

Intentional Infliction of Emotional Distress

To make a case for intentional infliction of emotional distress, the plaintiff must prove all of the elements¹ of the offense, including "**extremely** outrageous conduct." and the actual suffering of emotional distress. In considering the actual suffering, the court looks to the intensity and duration of the bad conduct – the resulting distress must be so severe that no reasonable person could be expected to endure it. One court has said: "Illinois case law makes clear that under no circumstances would mere insults, indignities, threats, annoyances, petty oppressions or other trivialities qualify as outrageous conduct. Rather, the nature of the defendant's conduct must be so extreme as to go beyond all possible bounds of decency and to be regarded as intolerable in a civilized community."²

Most cases will show a loss of self-esteem; that is, a form of post-traumatic stress disorder.

This article was written by the law office of Cowell Taradash, P.C., whose attorneys are familiar with the latest court decisions, recent changes in the law and even the tendencies of many judges. We can help. Contact us at 866.987.6723 or info@illinoisdivorce.com.