### IDJI 1.43.1 – Example verdict on special interrogatories.

[Full Caption]

We, the Jury, answer the special interrogatories as follows:

**Question No. 1**: Was the defendant negligent, and if so, was this negligence a proximate cause of the plaintiff’s injuries?

**Answer to Question No. 1**: Yes [\_\_\_] No [\_\_\_]

If you answered this question “No,” you are done. Sign the verdict as instructed and advise the Bailiff. If you answered this question “Yes,” continue to the next question.

**Question No. 2**: Was the plaintiff negligent, and if so, was this negligence a proximate cause of her own injuries?

**Answer to Question No. 2**: Yes [\_\_\_] No [\_\_\_]

**Question No. 3**: Was another individual or entity, not a party to this lawsuit, negligent, and if so was the other individual or entity’s negligence a proximate cause of the plaintiff’s injuries?

**Answer to Question No. 3**: Yes [\_\_\_] No [\_\_\_]

If you answered “Yes” to either or both of questions 2 and 3, answer Question No. 4. If you answered “No” to both Questions 2 and 3, then skip to Question No. 5.

**Instruction for Question No. 4**: You will reach this question if you have found that the defendant and either or both of the plaintiff and the other, non-party, were negligent, which negligence caused the injuries to the plaintiff. In this question, you are to apportion the fault between these parties in terms of a percentage. As to each party or entity to which you answered “Yes” to questions 1, 2, and 3, determine the percentage of fault for that party or entity, and enter the percentage on the appropriate line. If you answered “No” to any of the above questions, insert a “0” or “Zero” as to that party or entity. Your total percentages must equal 100%.

**Question No. 4**: What is the percentage of fault (if any) you assign to each of the following:

To the Defendant, [Insert name] \_\_\_\_\_%

To the Plaintiff, [Insert name] \_\_\_\_\_%

To the non-party, [Insert name] \_\_\_\_\_%

Total must equal 100%

If the percentage of fault you assigned to the plaintiff is equal to or greater than the percentage of fault you assigned to the defendant, you are done. Sign the verdict and advise the Bailiff. If the percentage of fault assigned to the plaintiff is less than the percentage of fault you assigned to the defendant, answer the next question.

**Question No. 5**: What is the total amount of damage sustained by the plaintiff as a result of the accident?

**Answer to Question No. 5**: We assess plaintiff’s damages as follows:

1. Economic damages, as defined in the Instructions:

$\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. Non-economic damages, as defined in the Instructions:

$\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[Date line, signature block for foreperson, and 11 signature lines

for individual jurors if verdict is not unanimous.]

**Note:** This form is included only as an example, and may be modified as needed to meet the specific issues of a given case. The committee recommends separate damage allocations be no more numerous than between economic and non-economic damages. In the court’s discretion the liability questions may be split between negligence and proximate cause.