### 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.