**13-1810A. Loss of consortium; definition.**

Loss of consortium is a claim to recover compensation for damage to certain relationships. To recover for loss of consortium, \_\_\_\_\_\_\_\_\_\_\_\_ (*name of loss of consortium claimant or names of loss of consortium claimants*) must show that \_\_\_\_\_\_\_\_\_\_\_ (*name of loss of consortium claimant or names of loss of consortium claimants*) and [\_\_\_\_\_\_\_\_\_\_ (*name of* *injured party*)] [\_\_\_\_\_\_\_\_\_\_ (*name of* *decedent*)] had a mutually dependent relationship. Mutual dependence means that \_\_\_\_\_\_\_\_\_\_ (*name of loss of consortium claimant or names of loss of consortium claimants*) and [\_\_\_\_\_\_\_\_\_\_ (*name of* *injured party*)] [\_\_\_\_\_\_\_\_ (*name of* *decedent*)] relied on the relationship and could not enjoy life in the same way once [the injury took place] [after the death].

In deciding whether a relationship is mutually dependent, factors to consider may include:

[The duration of the relationship;]

[The degree of mutual dependence;]

[The extent of common contributions to a life together;]

[The extent and quality of shared experience;]

[Whether \_\_\_\_\_\_\_\_\_\_(*name of loss of consortium claimant or names of loss of consortium claimants*) and [\_\_\_\_\_\_\_\_\_(*name of* *injured party*)] [\_\_\_\_\_\_\_\_ (*name of* *decedent*)] were members of the same household;]

[Their emotional reliance on one another;]

[The particulars of their day-to-day relationship;]

[The manner in which \_\_\_\_\_\_\_\_\_\_ (*name of loss of consortium claimant or names of loss of consortium claimants*) and [\_\_\_\_\_\_\_\_\_(*name of injured party*)] [\_\_\_\_\_\_\_\_(*name of* *deceased party*)] related to each other in addressing life’s day-to-day requirements;]

[Other \_\_\_\_\_\_\_\_\_\_\_\_.]

USE NOTES

This instruction should be given when there is a jury question as to whether a claimant or claimants had a sufficiently close relationship with an injured or a deceased person to recover for loss of consortium. When this instruction is given, UJI 13-1810B NMRA should also be given.

[Adopted, effective October 1, 1996; as amended, effective March 20, 2000; as amended by Supreme Court Order No. 19-8300-014, effective for all cases pending or filed on or after December 31, 2019.]