

13-1712. Compensatory damages; general.

If you should decide in favor of _____ (*plaintiff*) on the question of liability, you must then fix the amount of money which will reasonably and fairly compensate _____ (*plaintiff*) for any of the following elements of damages proved by _____ (*plaintiff*) to have resulted from the wrongful conduct of _____ (*defendant*) as claimed:

(NOTE: Here insert the proper elements of damages using the instructions which immediately follow and any other proper elements applicable under the evidence.)

Whether any of these elements of damages have been proved by the evidence is for you to determine. Your verdict must be based on proof and not on speculation, guess, or conjecture.

Further, sympathy for a person, or prejudice against any party, should not affect your verdict and is not a proper basis for determining damages.

USE NOTES

This instruction should be used in all causes of action for insurance bad faith. The instructions which follow must be inserted when applicable under the evidence. [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.]