### IDJI 9.20.5 – Punitive damages - consideration of defendant’s wealth

INSTRUCTION NO. \_\_\_\_\_

 (You have been permitted to hear evidence pertaining to defendant’s wealth and financial condition. This evidence was admitted for your consideration only with reference to the question of punitive damages in light of all other evidence before you if you determine that such an award should be made in this case.)

 Punitive damages are not a matter of right, but may be awarded in the jury’s sound discretion, which is to be exercised without passion or prejudice. The law provides no mathematical formula by which such damages are to be calculated, other than any award of punitive damages must bear a reasonable relation to the actual harm done, to the cause thereof, to the conduct of the defendant, and to the primary objective of deterrence.

Comments:

*See* Robinson v. State Farm Insurance*,*137 Idaho 173, 45 P.3d 829 (2002).