

CV632C “Permanent Disfigurement” Defined.

A “permanent disfigurement” is a disfigurement that is reasonably certain to continue throughout the life of the person suffering from it.

References

Pinney v. Carrera, 2019 UT App 12, ¶¶ 23-25, 438 P.3d 902, aff'd, *Pinney v Carrera*, 2020 UT 43, 469 P.3d 970.

Committee Notes

Unlike disability and impairment, what is meant by "disfigurement" under this statute does not appear to have been defined so this definition just focuses on the "permanent" aspect. (In fact, the Supreme court specifically declined to reach the issue of disfigurement in *Sheppard v. Geneva Rock*, 2021 UT 31, ¶ 45 n.8, 493 P.3d 632, because it resolved the case on other grounds.) Only provide the jury with these definitions if applicable to the threshold or thresholds the plaintiff claims to meet.