

13-1629. Negligent infliction of emotional distress to bystander.

To recover for negligent infliction of emotional distress, _____
(*plaintiff*) must prove that:

[(1) _____ (*plaintiff*) had a close family relationship with
_____ (*victim*);] and

[(2) as a result of seeing or perceiving the occurrence _____
(*plaintiff*) suffered severe emotional distress;] and

[(3) the occurrence resulted in physical injury or death to
_____ (*victim*)].

Emotional distress is "severe" if it is of such an intensity and duration that no ordinary person would be expected to tolerate it. [_____ (*plaintiff*) cannot recover for grief or sorrow normally attending the [death] [injury] of a family member.]

[Adopted, effective November 1, 1991.]