

Maryland Wrongful Death Attorneys

The loss of a loved one due to the wrongful or careless acts of another is an unimaginable tragedy. In such cases, the family members of a deceased person may have a legal claim for damages against those responsible for their loss. At Joseph, Greenwald & Laake, we have a long history of successfully handling wrongful death claims, and we are experienced in navigating the difficult and complex challenges facing those pursuing legal action for the death of a loved one.

What is Wrongful Death?

When a person dies due to the negligence or wrongdoing of another, their family members may have a claim for wrongful death damages. Under the Maryland Wrongful Death Act, the surviving beneficiaries of a deceased person (including their spouse, parents, or children) may bring a lawsuit if a person's "wrongful act" caused someone's death. The Wrongful Death Act recognizes that when someone dies due to the wrongful or careless acts of another, their surviving family members may suffer damages, including financial harm and emotional or mental distress.

Wrongful death can arise from many different causes. These causes include [car and truck accidents](#), [defective products](#), boating accidents, [workplace injuries](#), [fires and explosions](#), intentional acts, and [medical malpractice](#). The Wrongful Death Act does not restrict the type of underlying cause that may give rise to a wrongful death claim, so long as it is a "wrongful act." Whatever the underlying cause, in order to recover damages under the Wrongful Death Act, you must plead and eventually prove that the defendant(s) is legally responsible for the underlying conduct.

When to File a Wrongful Death Lawsuit in Maryland

The statute of limitations to bring a wrongful death claim in Maryland is three years from the date of the decedent's death. Because of the complexity of wrongful death claims and the importance of preserving evidence surrounding the circumstances of the death, family members of a deceased loved one should [consult an attorney](#) as soon as they feel comfortable doing so.

Potential Damages Available in a Wrongful Death Suit

In wrongful death actions, the surviving beneficiaries of the deceased person may recover damages for mental anguish, emotional pain and suffering, and loss of society, companionship, comfort, protection, marital care, parental care, filial care, attention, advice, counsel, training, guidance, or education. Unlike in some other jurisdictions, wrongful death actions in Maryland are not restricted to pecuniary (financial) loss.

Importantly, there is a cap on non-economic damages (such as pain and suffering) in wrongful death suits. As of October 2024, the non-economic damages cap for wrongful death suits is \$950,000 for a single beneficiary and \$1,425,000 for multiple beneficiaries. The cap increases by \$15,000 every year.

The estate of the decedent may also have a claim for "survival" damages. The personal representative of the estate brings a survival claim to recover damages the decedent suffered before death, including personal injury damages such as pain and suffering and medical expenses. There is a separate cap that applies to survival damages in Maryland.

Choose to Work with an Experienced Maryland Wrongful Death Attorney

Joseph, Greenwald & Laake has handled complex civil cases in Maryland for decades. During this time, the firm has represented countless individuals who have lost loved ones and family members due to negligence, obtaining just results for our clients. If you have suffered the tragedy of losing a loved one due to negligence or carelessness, it is important to speak with an experienced

wrongful death attorney. Please [contact](#) Joseph, Greenwald & Laake to schedule a free consultation to discuss your legal options.