

Calculation -- Non-economic Damages Caps

| Unofficial, provided as a courtesy | | | | | | | | | | |
|--|---------------|------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|-------------------|
| | 1987 | 1988 | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | |
| Average Weekly Wage | \$ 309.00 | \$ 314.00 | \$ 323.00 | \$ 334.00 | \$ 344.00 | \$ 360.00 | \$ 373.00 | \$ 390.00 | \$ 401.00 | |
| Percentage Increase (Cum thru 2003) | | 1.62% | 4.53% | 8.09% | 11.33% | 16.50% | 20.71% | 26.21% | 29.77% | |
| 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 | \$ 519,093.85 | |
| | | | | | | | | | | |
| | 1996 | 1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003* | | |
| | | | | | | | | Thru 6-30-03 | | |
| Average Weekly Wage | \$ 415.00 | \$ 433.00 | \$ 443.00 | \$ 456.00 | \$ 471.00 | \$ 495.00 | \$ 526.00 | \$ 527.00 | | |
| Percentage Increase | 34.30% | 40.13% | 43.37% | 47.57% | 52.43% | 60.19% | 70.23% | 70.55% | | |
| Non-economic Benefit Cap | \$ 537,216.83 | \$ 560,517.80 | \$ 573,462.78 | \$ 590,291.26 | \$ 609,708.74 | \$ 640,776.70 | \$ 680,906.15 | \$ 682,200.65 | | |
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| | 2003* | 2004** | 2005 | 2006 | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 |
| | 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 | Effective 7-01-10 | Effective 7-01-11 | Effective 7-01-12 |
| Average Weekly Wage | \$527 | \$ 534.00 | \$ 543.00 | \$ 565.00 | \$ 584.00 | \$ 618.00 | \$ 636.00 | \$ 643.00 | \$ 646.00 | \$ 661.00 |
| Percentage Increase (annual after 2003) | n/a | 1.33% | 1.69% | 4.05% | 3.36% | 5.82% | 2.91% | 1.10% | 0.47% | 2.32% |
| Non-economic Benefit Cap | \$ 250,000.00 | \$ 253,320.68 | \$ 257,590.13 | \$ 268,026.57 | \$ 277,039.85 | \$ 293,168.88 | \$ 301,707.78 | \$ 305,028.46 | \$ 306,451.61 | \$ 313,567.36 |
| 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. | | | | | | | | | | |