

SUMMARY STATEMENT

Hennefer v. Blaine County School District #61, Docket No. 41286

The Supreme Court affirmed a \$3.5 million wrongful death judgment in favor of the parents of a driver training student, who died as a result of the negligence of the defendant School District's driver training instructor. The jury had determined that the driver training instructor acted recklessly in directing the student to perform a 3-point turnabout under the prevailing road conditions. Because the School District was found to have acted recklessly, the limitation on non-economic damages in Idaho Code section 6-1603(4) did not apply. The School District moved for judgment notwithstanding the verdict or a new trial, both of which the district court denied. The Supreme Court affirmed the district court, determining that the jury was properly instructed on what constituted reckless misconduct and that the evidence supported the verdict.