



## Wrongful Death in Michigan

*Losing a loved one is one of the hardest things anyone can endure. If a family member's death was caused by another's negligence, whether from a car accident, dangerous property, or corporate wrongdoing, you may have the right to bring a wrongful death claim.*

*Michigan law gives families the right to seek justice and compensation when a loved one's death is caused by negligence.*

### What Is a Wrongful Death Case?

A wrongful death case is a civil lawsuit that seeks compensation when a person's death is caused by the wrongful act, negligence, or fault of another person, company, or entity.

### Who Can File a Wrongful Death Lawsuit in Michigan?

Under Michigan's Wrongful Death Act (**MCL**) 600.2922, only the personal representative of the deceased person's estate may file the lawsuit. While the personal representative files the case, the claim is brought for the benefit of the surviving family members, such as:

- Spouse and children
- Parents and grandparents
- Brothers and sisters
- Other individuals who may have been financially dependent or others that would inherit the estate

### What Damages Can Be Recovered?

Michigan law allows families to seek compensation for both economic and non-economic losses, including:

- Medical and funeral expenses
- Loss of the deceased's financial support
- Loss of companionship, care, guidance, and emotional pain
- Pain and suffering of the deceased before death

The court oversees distribution of these damages to eligible family members.

### How Long Do I Have to File?

In Michigan, the statute of limitations is three years from the date of death. Missing this deadline usually means you cannot file a claim. Because the process involves appointing a personal representative and building a case, it's important to begin as soon as possible.

**Disclaimer:** *The outcome of a particular matter can depend on a variety of factors—including the specific factual and legal circumstance that may come to light during initial investigation.*

## What Do I Need to Prove in a Wrongful Death Case?

Like other personal injury claims, wrongful death cases require proof that:

- There was a breach of the duty of care through negligence or wrongdoing
- That negligence caused or contributed to the death
- The victim and surviving family suffered damages as a result

## Do Wrongful Death Cases Always Go to Trial?

Not always. Most cases settle through negotiation or mediation. However, if a fair settlement cannot be reached, our trial lawyers are prepared to try your case in court.

## How Much Does it Cost to Hire a Wrongful Death Attorney?

Most Michigan wrongful death attorneys, including our firm, work on a contingency fee basis. This means you don't pay upfront legal fees — our fee is a percentage of what we recover for you. If we don't win your case, you don't owe attorney's fees.

## What Should I Do First if I Think I Have a Case?

- Contact an attorney as soon as possible. It is critical to hire someone with extensive experience in these types of cases, as timelines are rigid.
- Gather important documents, such as the death certificate, accident reports, and medical records.
- Do not speak with any insurance companies before contacting an experience attorney.

## Our Promise

Every wrongful death case is unique. While no amount of money can replace a loved one, holding the responsible party accountable can provide financial stability and a sense of justice. Our firm is here to guide you through the legal process and ensure you and your family obtain the recompense you deserve.

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