

13-1705. Industry customs and standards.

Under the bad faith claim, what is customarily done by those engaged in the insurance industry is evidence of whether the insurer acted in good faith. Industry [customs] [and] [standards] are evidence of good or bad faith, but they are not conclusive.

USE NOTES

This instruction should be given when the trial court allows evidence of the insurer's compliance with or deviation from industry customs or standards as bearing on the insurer's good or bad faith. The appropriate parenthetical is used depending on the nature of 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.]