

**1505 CAUSE: WHERE CAUSE OF DEATH IS IN DOUBT**

(Name) was injured in the accident which occurred on (date) and (he) (she) died on (date). Question \_\_\_\_\_ asks whether the injuries sustained in the accident were a cause of (name)'s death. The question asks whether the injuries sustained in the accident were "a cause" rather than "the cause" of the death because there may be more than one cause of death. Before you may find that the injuries sustained in the accident were a cause of (name)'s death, you must find that the injuries were a substantial factor in causing the death.

**COMMENT**

This instruction and comment were approved in 1969 and revised in 1998.

In cases involving death, the causal relation between the injuries sustained and the death may be at issue. This instruction submits the issue to the jury as to the causal relationship. See Peters v. Zimmerman, 275 Wis. 164, 172, 81 N.W.2d 565 (1957); Merkle v. Behl, 269 Wis. 432, 436, 69 N.W.2d 459 (1955).