

Should You File A Wrongful Death Claim?

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Dealing with the loss of a loved one is always a difficult experience. This is especially true when the death could have been prevented without the negligence of another party.

No amount of money can ever replace the absence of a loved one. But it can help ensure the financial security of the loved one's family, allowing them to focus more on the process of grieving and coping with the changes in their lives.

Wrongful death claims allow plaintiffs to hold the person responsible for the death of their family member accountable for their negligent actions by holding them financially accountable. The notion behind wrongful death lawsuits is that the party responsible for the victim's death also injured those related to the victim by taking away an individual upon whom they depended for emotional and financial support.

A fatal [car accident injury](#), failure to diagnose a fatal disease, industrial accidents and defective products are a small percentage of situations that could be potentially classified as a wrongful death.

Before filing a wrongful death claim, the following requirements must be met: Proof of death, evidence linking responsibility of the death to another party and proof the family is suffering emotional, financial or traumatic distress from the loss.

It is also vital to determine whether the claim fits within the statute of limitations for wrongful death claims, which varies according to the state. In Ohio, most wrongful death claims for bodily injuries have to be filed within two years of a person's passing. However, the length and start of a statute of limitations for other types might differ depending on the cause of death. Families believing their loved one is a wrongful death victim are advised to promptly file their claims to avoid any statute of limitation issues.

Financial compensation typically sought in wrongful death claims include damage of property, medical expense reimbursement for services provided to the victim, future income loss and loss of companionship. In Ohio, the surviving spouse, children and parents of victims are eligible to receive monetary damages from awarded claims.

In summation: In order for the wrongful death case to stand up in court, four elements must be met for claims: The victim's death was caused by another party; the death resulted from the responsible party's negligence; the death is affecting family members filing the claim; and the death of the victim has resulted in some form of monetary damage for the family.

Consult a [wrongful death attorney](#) for more in-depth information and a consultation.