Washington DC 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 in the District of Columbia, and we are experienced in navigating the difficult and complex challenges facing those pursuing legal action for the death of a loved one.

Understanding Wrongful Death Claims

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 D.C. Wrongful Death Act, D.C. Code 16-2701, et seq., a wrongful death action must be brought by the "Personal Representative" of the deceased person's estate, and for the benefit of the wrongful death beneficiaries of the decedent (including their spouse, parents, or children). A lawsuit may be brought when the death "is caused by the wrongful act, neglect, or default of a person or corporation . . ."

Wrongful death can arise from many different causes. These causes may include car and truck accidents, defective products, boating accidents, workplace injuries, fires and explosions, intentional acts, and medical malpractice. D.C. law 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 for wrongful death, the plaintiff must plead and eventually prove that the defendant is legally responsible for the underlying conduct.

When to File a Wrongful Death Lawsuit in Washington DC

In D.C., the Personal Representative must file a wrongful death action within two years of the date of death. It's crucial to comply with this two-year period, known as the "statute of limitations," otherwise the beneficiaries may forgo their legal right to claim wrongful death damages. 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.

What Compensation is Available For Wrongful Death Claims in Washington DC?

In D.C. wrongful death actions, the decedent's estate may recover pecuniary damages arising from the death. These damages may include:

- Funeral and burial costs
- Lost wages of the decedent, including lost earning capacity
- Loss of "consortium," meaning the loss of companionship, support, affection, and intimacy
- Loss of services, including household services
- Loss of guidance, training, and education

Unlike other jurisdictions, D.C. wrongful death beneficiaries cannot recover damages for grief or mental or emotional distress.

Loved ones and family members should understand that the Personal Representative may also bring an action for "survival" damages, depending on the circumstances of the case. Survival damages are separate and distinct from wrongful death damages, and they include the damages that a decedent suffered before his or her death. For example, if a decedent experienced conscious

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pain and suffering before dying, the estate may be able to recover the value of those “survival” damages.

Choose to Work with an Experienced D.C. Wrongful Death Attorney

Joseph, Greenwald & Laake has handled complex civil cases in the District of Columbia 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 D.C. wrongful death attorney. Please contact Joseph, Greenwald & Laake to schedule a free consultation to discuss your legal options.

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