



## Dodge v. Yavapai County (2025)

**Key Issue:** Does the State (specifically the Department of Liquor Licenses) owe a duty of care to motorists injured by drunk drivers?

In this tragic case, a motorist was seriously injured by a drunk driver who had just left a local bar. The plaintiff sued the **Arizona Department of Liquor Licenses and Control (DLLC)**. They argued that the DLLC knew this particular bar had a history of over-serving customers but failed to revoke their license or properly intervene, leading to the accident.

The Arizona Supreme Court focused on the "duty" element of negligence. The court ruled that the DLLC's duty to regulate the liquor industry is a "public duty" intended to protect the community as a whole, rather than a "private duty" owed to specific individuals on the road.

The court held that for the State to be liable, there must be a "special relationship" between the government agency and the injured person (or the drunk driver). Since the DLLC does not have "direct control" over the day-to-day actions of a bar's patrons, the court found the State could not be held responsible for the crash.

**Application to AZ Personal Injury Law:** This ruling limits the "deep pockets" of the State in drunk driving cases. While a victim can still sue the driver and potentially the bar (under Arizona's Dram Shop laws), they generally cannot sue the state regulatory agencies for failing to be more aggressive in their oversight of liquor licenses.