

13-1706. Violation of the Insurance Code.

There was in force in this state, at the time of the [claim handling] [transaction] in this case, a law prohibiting certain practices by insurers. _____ (*plaintiff*) contends that _____ (*defendant*) engaged in the following prohibited practice[s]:

(Insert the applicable part[s] of Article 16 of the Insurance Code.)

If _____ (*defendant*) engaged in [any one of these] [this] practice[s], it is liable to _____ (*plaintiff*) for damages caused by its conduct if it acted knowingly or engaged in the practice[s] with such frequency as to indicate that such conduct was its general business practice.

USE NOTES

Unfair insurance practices supported by substantial evidence are to be numbered and listed using the statutory language.

The trial court has discretion to modify the term “insurer” as appropriate depending on the nature of the defendant.

[Adopted, effective November 1, 1991; as amended by Supreme Court Order No. S-1-RCR-2023-00028, effective for all cases pending or filed on or after December 31, 2023.]