



## Glossary of Arizona Personal Injury Law

- **A.R.S. (Arizona Revised Statutes):** The specific set of laws enacted by the Arizona Legislature, such as Title 12 (Legal Proceedings) and Title 28 (Transportation).
- **Bad Faith (Insurance):** A claim against an insurer for unreasonably denying a claim or failing to investigate properly, violating their duty of good faith and fair dealing.
- **Burden of Proof:** The standard in civil cases known as "Preponderance of the Evidence," meaning it is "more likely than not" (51%+) that the defendant is responsible.
- **Collateral Source Rule:** An Arizona rule of evidence preventing a defendant from telling a jury that your insurance already paid for some of your medical bills.
- **Comparative Negligence (Pure):** Under A.R.S. § 12-2505, you can recover damages even if you were partially at fault; your award is reduced by your percentage of blame.
- **Damages (Economic vs. Non-Economic):** Economic damages are tangible financial losses (medical bills, lost wages), while non-economic damages cover intangible losses like pain and suffering.
- **Demand Letter:** A formal document sent to the at-fault party outlining the accident facts, injuries, and the amount required to settle without a trial.
- **Discovery:** The pre-trial phase for exchanging evidence through Interrogatories, Requests for Production, and Depositions.
- **Eggshell Skull Rule:** A legal principle stating a defendant is liable for all damages caused, even if the victim had a pre-existing condition that made them more susceptible to injury.
- **General Damages:** Non-monetary losses such as pain and suffering and permanent disfigurement; Arizona's Constitution prohibits caps on these damages.
- **Lien:** A legal claim on your settlement by a third party (like a hospital or AHCCCS) to be repaid for medical services provided before your case resolved.
- **Loss of Consortium:** A claim filed by a spouse or family member for the loss of companionship and affection resulting from the injury.
- **Maximum Medical Improvement (MMI):** The point where a doctor determines your condition has stabilized and no further improvement is expected with treatment.

- **MedPay (Medical Payments Coverage):** Optional Arizona auto insurance coverage that pays for medical bills immediately after an accident, regardless of fault.
- **Negligence:** The failure to use "reasonable care" to prevent harm, requiring proof of Duty, Breach, Causation, and Damages.
- **Notice of Claim (A.R.S. § 12-821.01):** A mandatory filing within 180 days if you are injured by a public entity (like a city bus) to preserve your right to sue.
- **Punitive Damages:** Damages designed to punish "outrageous" conduct; in Arizona, these require clear and convincing evidence of an "evil mind."
- **Special Damages:** Calculable dollar amounts lost due to injury, including medical bills, lost wages, and property repair costs.
- **Statute of Limitations:** The legal deadline to file a lawsuit; in Arizona, this is generally two years from the date of injury (A.R.S. § 12-542).
- **Strict Liability (A.R.S. § 11-1025):** In Arizona dog bite cases, the owner is liable for damages regardless of the dog's prior behavior.
- **Subrogation:** The process where an insurance company seeks reimbursement from the at-fault party's settlement for bills they have already paid.
- **Tort:** A civil wrong that causes someone else to suffer loss or harm, resulting in legal liability.
- **UIM (Underinsured Motorist Coverage):** Coverage on your own policy that pays if the at-fault driver's insurance limits are too low to cover your damages.
- **UM (Uninsured Motorist Coverage):** Coverage on your own policy that pays if you are hit by a driver with no insurance or a hit-and-run driver.
- **Vicarious Liability (Respondeat Superior):** A doctrine holding an employer responsible for an employee's actions performed within the scope of their employment.
- **Wrongful Death (A.R.S. § 12-611):** A lawsuit filed by specific survivors (spouse, children, parents) when a person dies due to another's negligence.