

1 **13-1832. Nominal damages.**

2 If you find that \_\_\_\_\_ (*plaintiff*) has established a right to recover from  
3 \_\_\_\_\_ (*defendant*) but that \_\_\_\_\_ (*plaintiff*) has suffered [no  
4 harm], [insignificant harm], [or] [damages that cannot be ascertained], you may award ~~[[him]-[her]~~  
5 ~~[it]]~~ \_\_\_\_\_ (*plaintiff*) nominal damages. Nominal damages are a trivial sum of  
6 money, usually one cent or one dollar, awarded to a party who has established a right to recover  
7 but has not established that ~~[[he]-[she]-[it]]~~ the party is entitled to compensatory damages.

8 USE NOTES

9 This instruction should not be used when the cause of action requires proof of actual  
10 damages.

11 [Adopted effective, January 1, 1999; as amended by Supreme Court Order No. S-1-RCR-2025-  
12 00126, effective for all cases pending or filed on or after December 31, 2025.]

13 **Committee commentary.** — This instruction defines nominal damages and explains when such  
14 damages may be awarded. Nominal damages are referenced in UJI 13-1827 and will support an  
15 award of punitive damages. There may be other situations in which the jury should be instructed  
16 as to the availability of nominal damages as a remedy when the substantive elements of a cause of  
17 action have been established. *See Sanchez v. Clayton*, 117 N.M. 761, 877 P.2d 567 (1994).