

Wrongful Death Lawsuits

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A wrongful death settlement is an American tort law action that claims damages from any person who, through negligence or direct act or omission, caused the wrongful death of certain relatives.

Because, under the common law, there is no right of action for survivors for their own loss as a result of wrongful death, such actions are commenced under specially designated "wrongful death settlement" statutes. An attorney can help with a wrongful death settlement.

A death caused by an individual, group of individuals, company, or organization can be filed under a wrongful death. This can be an immediate or delayed result of someone else's negligence and the misconduct or negligence. Wrongful deaths may be intentional or unintentional. They can occur in an instant or they can be long and agonizing events.

Usually, wrongful death lawsuits are filed by the relatives of the deceased. However, there is no wrongful death cause of action under the common law and hence, the suits must be brought under a state's Wrongful Death statute.

As an example, a wrongful death statute in Massachusetts can be for someone who causes the death of a person either by negligence, by willful, wanton or reckless act, or by breach of warranty that results in injury which resulted in death.

Negligence or the willful, wanton or reckless act of a person's agents or servants while engaged in that person's business makes the person liable to the same extent and subject to the same limits as for the person's own act.

The related section under the action of tort can be used, by the executor or administrator of the deceased, to recover damages. Damages recovery, under this section, will be commenced within three years from the date of death, or within three years from the date when the executor or administrator knew, or should have known the factual basis for a cause of action. Lawsuit Loans provides detailed information about lawsuit loans, lawsuit loan companies, lawsuit loan services and more. Lawsuit Loans is affiliated with Viatical Life Settlement.