

8026 TRESPASS: SPECIAL VERDICT

Question 1: At the time and place in question, was (plaintiff) a trespasser?

ANSWER: _____
Yes or No

Answer Question 2, only if you answered Question 1 "yes."

Question 2: At or immediately before the (injury)(death) of (plaintiff), were the actions of (defendant) willful, wanton, or reckless?

ANSWER: _____
Yes or No

Answer Question 3, only if you answered Question 2 "yes."

Question 3: Were the actions of (defendant) a cause of (injury)(death) to (plaintiff)?

ANSWER: _____
Yes or No

COMMENT

This instruction and comment were approved in 2012. The comment was revised in 2016.

See Wis. Stat. § 895.529.

Burden of Proof. The middle burden of proof applies to Question 2.