Petersen, P.C.

FACTS:

Jason Beck, age seventeen, was driving a car Father and Mother provided. Mother had given him permission to drive from work to a friend’s house to spend the night. With more friends, Jason drove his parents’ car as the group “egged” houses and parked cars. After dropping off one friend at her house, Jason’s vehicle collided with Young’s car, seriously injuring her. Following an accident Jason had been in a month earlier, his parents restricted his driving privileges to driving to school, church, or work. They directed him not to drive as a taxi for his friends. Driving that night violated these restrictions.

Young sued Jason, alleging negligence. Petitioners’ liability carrier paid Young \$250,000, the policy limits. Young also named Petitioners as defendants, alleging they were responsible for Jason’s negligence under the family purpose doctrine by furnishing the vehicle for his “pleasure and convenience.” On cross-motions for summary judgment, the trial court granted summary judgment for Young, noting “the control of the vehicle by the minor was provided by the parents. And the purpose for which it was being used was a family purpose, since it clearly was for the convenience of the minor family member.” Mother and Father appealed.

The court of appeals affirmed, based on the family purpose doctrine as set out in *Benton v. Regeser*, 20 Ariz. 273, 278, 179 P. 966 (1919).

ISSUES:

1. By enacting the statute abolishing joint and several liability and the Financial Responsibility Act, did the Arizona legislature also abolish the archaic relic known as the “family purpose doctrine,” which holds the head of the household vicariously liable for another household member’s negligent driving?

2. Only if it still survives, under a proper reading of Arizona case law, does the family purpose doctrine not apply in a case such as this in which the minor son was driving the family car solely for his own pleasure and convenience, in violation of restrictions placed on his use of the car by the heads of the household, and not for the pleasure, business, convenience, or purpose of the family?

DEFINITIONS:

Amicus Curiae: Latin phrase meaning “friend of the court.” This refers to a person, people or organization that are not a party to this case, but either (a) will be affected indirectly by its outcome or (b) have special knowledge or insight into the topic of the case that can help the Court anticipate possible results of its decision in the case.

Summary judgment: Case decided on undisputed facts by a trial court without trial. It can resolve the entire case, or can be “partial summary judgment,” which resolves part of the dispute.

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