### IDJI 2.12.8 – Charging instruction on elements of lack of consent

INSTRUCTION NO. \_\_\_

 On plaintiff's claim against the defendant for failure to obtain consent to the treatment which was provided, the plaintiff has the burden of proof on each of the following propositions:

 1. That the defendant failed to obtain a valid consent to treatment as explained in these instructions;

 2. That the defendant proceeded to treat the patient;

 3. That the plaintiff was injured;

 4. That the medical treatment provided by the defendant was a proximate cause of the injuries; and

 5. The nature and extent of the damages and the amount thereof.