### IDJI 9.01 – Damage instruction for injuries to plaintiff – general case

INSTRUCTION NO. \_\_\_

If the jury decides the plaintiff is entitled to recover from the defendant, the jury must determine the amount of money that will reasonably and fairly compensate the plaintiff for any damages proved to be proximately caused by the defendant’s negligence.

The elements of damage the jury may consider are:

A. Non-economic damages

1. The nature of the injuries;

2. The physical and mental pain and suffering, past and future;

3. The impairment of abilities to perform usual activities;

4. The disfigurement caused by the injuries;

5. The aggravation caused to any preexisting condition.

B. Economic damages

1. The reasonable value of necessary medical care received and expenses incurred as a result of the injury [and the present cash value of medical care and expenses reasonably certain and necessary to be required in the future];

2. The reasonable value of the past earnings lost as a result of the injury;

3. The present cash value of the future earning capacity lost because of the injury, taking into consideration the earning power, age, health, life expectancy, mental and physical abilities, habits, and disposition of the plaintiff, and any other circumstances shown by the evidence.

4. The reasonable value of necessary services provided by another in doing things for the plaintiff, which, except for the injury, the plaintiff would ordinarily have performed [and the present cash value of such services reasonably certain to be required in the future];

5. [Any other specific item based upon the evidence.]

Whether the plaintiff has proved any of these elements is for the jury to decide.