

Calculation -- Non-economic Damages Caps

Unofficial, provided as a courtesy

	1987	1988	1989	1990	1991	1992	1993	1994
Average Weekly Wage	\$ 309.00	\$ 314.00	\$ 323.00	\$ 334.00	\$ 344.00	\$ 360.00	\$ 373.00	\$ 390.00
Percentage Increase (Cum thru 2003)		1.62%	4.53%	8.09%	11.33%	16.50%	20.71%	26.21%
Non-economic Benefit Cap	\$ 400,000.00	\$ 406,472.49	\$ 418,122.98	\$ 432,362.46	\$ 445,307.44	\$ 466,019.42	\$ 482,847.90	\$ 504,854.37

	1995	1996	1997	1998	1999	2000	2001	2002
Average Weekly Wage	\$ 401.00	\$ 415.00	\$ 433.00	\$ 443.00	\$ 456.00	\$ 471.00	\$ 495.00	\$ 526.00
Percentage Increase	29.77%	34.30%	40.13%	43.37%	47.57%	52.43%	60.19%	70.23%
Non-economic Benefit Cap	\$ 519,093.85	\$ 537,216.83	\$ 560,517.80	\$ 573,462.78	\$ 590,291.26	\$ 609,708.74	\$ 640,776.70	\$ 680,906.15

	2003*	2003*	2004**	2005	2006	2007	2008	2009
	Thru 6-30-03	As of 7-1-03	Effective 7-1-04	Effective 7-01-05	Effective 7-01-06	Effective 7-01-07	Effective 7-01-08	Effective 7-01-09
Average Weekly Wage	\$ 527.00	\$527	\$ 534.00	\$ 543.00	\$ 565.00	\$ 584.00	\$ 618.00	\$ 636.00
Percentage Increase (annual after 2003)	70.55%	n/a	1.33%	1.69%	4.05%	3.36%	5.82%	2.91%
Non-economic Benefit Cap	\$ 682,200.65	\$ 250,000.00	\$ 253,320.68	\$ 257,590.13	\$ 268,026.57	\$ 277,039.85	\$ 293,168.88	\$ 301,707.78

Per Idaho Code section 6-1603.

*As a result of House Bill 92 of the 2003 Legislature, non-economic damages will be capped at \$250,000 on all non economic damages. The same increase formula will go into effect beginning July 1, 2004.

Our math:

(Current year average weekly wage-1987 average weekly wage) divided by 1987 average weekly wage to establish percentage increase

Example (1993) $(\$373-\$309)/\$309=.2071$ or 20.71%

THEN:

(1987 Benefit Cap*percentage increase)+1987 Benefit Cap to establish current year cap

Example (1993) $(\$400,000*.2071)+\$400,000=\$482,847.90$

** Increases after July 1, 2003 are based on the State of Idaho's fiscal year. New caps become effective July 1 through June 30 of the following year.