

13-2401. Legal malpractice; elements.

For _____ (*name of plaintiff*), to recover from _____ (*name of defendant*), on _____=s (*name of plaintiff*) claim of legal malpractice, you must find that all of the following have been proved by a preponderance of the evidence:

1. An attorney-client relationship existed between _____ (*name of plaintiff*) and _____ (*name of defendant*);
2. _____ (*name of defendant*) owed a duty to _____ (*name of plaintiff*);
3. _____ (*name of defendant*) breached that duty; and
4. That breach was a cause of a loss to _____ (*name of plaintiff*).

USE NOTES

This instruction should be given in every legal malpractice case. It sets forth the elements of a legal malpractice claim.

[Adopted by Supreme Court Order No. 17-8300-013, effective for all cases pending or filed on or after December 31, 2017.]