**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.]