

Wrongful Death: Steps to Take Towards Compensation

Wrongful death is a generally accepted description for the consequence of taking the life of an individual resulting from the willful or negligent act of another person or persons. If a person is killed due to neglect or wrongful conduct of a person or persons, the decedent's beneficiaries and/or survivors may file a wrongful death action against the tortfeasor or those responsible for the death.

Unlike criminal prosecutions, which are brought by the government, private citizens bring about tort actions. Statutes govern this area of tort law, and wrongful death statutes vary from state to state. However today, every state has some form of wrongful death statute in force. Generally, statutes define who may sue for wrongful death and any limitations to an award for damages.

Some forms of wrongful death may include:

- Negligence such as careless driving
- Slip and fall accidents
- Defective products
- Intentional attacks such as assault and/or battery
- Medical malpractice
- Death in the course of another crime
- Vehicular manslaughter
- Manslaughter
- Murder

A wrongful death claim generally consists of four elements:

- The death was caused, in whole or part, by the defendant's conduct
- The defendant was negligent or strictly liable for the victim's death
- There are survivors and/or beneficiaries to the victim
- Monetary damages have resulted from the victim's death

However, there are remedies for tortuous actions, including monetary damages and injunctions, which are court orders forbidding particular conduct. If you believe a loved one is the victim of a wrongful death, contact a compassionate Colorado Attorney that will fight for the compensation you and your family deserve. A few of these compensations may include:

- Expenses incurred by the death of the victim (medical, funeral, etc.)
- Loss of future earnings anticipated over the lifetime of the victim
- Benefits lost due to the victim's death (medical insurance, pension, retirement funds, etc.)
- Survivor's pain, suffering and mental anguish caused by the loss of the victim
- Companionship, care or protection lost due to the absence of the victim
- General and punitive damages

As stated previously, states vary on this topic, but generally, it is stated that immediate family (spouse, children and parents) may claim a wrongful death action against a tortfeasor. In some states, grandparents, legal dependants and even extended family may file. Also be advised that there is immunity against other family members. Family members cannot file a wrongful death claim against another family member. With each state possessing variations on this law, contact someone who will help you understand these law variations and your rights as a survivor.

States also vary on time limitations for filing a claim of this sort. Do not hesitate if you are a survivor to a wrongful death. Immediately contact an experienced Colorado Attorney who will take the time to listen to your situation, ensure the protection of your rights as a survivor and get you the necessary compensation needed during this troubled time. It can be very discerning to learn of this type of news.

Having a competent Colorado wrongful death attorney to help you cope with such a shocking and difficult tragedy and to help guide you in the direction towards the justice deserved can greatly impact the level of support you and your family can expect to receive both at present and in and in the future. Don't take on the insurance companies and corporations alone, you can be sure they have hired a team of Colorado wrongful death attorneys in preparing to refute your claims and deny responsibility in the death of your loved one!