Personal Injury

California Civil Jury Instructions (CACI)

400. Negligence—Essential Factual Elements

[*Name of plaintiff*] claims that [*he/she*] was harmed by [*name of defendant*]'s negligence. To establish this claim, [name of plaintiff] must prove all of the following:

1. That [*name of defendant*] was negligent;

2. That [*name of plaintiff*] was harmed; and

3. That [*name of defendant*]'s negligence was a substantial factor in causing [*name of plaintiff*]'s harm.

Just like it sounds, a personal injury involves harms to your body and mind. Whether by accident (Negligence - as above) or by design (Intentional), people get hurt all the time for all kinds of reasons: Automobile accidents, trip and falls, dangerous products, the list is endless. Our job is, first and foremost, to listen to your story and examine the evidence.

California Civil Jury Instructions (CACI)

700. Basic Standard of Care

A person must use reasonable care in driving a vehicle. Drivers must keep a lookout for pedestrians, obstacles, and other vehicles. They must also control the speed and movement of their vehicles. The failure to use reasonable care in driving a vehicle is negligence.

Low impact collisions and soft tissue injuries sometimes called MIST (Minor Impact, Soft Tissue) case. https://www.youtube.com/watch?v=i7eXfo6H7W4

California Civil Jury Instructions (CACI)

3900. Introduction to Tort Damages - Liability Contested

If you decide that [*name of plaintiff*] has proved [*his/her*] claim against [*name of defendant*], you also must decide how much money will reasonably compensate [*name of plaintiff*] for the harm. This compensation is called "damages."

The amount of damages must include an award for each item of harm that was caused by [*name*

of defendant]'s wrongful conduct, even if the particular harm could not have been anticipated.

[*Name of plaintiff*] does not have to prove the exact amount of damages that will provide reasonable compensation for the harm. However, you must not speculate or guess in awarding damages.

[*The following are the specific items of damages claimed by [name of plaintiff]*:]

[*Insert applicable instructions on items of damage.*]

In this regard, California Civil Code Section 1714(a) provides in pertinent part:

Everyone is responsible, not only for the result of his or her willful acts, but also for an injury occasioned to another by his or her want of ordinary care or skill in the management of his or her property or person, except so far as the latter has, willfully or by want of ordinary care, brought the injury upon himself or herself.

For a complete listing of the Judicial Council of California Civil Jury Instructions (CACI) go to: http://www.courts.ca.gov/partners/317.htm/civiljuryinstructions/