

# Vindex Nation Torts Bill

## A BILL

To establish Civil Law and outline punishments for Torts.

*Be it enacted by the House of Representatives of the Republic of Vindex Nation in Congress assembled,*

### SECTION 1. **SHORT TITLE.**

This Act may be cited as the Torts Act of 2024.

### SEC. 2. **DEFINITIONS.**

As used in this Act, the term—

“Plaintiff” means a subject, or claimant, who brings a lawsuit against a Defendant to court, this includes individuals, businesses, groups, government entities, organizations, class action representatives, administrators/executors of estates, and trustees;

“Defendant” means a subject, or respondent, who is accused of wrongdoing in a lawsuit brought by a Plaintiff. This includes individuals, businesses, groups, government entities, organizations, and other legal entities;

“Burden of proof” means the obligation to present sufficient evidence to prove a claim or allegation is more likely than not to have been committed in a civil case;

“Compensatory damages” means the base amount determined by the size of damages caused by the defendant;

“Punitive damages” means additional amounts imposed when compensatory damages are deemed insufficient by the judge;

“Liability” means legal responsibility one party has for their actions or omissions, which can result in them being required to compensate for harm, damages, or losses caused to another party;

“Capacity” means a person's or entity's legal ability to enter into contracts, sue or be sued, or perform other legal actions;

“Tort” means a civil wrong or wrongful act, other than a breach of contract, that causes harm or injury to another person, leading to legal liability;

“Tortfeasor” is a subject who committed torts.

### SEC. 3. **TRIALS.**

(1) Trial Rules.

- (a) Civil and Criminal liability are distinct, meaning that an action done by a subject may be answerable for both forms of litigation.
- (b) It is the claimant's/Plaintiff's duty to prove the commission of a civil wrong against them. The burden of proof is on the claimant/plaintiff. Defendants are considered innocent until proven liable.

- (c) Defendants proven liable will be subject to claimant compensatory damages and, where applicable, punitive damages.
- (d) Civil trials are to be public, but may be made private upon the request of either party, allowing only the claimant, defendant, witnesses, legal counsel, and the presiding judge.
- (e) In order to bring a suit under tort law, the claimant/plaintiff must have proper capacity, I.E. suffered an actual injury, harm, or loss as a direct result of the defendant's actions. No tort action may be initiated without demonstrable injury, harm, or loss to the claimant.

#### **SEC. 4. TORT CATEGORIES.**

##### **(1) Assault.**

- (a) "Assault" is the legally unwarranted, physical beating of a victim with a weapon, resulting in bodily harm or knockout.
- (b) Assault is considered a Tort.
- (c) Compensatory damages in assault cases are fixed at \$1,000.
- (d) Punitive damages in assault cases shall not exceed \$4,000.
- (e) Consent cannot be granted for assault.

##### **(2) Battery.**

- (a) "Battery" is the persistent unwarranted and unconsented physical attack without a weapon.
- (b) Battery is considered a tort.
- (c) Compensatory damages in battery cases are fixed at \$1,000.
- (d) Punitive damages in battery cases shall not exceed \$4,000.
- (e) Consent may be granted as long as it is voluntary and outside duress.

##### **(3) False Imprisonment.**

- (a) "False imprisonment" is the intentional confinement of a victim without consent or legal authority.
- (b) False imprisonment is considered a tort.
- (c) Compensatory damages in false imprisonment cases are \$1,000, with removal from position if the defendant is a law enforcement officer.
- (d) Punitive damages in false imprisonment cases shall not exceed \$4,000.

##### **(4) Trespass.**

- (a) "Trespass" involves knowingly entering private property without consent and causing injury or loss. Law enforcement in the exercise of their duties is exempt.

- (b) Trespass is considered a tort.
  - (c) No distinction is made between land and chattels in trespass.
  - (d) Compensatory damages in trespass cases are determined case-by-case, considering market prices.
  - (e) Punitive damages in trespass cases shall not exceed twice the compensatory damages.
- (5) Conversion.
- (a) “Chattels” refer to non-real estate private property, like vehicles.
  - (b) “Conversion” is the illicit use of chattel against the owner’s will.
  - (c) Conversion is considered a tort.
  - (d) Compensatory damages in conversion cases are fixed at \$1,000.
  - (e) Punitive damages in conversion cases are fixed at \$4,000.
- (6) Appropriation.
- (a) “Appropriation” is the unauthorized use of someone’s public image or brand, such as falsified endorsements.
  - (b) Appropriation is considered a tort.
  - (c) Compensatory damages in appropriation cases are \$1,000, with an immediate retraction and public apology required.
  - (d) Punitive damages in appropriation cases shall not exceed \$4,000, or the amount the defendant gained directly from the appropriation, whichever greater.
- (7) Defamation.
- (a) “Defamation” involves false statements injuring a party’s reputation.
  - (b) Defamation is considered a tort.
  - (c) In order to prove defamation, there must be proof of falsehood, publicity, and harm.
  - (d) Defamation includes libel (written) and slander (spoken), with identical punishment and requirements.
  - (e) Compensatory damages in defamation cases are \$5,000, plus a public retraction and apology.
  - (f) Punitive damages in defamation cases shall not exceed \$10,000, or the amount the defendant gained directly from the defamation, whichever greater.
- (8) Negligence.

- (a) "Negligence" involves failure to fulfill legal duties, resulting in harm to the claimant. An example would be a medical professional not providing needed aid.
  - (b) Negligence is considered a tort.
  - (c) Compensatory damages in negligence cases are \$1,000, with removal from position if committed by a public servant.
  - (d) Punitive damages in negligence cases shall not exceed \$4,000.
- (9) Fraud.
- (a) "Fraud" involves intentional dishonesty to take another's money, property, or legal rights without consent. No contract is required, as verbal agreements suffice.
  - (b) Fraud is considered a tort.
  - (c) Compensatory damages in fraud cases are equivalent to the total amount fraudulently acquired.
  - (d) Punitive damages in fraud cases shall not exceed twice the compensatory damages.
- (10) Invasion of Privacy.
- (a) "Invasion of privacy" involves the unwarranted intrusion into an individual's private life without consent, whether through surveillance, publication of private facts, or misappropriation of personal information.
  - (b) Invasion of Privacy is considered a tort.
  - (c) Invasion of Privacy involves the unwarranted intrusion into an individual's private life without consent, whether through surveillance, publication of private facts, or misappropriation of personal information.
  - (d) Compensatory damages for invasion of privacy are set at \$2,000, and a cessation of the invasive activity.
  - (e) Punitive damages shall not exceed \$6,000.
- (11) Nuisance.
- (a) "Nuisance" involves interference with an individual's enjoyment of their property, either through noise, intentional or persistent interference, or other unwarranted disturbances.
  - (b) Nuisance is considered a tort.
  - (c) Compensatory damages for nuisance cases are determined based on the severity and duration of the interference.
  - (d) Punitive damages in nuisance cases shall not exceed \$5,000.
- (12) False Forfeiture.

- (a) “False forfeiture” is defined as the unlawful or illegitimate seizure or confiscation of property, assets, or rights by an individual, entity, or government authority without proper legal grounds and or due process.
- (b) False Forfeiture is considered a tort.
- (c) In cases of false forfeiture, the claimant/plaintiff is entitled to the return of all property, assets, or rights wrongfully taken, or their equivalent value in cases where the return is not possible.
- (d) Compensatory damages in false forfeiture cases are set at the total value of the wrongfully forfeited property, assets, or rights.
- (e) Punitive damages in false forfeiture cases shall not exceed twice the value of the compensatory damages.

## **SEC. 5. IMPLEMENTATION & ENFORCEMENT.**

### **(1) The Judicial Branch.**

- (a) In all cases of disputes, the Judicial Branch of Vindex Nation shall decide all civil cases brought forth and introduced by the claimant.
  - (i) The Judicial Branch of Vindex Nation shall apply and prescribe civil procedure consistent with this Act.
  - (ii) All disputes that have been fully arbitrated and settled through arbitration or settlement shall be final and binding on the parties, and no further legal action may be brought before any court of law regarding the same matter.

### **(2) Individuals.**

- (a) Individuals bear ultimate responsibility for their actions under the law and are personally accountable for any civil claims brought against them or initiated by them.
- (b) Any person involved in a civil case, whether as a claimant/plaintiff or defendant, is solely responsible for managing their legal defense or prosecuting their claim, including any costs, fees, or liabilities associated with the litigation process.
- (c) No individual may shift or transfer the responsibility for their civil liabilities or defense to another party, except where legally recognized representation or indemnification agreements exist.
- (d) Regardless of legal counsel or representation, individuals retain ultimate accountability for the outcome of their actions, and they are bound by the consequences of any court decisions, settlements, or penalties rendered in civil cases.

### **(3) Non-compliance.**

- (a) “Non-compliance” occurs when a party, after a final court ruling or formal agreement of settlement/arbitration in a civil matter, willfully refuses or neglects

to fulfill the obligations imposed by the court or individual, including payment of compensatory and/or punitive damages, return of property, or any other mandated actions.

- (b) Failure to comply (Non-compliance) with a court decision in a civil case is considered a crime and or tort in certain situations.
- (c) Individuals or entities found guilty of non-compliance with a civil court decision may face criminal penalties, including but not limited to fines, imprisonment, or both, as determined by the presiding judge.
- (d) In addition to criminal penalties, the party in non-compliance shall remain liable for all outstanding obligations outlined in the original civil court ruling, plus any additional damages or penalties that may accrue due to the delay.

SIGNED,

*JACOB WALL*

Representative