### IDJI 2.24 – Definition of gross negligence

INSTRUCTION NO. \_\_\_

Gross negligence is distinguished as a matter of degree from ordinary negligence. Gross negligence involves carelessness that is so great that there was not just an absence of the ordinary care that should have been exercised, but a degree of negligence substantially greater than that which would constitute ordinary negligence.

Comment:

Revised definition tracks the Supreme Court language in Peterson v Parry, 92 Idaho 647, 448 P.2d 653 (1968) and Owen v. Taylor, 62 Idaho 408, 114 P.2d 258 (1940).