

1 **13-2223. Wrongful death damages and loss of consortium damages; sample special verdict**
2 **form.**

3 On the questions submitted, the jury finds as follows:

4 Question No. 1: Did the Defendant act negligently toward [~~John Doe~~] Doe?

Answer: _____ (*Yes or No*)

5 If the answer to Question No. 1 is “No,” you are not to answer further questions. Your
6 foreperson must sign this special verdict form, which will be your verdict for the Defendant and
7 against the Plaintiffs, and the jury should return to open court.

8 If the answer to Question No. 1 is “Yes,” you are to answer Question No. 2.

9 Question No. 2: Did any negligence on the part of the Defendant cause or contribute
10 to cause [~~John Doe’s~~] Doe’s death?

Answer: _____ (*Yes or No*)

11 If the answer to Question No. 2 is “No,” you are not to answer further questions. Your
12 foreperson must sign this special verdict form, which will be your verdict for the Defendant and
13 against the Plaintiffs, and the jury should return to open court.

14 If the answer to Question No. 2 is “Yes,” you are to answer Question No. 3.

15 Question No. 3: In accordance with the damages instruction given by the court, we
16 find the total amount of compensatory damages suffered by the Estate of [~~John Doe~~] Doe to be as
17 follows:

Type of Damages:	Amount of Damages
Medical Expenses	\$ _____

Foreperson

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USE NOTES

This sample special verdict form is an example of a form that could be used in cases involving a wrongful death claim and a loss of consortium claim. The sample special verdict form also could be used in cases involving non-deadly injuries by incorporating the following suggested modifications: (1) replacing the word “death” with “injury” in questions 2, 4, 5, and 7; and (2) altering question 3 to remove references to an estate and to remove any forms of damages which do not apply in that case (e.g., funeral expenses).

[Adopted by Supreme Court Order No. 19-8300-014, effective for all cases pending or filed on or after December 31, 2019; as amended by Supreme Court Order No. S-1-RCR-2025-00126, effective for all cases pending or filed on or after December 31, 2025.]