

Wrongful Death Lawyer in California

 californiainjuryaccidentlawyer.com/wrongful-death-california

If you have experienced the death of a family member, you may feel overwhelmed with trauma, pain, and confusion. And, **if your loved one's death was due to the negligence or carelessness of another person**, nothing can fully compensate for your loss. Still, you can hold those who are responsible for the tragedy financially accountable for their wrongful actions.

In order to obtain financial compensation you need to begin the process of rebuilding your life, it is important to get help from a qualified [California wrongful death lawyer](#). An experienced wrongful death attorney can guide you through State legal requirements to ensure that your rights are fully protected throughout the process and that you receive all compensation to which you are legally entitled.

Your Right to Compensation

California law allows you to claim compensation for financial losses as well as for the emotional suffering caused by the wrongful death of your family member. [Wrongful death lawsuits](#) are complex and sometimes lengthy. It is essential for you to find a California personal injury lawyer with a proven track record of success in wrongful death cases.

Johnson Attorneys Group personal injury lawyers work to give our clients the best legal representation available in California. And, we understand very well that when you have lost a loved one due to another person's carelessness, you need an attorney who will treat your case with the sensitivity and consideration it deserves.

Time Limit for Filing a Wrongful Death Lawsuit in California

California law limits the period during which a wrongful death claim can be filed to two years from the date of the wrongful death. The family of the deceased person almost always loses the right to file a case in the California civil court system at any point beyond the two-year time limit.

- If you are unable to meet with an attorney, we can come to you.
- We will provide you with a free consultation.
- We will make ourselves available to help you at any time, 24 hours per day, 7 days per week.

Our attorneys are very experienced in wrongful death cases, and we're here to do what it takes to help you succeed with your case.

What is a Wrongful Death?

In California, wrongful death claims result when a person's death is caused by a wrongful act or negligence by another person, a company, or other entity.

- The wrongful death claim is a type of civil lawsuit brought to the court directly by the deceased person's survivors, or estate representative.
- Fault in wrongful death cases is quantified entirely in terms of a monetary amount of damages.
- If the lawsuit is successful, the court's judgment requires the defendant to pay compensation to survivors of the deceased.

A wrongful death claim is different than a criminal case. For example, in a homicide case, the state brings the case to the court, and the guilty person is penalized by sentencing to time in jail or prison, or probation, and/or other penalties.

In California, a family is allowed to bring a civil case for wrongful death to the court even while a criminal case is in progress.

Who May File a Wrongful Death Lawsuit in California?

If your loved one died as the result of wrongful action by another person, you might be entitled to compensation under California law. An experienced personal injury attorney can advise you of your right to file a lawsuit.

Ask for a free consultation to determine your qualification as a "presumptive personal representative" who is legally entitled to file a wrongful death lawsuit. To qualify for this status and be entitled to file a case, you must have suffered damages due to the death.

In California, the relevant statute specifies that only the following individuals may bring a wrongful death claim to the court:

- the surviving spouse of the deceased person
- The domestic partner of the deceased person
- The surviving children of the deceased person

If there are no surviving persons with any of the above relationships to the deceased who can file a wrongful death lawsuit, then the case may be filed by any other person "who would be entitled to the property of the decedent by intestate succession." This can include the parents or siblings of the deceased person, depending on who is alive at the time of the person's death.

Other survivors may bring a wrongful death lawsuit in California if they can show the court that they were financially dependent upon the deceased individual. These other survivors who are potentially eligible to file a lawsuit include:

- The "putative spouse" of the deceased person
- The children of the putative spouse
- The stepchildren of the deceased person
- The parents of the deceased person

What is Included in Compensation?

Certainly, no amount of money can adequately compensate for the loss of a loved one. The California civil court does allow for three types of damages that can be recovered in wrongful death lawsuits:

- **Economic damages** — loss of financial support, funeral expenses, medical bills, and loss of inheritance
- **Noneconomic damages**— loss of affection, society, companionship, comfort, protection, and care that the surviving loved ones have suffered. These are unique losses for each survivor. Varying amounts of awards may be assessed for these kinds of noneconomic damages, based upon considerations such as the respective kinds of relationships survivors had with the person who died, and ages of the survivors.
- **Punitive damages** — Judgments for punitive damages are not made in consideration of losses attributed to the victim's death. Instead, the legal evaluation is focused on the specific wrongful action that resulted in the death. Awards of punitive damages are aimed at punishing the guilty party and at deterring similar conduct in the future, by the wrongdoer or others.

Proof in the form of "clear and convincing" evidence that there was a high degree of fault in the wrongdoer's action (for example, reckless conduct) is required for an award of punitive damages. Such awards are comparatively rare, and claims for such damages are not a part of every case.

When Should You Contact an Attorney to File a Wrongful Death Lawsuit?

The death of a loved one can be emotionally devastating. Additionally, funeral expenses, medical bills, and loss of income can be financially overwhelming. You should contact a qualified personal injury attorney with a proven track-record of success in wrongful death lawsuits in California when:

- Your loved one was an income earner. It may become difficult to manage finances with a reduced income.
- Your loved one's death was caused by another person's wrongful action. Obtain advice from a qualified personal injury lawyer about your legal options.

Various examples of personal injury cases include car accidents, trucking accidents, exposure to dangerous products, construction accidents, or other types of accidents, or medical malpractice.

Mainly the penalty imposed. When a plaintiff wins a wrongful death lawsuit in California, the defendant must pay them a sum of money to compensate for their loss. In criminal cases, defendants found guilty are punished with imprisonment, probation and/or fines payable to the court.

At Johnson Attorneys Group we understand how difficult the loss of a loved one can be on their family. We do our best to make the whole process as easy for you as possible and fight for your right to fair compensation so that you and your family can focus on healing. [Contact Johnson Attorneys Group's California wrongful death lawyers](#) to schedule an appointment for a free consultation. We do not charge you a fee unless and until we win your case. We offer 12 locations to serve you throughout California.

Contact Johnson Attorneys Group for a Free Wrongful Death Case Review

If you have lost a loved one due to drunk or distracted driving, a workplace accident, an act of violence, medical malpractice, or an act of police brutality, you don't have to endure the pain of your loss alone. We will fight for your right to fair compensation so that you and your family can focus on healing.

Resources:

[4 Elements of a Wrongful Death Claim](#)