What Is The Difference Between Compensatory And Consortium Damages?

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Personal injuries typically happen without warning, and they can leave victims with extensive injuries. These injuries can also lead to tremendous medical and personal expenses for a victim and their family. Likewise, if a person loses their life due to the negligence actions of somebody else, their families are often left in precarious financial situations. In personal injury and wrongful death cases, victims or their family members are often able to recover compensation for their losses. Some of the terms that are used to describe these losses include “compensatory” and “consortium.” It is important to understand the difference between these two types of damages.

What are Compensatory Damages?

Compensatory damages typically refer to the amount of money awarded to a victim that has been injured due to the actions of another. This can also refer to various types of compensation awarded to families of a person who has suffered a wrongful death. Typically, compensatory damages can be referred to as “special damages” and “general damages.”

- Special damages. Special damages refer to elements of an injury that or
reasonably easy to calculate. By using medical bills, receipts, tax returns, pay statements, and more, the following can be considered special damages:

- medical bills
- rehabilitation expenses
- physical therapy
- prescription medications
- in-home services
- medical devices
- lost wages or lost employment income
- property damage repair or replacement

- **General damages.** These damages refer to elements of an injury that are not as easy to calculate, but are no less real. For all of the following, a personal injury victim may be able to recover compensation even if there is no exact way to calculate the losses:

  - mental anguish
  - disfigurement
  - physical pain and suffering
  - inconvenience
  - loss of opportunity
  - loss of enjoyment of life

**What are Consortium Damages?**

Consortium damages are different from compensatory damages in that they are the damages suffered by a spouse or family member of a person who has been injured or killed due to the negligence of another person. Loss of consortium damages typically falls into one of the following categories:

1. **Loss of services.** This includes the reasonable value of chores and anything else the victim did around the house.

2. **Loss of support.** This includes all support that the victim would have provided had they not been injured or killed. This includes companionship, affection, comfort, and society.

3. **Loss of quality in a relationship.** This includes a loss of sexual relations, affection, and emotional support provided to a spouse or partner.