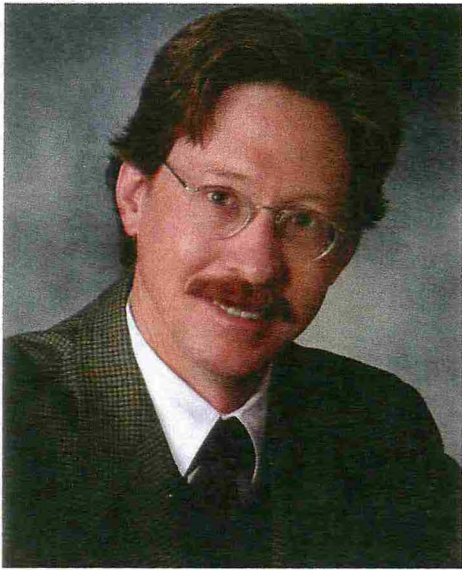


Around Our Town...Legally Speaking

Wrongful Death Lawsuits Help Surviving Family Members



by R. Michael Shickich

What do the following accident and injury scenarios have in common? Automobile Driver Collides with a Pedestrian, Medical Doctor Does Not Meet the Standard of Care in a Surgery, Poorly Designed SUV Rolls Over on the Interstate, Customer Is Assaulted in a Poorly Lit Parking Lot.

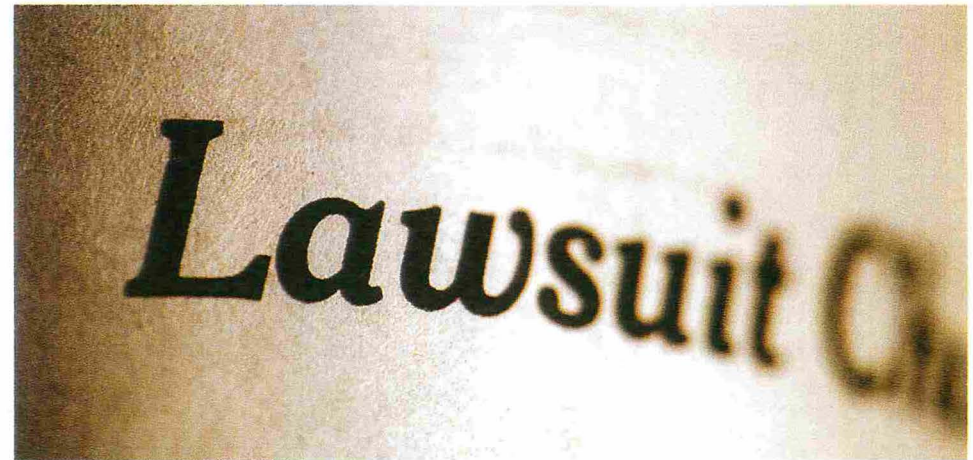
The answer is that any one of these can result in a fatal injury for the victim due to someone else's negligence. When

someone dies as a result of another party's negligence, legally it is known as a "wrongful death."

Obviously, losing a family member can be emotionally devastating. But when the death is related to carelessness on the part of another person, then the loss becomes much harder to accept. The death of a person has an IMMEDIATE impact on the family members left behind. In an instant, lives are changed forever. That's why the law provides a legal remedy for surviving family members in the form of a wrongful death claim. If successful, the family members may be rewarded compensation for:

- Medical Expenses
- Funeral Expenses
- Loss of Future Wages
- Pain, Suffering and Emotional Distress (of the family members)

It is important to remember that just because a person dies in an accident, the death may not be "wrongful." Instead, a wrongful death suit is valid only where someone else causes the person's death through a wrongful act, neglect, or extreme carelessness. In other words, a suit for a wrongful death should be filed only if the



death is caused by the intentional acts or negligence of someone else.

While nothing can replace a lost loved one, a successful wrongful death lawsuit can provide some level of comfort and assurance in the face of uncertainty and grief. No one would trade the life of a family member for a check, no matter how large. However, there are some kinds of losses the law cannot fix, such as death. The damages that can be recovered in a wrongful death suit are intended to make the loss more bearable by compensating the family.

And remember: If a family waits too long to file a wrongful death suit it may

lose the right to file suit at all.

Nothing in this article should be construed as legal advice. You must consult with an attorney for the application of the law to your specific circumstances. The Wyoming State Bar does not certify any lawyer as a specialist or expert. Anyone considering a lawyer should independently investigate the lawyer's credentials and ability, and not rely upon advertisements or self-proclaimed expertise.

R. Michael Shickich is the founder of the Injury Law Firm located in Casper. The focus of his practice is personal injury and wrongful death cases.