

Civ. J.I. 13.1810 Loss of services of spouse.

13-1810. Loss of services of spouse.

Statute text

The reasonable value of the services of [his wife] [her husband] of which the family has been deprived [and the present cash value of services of [his wife] [her husband] of which the family is reasonably certain to be deprived in the future].

DIRECTIONS FOR USE

This is another element of damages to be included in UJI 13-1802 when a spouse has been injured. When the bracketed portion of the instruction is used, the jury should also be instructed on future damages requiring discount to present cash value, See UJI 13-1822.

History

[As amended, effective February 1, 1994; January 1, 1996.]

Annotations

COMPILER'S ANNOTATIONS

The 1996 amendment, effective January 1, 1996, substituted "spouse" for "wife" in the instruction heading and inserted "[her husband]" in two places in the instruction, and rewrote the Use Note.

Single person may recover for loss of own household services. - Where a single person suffers the loss of capacity to perform household services for one's self, that person is also entitled to recover the reasonable value of loss of household services. *McNeely v. Henry*, 100 N.M. 794, 676 P.2d 1359 (Ct. App. 1984).

Am. Jur. 2d, A.L.R. and C.J.S. references. - 22 Am. Jur. 2d Damages § 101.

Pecuniary value of services rendered by deceased without legal obligation as element of damages for his death, 53 A.L.R. 1102.

When must loss-of-consortium claim be joined with underlying personal injury claim, 60 A.L.R.4th 1174.

Excessiveness or adequacy of damages awarded for noneconomic loss caused by personal injury or death of spouse, 61 A.L.R.4th 309.

25A C.J.S. Damages § 176(10).