

**1767 PERSONAL INJURIES: FUTURE PAIN, SUFFERING, AND DISABILITY (DISFIGUREMENT)**

(Question \_\_\_\_\_) (Subdivision \_\_\_\_\_ of question \_\_\_\_\_) asks what sum of money will fairly and reasonably compensate (plaintiff) for future pain, suffering, (and) disability, (and disfigurement).

If you are satisfied that (plaintiff) will endure pain, suffering, (and) disability, (and disfigurement) in the future as a result of the accident, you will insert as your answer to this (question) (subdivision) the sum of money you find will fairly and reasonably compensate (plaintiff) for this future pain, suffering, (and) disability, (and disfigurement).

Pain, suffering, (and) disability, (and disfigurement) includes:

- physical pain
- worry
- distress
- embarrassment
- humiliation

In answering this damage question, you should consider the following factors:

- the extent (plaintiff)'s injuries have impaired and will impair (his) (her) ability to enjoy the normal activities, pleasures, and benefits of life;
- the nature of (plaintiff)'s injuries;
- the effect the injuries are reasonably certain to produce in the future bearing in mind (plaintiff)'s age, prior mental and physical condition, and the probable duration of (his) (her) life.

**COMMENT**

This instruction was approved in 1999.

For future pain and suffering, see Coryell v. Conn, 88 Wis.2d 310, 276 N.W.2d 723 (1979); Lutz v. Shelby Mut. Ins. Co., 70 Wis.2d 743, 235 N.W.2d 426 (1975); Redepenning v. Dore, 56 Wis.2d 129, 201 N.W.2d 580 (1972); Diemel v. Weirich, 264 Wis. 265, 88 N.W.2d 651 (1953).

For future disability, see Hargrove v. Peterson, 65 Wis.2d 118, 221 N.W.2d 875 (1974); Bourassa v. Gateway Erectors, Inc., 54 Wis.2d 176, 194 N.W.2d 602 (1972); Kowalke v. Farmers Mut. Auto Ins. Co., 3 Wis.2d 389, 88 N.W.2d 747 (1958).