

13-1668. Third party liability for procuring alcoholic beverages for a minor.

To establish a claim against defendant _____ (*name of defendant*) for procuring alcoholic beverages for a minor, plaintiff has the burden of proving the following elements:

1. Defendant [procured] [or] [assisted a minor in procuring] the alcoholic beverages;
2. Defendant knew or, as a reasonably prudent person, would have known, the person was a minor.

In addition, plaintiff has the burden of proving that plaintiff's damages were proximately caused by defendant's acts in [procuring] [or] [assisting the minor in procuring] the alcoholic beverages.

USE NOTES

This instruction should be given in those cases where a third party procures for a minor or assists a minor in procuring alcoholic beverages. The bracketed portions of the instruction should be used as appropriate to the circumstances of the case.

[Approved, effective July 6, 2001; UJI 13-1645 NMRA recompiled as UJI 13-1668 NMRA by Supreme Court Order No. 15-8300-005, effective for all cases pending or filed on or after December 31, 2015.]