

**PUBLICATION UPDATE**

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# STANDARDIZED CIVIL JURY INSTRUCTIONS for the District of Columbia

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Publication 1275      Release 12      June 2013

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## HIGHLIGHTS

### Updated and Improved Civil Jury Instructions

- Release 12 updates instruction language, as well as case law support, and assures the trial lawyer and judge that the Instructions remain accurate statements of the law.

### NEW Instructions

- Release 12 includes *new* § 5.20 providing Authorities and Commentary for cases involving Negligent Infliction of Emotional Distress; *new* § 5.21 providing proposed Instruction No. 5-21, Negligent Employment, including Comment and Further References; and *new* § 25.05 providing proposed Instruction 25-5 Intentional Infliction of Emotional Distress—Definition and Elements, including Authorities and Commentary, Comment, and Further References.

### REVISED Instructions

- Release 12 also includes revised

Instructions in Chapter 12 Damages—General; Chapter 13 Personal Injury Damages; Chapter 14 Wrongful Death & Survival Actions; and Chapter 16 Punitive Damages.

### NEW Instructions

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### REVISED Instructions

Release 12 also includes the following revised Instructions:

- Instruction 12-1 Damages—Elements [*see* § 12.01].

- Instruction 12-2 Extent of Damages—Proximate Cause (D.C. Std. Civ. Jury Instr. No. 12-2) [*see* § 12.02].
- Instruction 12-3 Burden of Proof—Speculative Damages [*see* § 12.03].
- Instruction 12-4 Multiple Defendants—Size of Verdict (D.C. Std. Civ. Jury Instr. No. 12-4) [*see* § 12.04].
- Instruction 12-5 Damages Verdict—Multiple Defendants (D.C. Std. Civ. Jury Instr. No. 12-5) [*see* § 12.05].
- Instruction 12-6 Admitted Liability (D.C. Std. Civ. Jury Instr. No. 12-6) [*see* § 12.06].
- Instruction 12-7 Duty to Mitigate Damages (D.C. Std. Civ. Jury Instr. No. 12-7) [*see* § 12.07].
- Instruction 13-1 Damages—Elements [*see* § 13.01].
- Instruction 13-2 Permanent Injury Absent Medical Testimony (D.C. Std. Civ. Jury Instr. No. 13-2) [*see* § 13.02].
- Instruction 13-3 Medical Treatment—Past and Present (D.C. Std. Civ. Jury Instr. No. 13-3) [*see* § 13.03].
- Instruction 13-6 Loss of Consortium (D.C. Std. Civ. Jury Instr. No. 13-6) [*see* § 13.06].
- Instruction 13-7 Aggravation of Preexisting Condition (D.C. Std. Civ. Instr. No. 13-7) [*see* § 13.07].
- Instruction 13-9 Recovery for Emotional Distress (D.C. Std. Civ. Jury Instr. No. 13-9) [*see* § 13.09].
- Instruction 13-11 Parent’s Rights (D.C. Std. Civ. Jury Instr. No. 13-11) [*see* § 13.11].
- Instruction 13-12 Punitive Damages Not Authorized Where Only Ordinary Negligence is Shown (D.C. Std. Civ. Jury Instr. No. 13-12) [*see* § 13.12].
- Instruction 14-2 Plaintiff’s Role in Survival Action and Wrongful Death Action (D.C. Std. Civ. Jury Instr. No. 14-2) [*see* § 14.02].
- Instruction 16-2 Punitive Damages Against a Corporation (Wrongful Conduct of Employee) (D.C. Std. Civ. Jury Instr. No. 16-2) [*see* § 16.02].

**Improved Instructions**

Updates were made to the following sections:

- Function of the Jury [*see* § 1.02].
- Inferences [*see* § 2.03].
- Modification [*see* § 11.23].
- False Arrest Defined [*see* § 18.02].
- Justification for an Arrest by Law Enforcement Officer [*see* § 18.03].

**Revised Index**

Release 12 also includes a revised comprehensive index to facilitate access to material covered in the text.

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# **Standardized Civil Jury Instructions for the District of Columbia**

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Publication 1275    Release 12

June 2013

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## VOLUME 1

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