

How Are Pain and Suffering Damages Calculated in New Jersey?

Friday, October 30, 2026

When someone is injured because of another person's negligence, the financial costs of medical treatment and lost wages are often easy to identify. Pain and suffering damages are different. These damages are intended to compensate an injured person for the physical pain, emotional distress, and overall impact an injury has on daily life.

What Are Pain and Suffering Damages?

Pain and suffering damages are considered non-economic damages. Unlike medical bills or lost income, they do not come with a receipt or invoice. Instead, they are meant to account for the human consequences of an injury, including:

- Physical pain and discomfort
- Emotional distress and anxiety
- Loss of enjoyment of life
- Permanent disability or disfigurement
- Reduced ability to participate in hobbies and activities
- Impact on personal relationships

These damages can be a significant part of a personal injury claim, especially when injuries have long-lasting effects.

Is There a Formula for Calculating Pain and Suffering?

Many people assume there is a standard formula used in every case. In reality, New Jersey law does not require a specific mathematical calculation for pain and suffering damages. Insurance companies may use formulas during settlement negotiations, but courts and juries evaluate each case based on its unique facts and circumstances.

Factors That Influence Pain and Suffering Damages

Several factors can affect the value of a claim, including:

Severity of the Injury

Generally, more serious injuries result in greater pain and suffering damages. A permanent spinal injury will typically be valued differently than a minor soft-tissue injury that heals within a few weeks.

Length of Recovery

The longer an injury affects a person's life, the greater its impact may be. Extended medical treatment, rehabilitation, or ongoing pain can increase the potential value of a claim.

Impact on Daily Life

Evidence showing how the injury has affected work, family responsibilities, exercise, hobbies, or other routine activities can be persuasive when evaluating damages.

Emotional and Psychological Effects

Depression, anxiety, PTSD, sleep disturbances, and other emotional challenges may be considered when supported by medical evidence.

Permanent Impairment or Disfigurement

Scarring, disability, and permanent limitations often play a significant role in determining non-economic damages.

What Evidence Supports a Pain and Suffering Claim?

Because these damages are impart subjective, documentation is extremely important. Evidence may include:

- Medical records and physician reports
- Testimony from treating doctors
- Mental health treatment records, if applicable
- Photographs of injuries and recovery progress
- Statements from family members, friends, or coworkers

Evidence of subjective medical injury, such as MRI, X-Ray, or CT findings, is very important in proving a claim for pain and suffering. The stronger the evidence, objective and subjective, the easier it becomes to demonstrate how an injury has affected a person's life.

Does Every Injury Victim Qualify?

New Jersey's insurance laws can impact an injured person's ability to pursue pain and suffering damages after a [motor vehicle accident](#). Depending on the insurance option selected, certain legal thresholds may need to be met before non-economic damages can be recovered. Because these rules can be complex, it is important to understand how they apply to the specific facts of a case.

The Bottom Line

There is no universal formula for calculating pain and suffering damages in New Jersey. Each case is evaluated based on the severity of the injury, its effect on the victim's life, and the evidence presented. While economic damages may be straightforward to calculate, pain and suffering damages require a careful assessment of the true human impact of an injury. If you have been injured in an accident,

understanding your rights and the factors that influence pain and suffering damages can help you make informed decisions as you pursue compensation.

Call Us Today

If you or a loved one has been injured due to someone else's negligence, the experienced [personal injury attorneys](#) at Wilentz, Goldman & Spitzer, P.A. are here to help. We can evaluate your case, explain your legal options, and fight for the compensation you deserve. Call us today for a consultation and let us help you move forward with confidence.

Practice

- Personal Injury