

155.04 The Drug or Alcohol Impaired Minor Responsibility Act--Measure of Damages

If you decide for [plaintiff's name] on the question of liability, you must then fix the amount of money that will reasonably and fairly compensate [him] [her] [it] for any of the following elements of damages proved by the evidence to have resulted from the impairment of the person under the age of 18:

Economic Damages

- [the cost of treatment and rehabilitation]
- [medical expenses]
- [loss of economic or educational potential]
- [loss of productivity]
- [absenteeism]
- [support expenses]
- [accidents or injury]
- [any other pecuniary loss]

Non-Economic Damages

- [physical and emotional pain]
- [suffering]
- [physical impairment]
- [emotional distress]
- [mental anguish]
- [disfigurement]
- [loss of enjoyment of life]
- [loss of companionship]
- [services]
- [consortium]
- [any other non-pecuniary losses]

Property

Damages

Punitive

Damages

Whether any of these elements of damages has been proved by the evidence is for you to decide.

Instruction, Notes on Use and Comment approved 2010. Instruction revised February 2023.

Notes on Use

The bracketed subparts should only be used if there is evidence of such damage(s). For property damage instructions, refer to IPI 30.10 to 30.20, when appropriate. For punitive damages, refer to the new instruction within this section.

Comment

In addition to the above damages, the statute, 740 ILCS 58/10 (3) and (4), allows attorneys' fees and costs of suit, including, but not limited to, reasonable expenses for expert testimony. The committee believes that these elements of damages should be assessed by the court rather than by a jury.