

# WRONGFUL DEATH

**FINDING YOUR WAY AFTER YOUR LOVED ONE HAS DIED  
BECAUSE OF the negligence or wrongful act of another**

**An Examination of WRONGFUL DEATH LAW and tips for finding  
the best lawyer to handle your case IN WASHINGTON STATE**

By Lawrence M. Kahn, Esq.  
READ THIS GUIDE To ANSWER:

- ❖ What is entailed in a wrongful death lawsuit?
- ❖ What is the difference between a wrongful death action and a “survival” action?
- ❖ What are the shameful idiosyncrasies in Washington’s wrongful death law?
- ❖ What types of money damages may be recovered in a wrongful death case?
- ❖ How to find an experienced wrongful death lawyer?
- ❖ How can settlement enhance a wrongful death recovery beyond money?

When you are sorrowful look again in your heart, and you shall see that in truth you are weeping for that which has been your delight.

-- Kahlil Gibran

In the depth of winter, I finally learned  
that there was within me an invincible summer.

-- Albert Camus

## Introduction

It seems to happen in an unexpected instant whether there was some time to prepare or not. Your loss of a loved one under any circumstance is a heartbreaking and shockingly low time only made worse by the knowledge that it didn't have to be that way: that the loss was caused by the negligence of another through a vehicle crash, workplace injury, medical malpractice or otherwise. By definition, your loved one has suffered a wrongful death.

Your world appears to have collapsed around you. You suddenly feel so out of place. For the moment, it may even feel like that you're never going to emerge from your sadness. You might feel that life is over and there's no meaning left for you. Trust that it is a matter of time before normalcy returns. Any of us who have endured it will tell you this is true and although the freshest heartbreak seems to say otherwise.

What can you do? You know you need to take action to right a wrong or, at minimum, to obtain some accountability for this grievous loss. You feel strongly that your lost loved one would champion your cause for you if things were the other way around. But where do you start? How can you grieve yet make sure that the evidence of wrongdoing is adequately preserved? Where do you begin in hiring a lawyer, other than the Yellow Pages, the Internet and other referral services that can be wholly unreliable vapid advertising?

Because wrongful death lawsuits are particularly complicated, you should seek a lawyer that is acutely familiar with all aspects of a case like yours. The cases are usually expensive and time consuming to litigate because insurance companies and their attorneys fight tooth and nail to give you the least money possible or none at all. These cases require extensive investigation and the assistance of experts. The lawyer must have experience and the financial resources to pay for the detailed investigation, research and experts needed to win your case. The difference between seasoned veterans and the rest will show up in these cases more so than in many other types of cases.

This guide will explain the complexities and knowledge involved in litigating such a case and gives you time tested information and resources for finding the right lawyer to properly assist you through your most challenging and difficult situation. Having represented many good people in too many of these tragic circumstances, I know how important this is to you, to your family and to the memory of your loved one. I pray you find the wisdom and strength to come out fighting for justice and that you find an attorney who understands and honors this sacred trust.

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135 LAKE ST., S, SUITE 265, KIRKLAND, WA 98033  
Phone (425) 453-5679 Fax (425) 453-5685

## WHAT IS A WRONGFUL DEATH LAWSUIT?

A wrongful death lawsuit says that the victim died as a result of negligence (or other type of unjust action) by the person or business or governmental entity being sued, and that the victim's survivors are entitled to monetary damages as a result of this improper conduct. It is different in a procedural way from a normal negligence lawsuit, which is filed by the actual person injured. Under the "common law," (the basic legal principles passing over the past few centuries from England) a wrongful death claim did not exist. The reasoning proffered was that the claim died with the victim so there was no way to compensate him for damages. Surviving family members were not permitted to claim damages from the person who caused their loved one's death.

Over the years all of the states, including Washington, have passed wrongful death laws to provide compensation for those who were damaged from the wrongful death of their loved one. These laws act as an incentive for the wrongdoers and society to go about life carefully and safely in order to prevent these deaths from happening again. Indeed, both theoretically and in practice, these cases do matter and do save untold thousands of other lives. In the hands of a good wrongful death or medical malpractice lawyer, these cases not only yield an amount of money which may dissuade negligent conduct in the future but also can yield through settlement institutional accountability, training and procedural change so that what happened to one unfortunate soul doesn't happen again to another person.

Generally, in order to bring a successful wrongful death cause of action, the following elements must be present:

1. The death of a human being;
2. Caused by another's negligence, or with intent to cause harm;
3. The survival of family members who are suffering monetary injury as a result of the death, and;
4. The appointment of a personal representative for the decedent's estate.  
There are some exceptions to this requirement where the surviving family member sues individually not on behalf the loved one's estate.

A wrongful death claim may arise out of a number of circumstances, including Medical malpractice, automobile, boat, bicycle, motorcycle, train or airplane accident, swimming, product defect, occupational exposure to hazardous conditions or substances and criminal behavior. Obviously, this is not an all

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inclusive list. When someone is killed due to another's negligence, it is a wrongful death generally entitled to a recovery of damages.

"Pecuniary," or financial injury is the primary type of damages sought in a wrongful death action. Washington courts have interpreted these financial injuries as including the loss of support, services, lost prospect of inheritance, and medical and funeral expenses. When determining pecuniary loss, the jury considers the age, character and condition of the decedent, his/her earning capacity, life expectancy, health and intelligence, as well as the circumstances of the beneficiaries of the estate. This determination becomes unquestionably a complicated inquiry. The main consideration in awarding damages is the decedent's circumstances at the time of death.

Wrongful death claims are cases which have as their legal source, the state's statutes created by the legislature and interpreted by the courts. The "Wrongful Death" and "Survival" statutes, as they are known, define the permitted actions and permitted beneficiaries in any claim on behalf of the deceased, also called the "decedent" in legalese. The action is brought by a "personal representative" of the decedent's estate, but this is merely for the sake of procedural convenience and for the sake of the beneficiaries.

The named "Personal Representative" could be a beneficiary of the estate but conflicts of interest may arise so an "uninterested" third party or a professional personal representative is in most cases preferable. "Uninterested" here doesn't mean they are bored or don't care: it means they have no personal stake because they are not beneficiaries for example. It is the duty of every personal representative to settle the estate as rapidly and as quickly as possible, collecting and paying all debts of the estate. Technically, along with the family, the personal representative hires the lawyer to pursue the wrongful death lawsuit on behalf of the estate.

Individuals may under certain circumstances be both beneficiaries of the estate and bring an action personally on his or her own behalf in addition to or instead of the estate for the same facts causing the death of their loved one. For example, if the beneficiary witnessed or was "in the zone of danger" of the tragic event, he or she may bring a cause of action for negligent infliction of emotional distress in the same wrongful death lawsuit. Another example where an individual claim may be made is where a parent sues for the tragic death of a minor child. The parent's loss is not part of the estate controlled by the PR.

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The statute of limitations for a wrongful death action is three years. The wrongful death statute is not “tolled” or delayed by the fact the beneficiaries are minors, as is the case a minor is injured, because the action is brought by the personal representative not the minor.

## **THE DIFFERENCES BETWEEN WRONGFUL DEATH ACTIONS AND “SURVIVAL” ACTIONS**

The differences between wrongful death actions and “survival” actions in Washington can be very confusing and are often misunderstood, not only by the general public, but to less experienced attorneys who do not regularly litigate these cases. In general, the wrongful death statutes provide to the victim's surviving family losses they sustain as a result of their loved one's death. In contrast, the survival statutes preserve the loved one's own causes of action as if they had survived, permitting the action to be brought on behalf by the estate for, in essence, the creditors of the estate and the statutory beneficiaries.

Washington's statutory scheme is complex, with five potentially applicable statutes, including three wrongful death statutes and two survival statutes. The statutes are RCW §§ 4.20.010, 4.20.020, 4.24.010 (wrongful death statutes) and 4.20.046, 4.20.060 (survival statutes)

1. RCW 4.20.010: This general wrongful death statute creates a cause of action, brought by the personal representative, to compensate a decedent's surviving family members for “pecuniary,” i.e., monetary losses they sustain as a result of the decedent's death.
  
2. RCW 4.20.020: This statute designates two tiers of beneficiaries to the statutory wrongful death action. The first tier of beneficiaries includes the spouse and children of the decedent. The second tier of beneficiaries, which includes the parents and siblings of the deceased, may recover only if there are no first tier beneficiaries and *only* if the designated beneficiaries were dependent for support on the deceased.
  
3. RCW 4.20.060: This special Survival Statute allows for the deceased's action for Personal Injury to survive. The decedent's own action for personal injuries causing death may be brought by the personal representative of the decedent's estate on behalf of the beneficiaries listed above. If there are no statutory beneficiaries as

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defined in RCW 4.20.020, no claim can be brought under the Special Survival Statute.

4. RCW 4.20.046: This “General Survival Statute” allows the personal representative of the decedent’s estate to assert all causes of action that a decedent could have brought if he or she had survived. For example, the PR may recover net economic accumulations the estate would have acquired if the decedent had survived to the expected life term. This figure is computed by determining the total amount of future earnings, less the personal expenses he or she would have incurred during his or her lifetime, and reducing the net amount to its present cash value. Note that the PR *may not recover* noneconomic damages for the decedent’s pain and suffering, anxiety, emotional distress, loss of enjoyment of life, or loss of consortium.

5. RCW 4.24.010: This is the action for injury or death of Child. The statute gives parents who have regularly contributed to the support of his or her minor child a direct cause of action for the injury or death of the child. (It also gives a cause of action to parents who are dependent for support from their child, whether or not they are a minor). “Support” generally means providing for child’s needs for housing, food, clothing, education, and health care). Support also includes, but is not limited to, significant emotional, psychological or financial support. If the parents of the child are not married, damages may be awarded to each plaintiff separately, as the trier of fact finds just and equitable. If only one parent brings an action under this section and the other parent is not named as a plaintiff, notice of the institution of the suit, together with a copy of the complaint must be served upon the other parent. Notice must be in compliance with the statutory requirements for a summons. Such notice must state that the other parent must join as a party to the suit within 20 days or the right to recover damages under this section shall be barred. Failure of the other parent to timely appear will bar such parent’s action to recover any part of an award made to the party instituting the suit.

Parents may recover the following damages: medical, hospital, medication expenses, loss of services and support, loss of love and companionship of the child, and injury to or destruction of the parent-child relationship. Loss of love and the destruction of the parent-child relationship includes grief, mental anguish, and suffering by the parents as a result of child’s death. Loss of companionship includes loss of mutual society and protection of child to parents. In computing damages under this statute, the trier of fact (judge or jury) considers the age of child, health, life expectancy, character, and habits, as well as the parent’s station in life.

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## SHAMEFUL idiosyncrasies in Washington's wrongful death law

Washington's wrongful death statutes contain some unique and shameful idiosyncrasies you may find quite unfair. Any attorney you seek to retain should be fully prepared to explain these thoroughly. If he or she cannot explain these idiosyncrasies or worse yet makes promises that show ignorance of these idiosyncrasies, hire another attorney.

For example, in a wrongful death action for a minor child, as discussed above, the parents of the child are entitled to damages for the loss of the love and affection of the child and for the destruction of the parent child relationship. In many cases, especially those involving very young children, jurors can (and should) be quite generous in their verdicts compensating for the loss of the love and affection of the child and for the destruction of the parent child relationship. It is not unusual to see verdicts of excess of one million dollars or more.

Sadly, however, the parents of an 18 year old child, even if he or she was still in high school at the time of the wrongful death, are not entitled to these damages under Washington law. The statute that creates damages for loss of love and affection and destruction of the parent child relationship applies only to the loss of a "minor" child. The only exception would be if the parents were "substantially financially dependant" on the child for support which is usually very unlikely. The only thing that the estate of the child can recover is the loss of future income minus future consumption all reduced to present value which is usually in the \$250,000 to \$750,000 range depending on the child's expected income earning capacity.

Another unfair and shameful idiosyncrasy in Washington law occurs where your loved one is injured and lives for a time then dies as a result of the injury. The estate may recover the pain and suffering which was experienced *before* he or she died *as long as* the person is survived by a spouse, child or stepchildren. If the person is not survived by a spouse, child or stepchild, the estate may still maintain the lawsuit if there is a sibling or a parent who is dependant upon the loved one for support which, again, is an unlikely scenario.

So, for example, as grieving parents of a minor child who lived for several weeks after having been hit in a crosswalk and severely injured by a drunk driver, there can be no recovery for the child's pain and suffering. Or, imagine an elderly person who is widowed with no children. Unless there is a parent (very unlikely) or a

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sibling dependant upon them for support (also unlikely) there can be no cause of action for the pain and suffering between the time of injury and the time of death. This means that the estate of the victim who is quite old with little lost income gets very little if anything at all under Washington's statutory wrongful death scheme. Shamefully, Washington State does not put much value on the life of an elderly person with no children.

Finally, despite the complexity and broad scope of Washington's five statutes, they still give a negligent party a free ride to escape all liability if the victim dies and only has beneficiaries who live outside the United States. Such differential treatment should not be acceptable in this day and age. The legislature should correct this deficiency or the courts should strike down these statutes as unconstitutional.

Again, if the lawyer you seek to hire doesn't know all of this well enough to explain it to you or discuss it with you, you've not got a seasoned veteran in front of you and no matter what the person's age. Get out of there and find yourself a good Wrongful Death lawyer who knows what can and should be done for you and your family in handling a wrongful death case.

## **damages YOU MAY recover IN A WRONGFUL DEATH CASE**

The Wrongful Death and Survival statutes described above will distinguish between the types of damages awardable to the various parties to a wrongful death action. Therefore, the following money damages may or may not be specifically awarded in any particular case:

**Medical Expenses** - All costs incurred for health care should be repaid to the estate including ambulance bills, hospital bills and charges for surgical and medical procedures. Your insurance company may seek reimbursement for these expenses once a settlement or verdict is rendered against the defendant depending upon the insurance policy language. Medicare and Medicaid must be reimbursed as a matter of law.

**Funeral Expenses** – The estate is entitled to reimbursement of all costs associated with the loved one's funeral and burial or cremation.

**Economic Damages**- This includes the money, goods and services the deceased would have contributed but for the wrongful death. The deceased person's estate is entitled to a sum of money to compensate for the lost earnings and lost capacity to earn income in the future. This is true even if the deceased is a minor who would

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have been able to earn a living. Expert Vocational and Economic experts should be hired for this analysis by your attorney.

General Damages for Pain and Suffering - The real loss sustained from the wrongful death of a loved one includes not only the financial losses, but also the loss of love, advice, comfort, care, companionship and society. In Survival Actions, the statutory beneficiaries are entitled to the decedent's loss of enjoyment of life, pain, suffering, anxiety, emotional distress, humiliation and fear experienced prior to death. Pain and suffering are not available in those cases where death is instantaneous. There must be some "measurable time" between the negligent event and death. In cases for the wrongful death of a child, Washington allows damages for the loss of love and destruction of the parent-child relationship including the grief, mental anguish and suffering resulting from the death of his or her child. The claimant may be entitled to be compensated in dollars for the pain and suffering that the deceased person suffered before death.

At the end of the jury instructions for these general damages the following language appears:

"The law has not furnished us with any fixed standards by which to measure noneconomic damages. With reference to these matters you must be governed by your own judgment, by the evidence of this case, and by these instructions."

A jury needs to understand and take to heart the fact that as citizens we have the right to defend ourselves against these harmful acts. A jury is the most powerful group a person can belong to in our community and you can test this yourself by answering the question, why don't most other countries have them?

The defense case is always solely based to save its money and often in the most hurtful and hypocritically dishonest fashion. It can only be neutered by a fair verdict. An experienced attorney will persuasively guide jurors to see through the lens of community safety in order to draw the conclusions to reach a full and fair verdict. Only a full verdict is a fair verdict.

Given that it is the function of tort law to deter future negligence to keep us safe, jurors must be guided by an experienced and persuasive hand in these tasks. They need to interpret the evidence and, as the conscience of the community and enforcer of our safety rules, determine what value should be placed on your loved one's life.

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When we live in a world where professional athletes and corporate executives literally earn hundreds of millions of dollars every year, what is the value of a person's life and wrongful death? If the value of life is priceless, shouldn't we err on the side of the heavens for an extraordinary verdict rather than a bowl of rice for your trouble? A verdict that allows only part of the money to which justice is entitled is an incomplete verdict. What is wrong with that? Incomplete verdicts encourage future danger and fail to hold accountable or put the burden on whoever broke the safety rules and caused your loved one's injury and death.

Many plaintiffs, particularly those in cases involving the death of a child, are reluctant to take the money. It feels to these decent people like blood money, like using the child's death for money. The jury needs to tell these folks to take every penny so the next time he or she visits their grave or they find themselves thinking of their loss, they know that as far as justice can do anything, it has been done fully and effectively. It's not about bringing back the dead. It's about letting everyone else go on with their lives knowing that the community, through the vigilance of the jury, has done everything in its power. That's the purpose of a jury and without that purpose fulfilled in full, there is no closure and there is no justice. And the safety of the community is lost.

These are the damages you are entitled to in these cases. This is the justice we seek.

## **THE BEST WAYS TO FIND An experienced wrongful death LAWYER**

Most attorney ads are pretty worthless, if not shameless. Whether you "experience" them on television, radio, internet or in the Yellow Pages, these ads simply do not give you the consumer any real information, at least, none that you can use to make an intelligent decision for hiring the right injury attorney for you.

Look in the Yellow Pages. The Yellow Pages provide a listing of personal injury, wrongful death or medical practice lawyers in your area. But you should, and absolutely must, understand the type of practice the attorney advertising in the Yellow Pages is running. Pay attention to those who list too many specialties. For example, can someone really be the best in criminal law, divorce, and personal

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injury all at the same time? These are very different fields and areas of practice. Many of the attorneys who run full-page or two full-page ads handle much higher case loads and typically take a large volume of small cases. These practices, known as "mills," rarely have an attorney "working up" the case for settlement or trial. They will usually "associate" or simply refer your case out to an experienced and tested injury attorney for trial. Often crucial evidence that may have been developed by a competent injury attorney from the beginning is lost by the time these mills figure out they are in over their heads and when they are unable to settle your case for nothing but peanuts.

The TV, Radio and Internet ads are rarely better. You see the same "Pick me-I'll fight for you" advertising without giving you real reasons or information why you should. For example, consider the following statement from an ad: "Combined 50 Years of Experience." Well, there are several attorneys at that firm. Does one have 40 years, another 9 and yet another 1? And do these years of practice mean experience as an injury trial attorney? Has he or she spent his or her professional career developing a trial practice? Not likely. Years of practice does not necessarily equal the experience you are seeking and deserve.

**“REFERRAL SERVICES” AND ONLINE “LAWYER  
DIRECTORIES”  
ARE JUST ANOTHER PAID ADVERTISING VEHICLE, NOTHING  
ELSE.**

Most state or local Bar Associations with referral services charge each lawyer to be listed as part of their program. Other than basic fundamental information, like the attorney is licensed in good standing (meaning no disciplinary actions against them), there is usually no other qualifying criteria that certifies to you an attorney is experienced or good at handling your specific case. All you know is that they used their checkbook to be listed.

Most of the internet referral services and "Lawyer Directories" are worse, often promoting themselves as the source of all knowledge and experience in every area of law. They promise the attorney who signs up with them, often at a cost of thousands of dollars a month, that they will "drive traffic" to the lawyer's web site, create the web site and write the web site, too! There is no pre-qualification for these services other than the lawyer can pay the fat development costs and monthly fee. The "Sponsored Listings" and "pop-up ads" cost even more money

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and are all designed to get you to their web site or to give them a call for the “free consultation” everyone provides.

There’s nothing inherently wrong with this, of course, but you shouldn't hire a lawyer based on advertising alone. The “Referral Services,” “Lawyer Directories,” Yellow Pages and the internet are filled with ads and websites all saying about the same thing, “pick me!” The reality is you have no idea how good a wrongful death or medical practice lawyer is based on a picture of the person, a list of "practice areas," and the same promise everyone makes for a “free consultation.” You need to look behind the ads to find the best injury attorney for your case.

## **THE BEST WAY YOU CAN MAKE A HIRING DECISION IS THROUGH AN INTERVIEW**

Be discerning from the very first call. What impression do you have of the staff answering the phone? Were they polite and helpful or just trying to get rid of you into “voice mail?” If you do leave a message, how quickly did the attorney or his staff member get back to you? Were they polite, helpful, compassionate and express concern for you and about your case? Were you treated professionally as you should expect?

Ask the attorney, *before* you schedule a meeting, to send you information about his or her firm and experience so you can review it in the comfort of your own home or office. You may be able to thin the herd of potential attorneys efficiently this way without setting up a number of “free consultations” that take up your time and too often subject you to high pressure sales tactics. If the attorney has nothing to send you and tells you to just come in and talk, politely hang up and call the next lawyer on your list. After all, what real “service” will be provided throughout your case when providing you the basic information you need to decide whether or not to meet in person is too much trouble.

Be sure to review the attorney’s website to learn more about his or her practice before you walk into the door. If you do decide to set an appointment for coming into the office, were you told what documents you should bring? Was a confirming e-mail or letter sent to you setting forth the documents and things you need for the appointment? Were directions offered and provided? Again, if the lawyer and staff do not provide these things, how professionally will your case be handled?

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Gage how you feel about the initial contact. If you are at all turned off by the experience, move onto the next one. There are plenty of good injury lawyers out there. Again, what do your instincts tell you?

When you arrive at the office, carefully observe your surroundings. You don't need marble floors and crystal chandeliers but the office and staff should look professionally appointed and dressed making you feel at ease, not intimidated, whether you are a laborer or the Queen of England. Are you greeted promptly and in a professional manner or made to wait an uncomfortable length of time?

Do you feel that you can easily establish a good working relationship with everyone in the office? Remember, the claim process can take a long time despite the best efforts of the attorney because you are dealing with insurance companies, defense attorneys and an underfunded court system with a tremendous number of cases going through it.

Does the attorney answer your questions professionally and directly? Do they make you feel comfortable and at ease? Or, are you made to feel somehow inferior, that you are asking a bunch of silly or stupid questions? Do they try to impress you with arrogance or do they appear well grounded and down to earth? Do they say with body language and otherwise, you need to just keep quiet because I'm the big time know it all lawyer or, conversely, do they act confident but not cocky, informative and trusting? Do they want to earn your trust and your business? An attorney who takes the time to answer your questions thoughtfully, completely and respectfully is very likely to personally attend to you and your case as it develops.

Every attorney in Washington should have a signed written contract called a Retainer Agreement in order to represent you. Ask to go over the agreement with the attorney and see his or her reaction when you ask to take it home and review it closer. If they welcome the opportunity and encourage you to do so, that's a good sign. If you feel in any way pressured to sign right then and there, don't do it. You're likely getting a sales job and good trial experienced lawyers are not worried whether or not you shop around because (a) they have plenty of work although they would be willing to do a great job on your case and (b) they are confident with justification that the skill and service they can provide you is as good or better than anyone else you might consult.

## **10 QUESTIONS YOU MIGHT ASK WHEN INTERVIEWING**

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## **YOUR WRONGFUL DEATH OR MEDICAL MALPRACTICE ATTORNEY**

1. Do you handle any types of cases other than wrongful death or medical malpractice? Wrongful death and medical malpractice law s are extremely complicated. Lawyers handling these cases regularly must be experts and knowledgeable about medicine, at dealing with insurance company adjusters and the hired gun defense attorneys as well as finding all the available insurance.
2. How many trials have you taken through verdict? What were the results?
3. What percent of your cases settle? Have you handled million dollar and multi-million dollar cases? Are you a member of the Million Dollar and/or Multi-Million Dollar Advocates Forum? Can you tell me about these cases?
4. Have you ever had cases that were featured in the media? Do you have experience in handling the media, doing press conferences or appearing on TV and radio for these cases?
5. Have you handled many wrongful death and serious injury cases? How many cases do you handle at any one time?
6. Will you hire the best most qualified experts to support my case? How do you find them? What are you looking for in an expert? Who will pay for them?
7. Who will be handling my case day-to-day? Find out who you will be calling when you have a question about your case? Ask who will be attending depositions and court for motions for your case.
8. Do you take phone calls after normal business hours? Will you give me your cell phone number in case I have a question after hours or on the weekend? Personal service should be the hallmark of every attorney-client relationship.
9. Do you outsource any of your work, including research? Specifically, what will you be doing in my case?
10. Do you write any published articles, guides or books for consumers or other attorneys?

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## **SETTLEMENT MAY ENHANCE A WRONGFUL DEATH RECOVERY BEYOND MONEY**

Throughout state history, lawsuits with their judicial decisions have often, if not predominately, been a central catalyst to change. Legislative efforts at reform often follow litigation, as one might expect. However, there are some less obvious ways that litigation can be of particular relevance – when plaintiffs are able, as part of their settlement agreement, to demand significant changes in the institution causing or contributing to the death of a loved one.

It is important to seek this change not only for the obvious benefits to those who may be saved by it as it truly can be very healing and inspiring for the family in grief knowing that their loved one in essence gave their lives so others might live. It helps to transform the grief and anger caused from a seemingly meaningless death into a peacefully proud recognition that these acts made a difference: it made the world a better place and hopefully a little safer one as well.

There have been numerous cases I have handled where the central theme, in addition to money, is the change required to correct a problem. As a practical matter, most of the time a call for change resonates in settlement discussions, assisting the process to reach the desired conclusion. At trial, of course, all you can obtain is money. Certainly lots of it has the secondary effect of change since like most people, institutions operate in their own best interests and hitting their check book forces them to avoid the same consequences down the line if not for altruism or justice then for self interest and survival.

If the case warrants it, the hiring of an appropriate expert to examine the institution and/or its practices helps to formulate knowledgeable suggestions and a plan for corrections from staff changes, training and accountability to wholesale revamps of protocols, such as labeling protocols with medicine, specifically designed to specifically to save lives.

By hiring a wrongful death attorney dedicated to seeking change in the appropriate case, you will be doing yourself and your family a great service. In addition to seeking an appropriate financial by demanding change recovery in settlement you might be making sure it doesn't happen again to another family like yours. If defendants refuse, you take them to trial hopefully winning a financial deterrent from allowing an atmosphere of negligence or neglect to thrive.

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LAWRENCE KAHN LAW GROUP, PS  
ATTORNEYS AT LAW

135 LAKE ST., S, SUITE 265, KIRKLAND, WA 98033  
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## **ABOUT THE LAWRENCE KAHN LAW GROUP, P.S.**

Our number one goal as a law firm is to maximize your verdict and settlement results. To accomplish this, we only take a limited number of cases each year. Every attorney and staff member becomes thoroughly involved with your case. Handling fewer cases also means more time spent getting to know you and your family.

Our motivation for success stems from our passion to serve as advocates for the injured and vulnerable. When appropriate, we work with you to bring about significant institutional change in addition to monetary compensation. This change helps to prevent future injuries to others and gives you some meaning to the injuries you or your loved ones have suffered.

We begin trial preparation from our first meeting until resolution of the case by settlement or verdict. Our experience has shown time and again that this method works well because it earns the respect of our opponents.

Our clients are kept up to date and informed throughout the process. We value open communication and encourage clients to call or email us whenever they have questions or concerns. We always get back to you promptly and as soon as possible.

We appreciate that your case is as unique as your personal story. Some clients want us to carry their case burden for a time so they can concentrate on getting well, others want to be closely involved. Either way, we always work to earn your trust and confidence.

We would be honored to help you find justice in the face of any type of serious personal injury or wrongful death you or a family member are suffering. We sincerely hope you never need our services but, if you do, please call us so that we may provide you with a free consultation.

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## **ABOUT THE AUTHOR**

**(AND WHY YOU SHOULD BOTHER LISTENING TO HIM)**



**Thank you for ordering this report. You've already taken an important step towards being a better educated legal consumer. By reading this information, you should have a better idea about the law and process involved in a wrongful death case in Washington. I hope you never need to put that knowledge to work but if you have no other choice, I am here for you.**

**For nearly a quarter century, I've practiced law handling serious, too often catastrophic, injuries and wrongful death cases caused by medical malpractice and car, truck, motorcycle, bicycle, pedestrian, construction and product liability accidents. Here, I have written things I never have written or spoken to a group of legal consumers before. All of the major truths in my presentation of a client's damages come from scripture and mainly from the book of Ecclesiastes. But you need not be a religious person to understand the universal and unassailable truths embodied therein: each person has a right to the enjoyment of living; that an injured part of a person concerns and injures all of the person; that anything less than full justice is injustice; that what a negligent defendant leaves an injured person is more important than what they took from them.**

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**I am a lawyer dedicated to the truth. If you are telling less than the truth, I am not the lawyer for you. It's hard enough to win these cases against insurance companies and their insurance defense lawyers when you are telling the truth. Defense attorneys tell you their job isn't to find the truth, it's to keep their clients from paying out money. Good for them is bad for you.**

**For me, every case is an exciting opportunity to represent good people in bad straits and to learn something new so it can be taught in an interesting way to a jury. I prepare every case for trial from the moment it comes through my office door. I believe this is why the vast majority of cases settle. If not, I am ready, enthusiastically willing and able to champion the courtroom for my clients.**

**My name is Larry Kahn and I've been representing individuals against insurance companies and institutions since 1986. I limit my practice to personal injury cases, medical malpractice and elder negligence and abuse cases so if you need a will, business transaction, or have a traffic ticket, my office can't help you other than to recommend someone who can. Similarly, if you have a personal injury case where the medical bills are less than \$5,000, we will gladly refer you to a good and competent attorney to help you out since I can't help you with those smaller cases either.**

**At this point in my career, I have been fortunate enough to selectively limit my practice to helping seriously injured folks. In handling these cases, particularly when death and the loss of a loved one is involved, I understand and appreciate the sensitive and, in my view, sacred trust involved in seeking justice for the victim and their family. On each individual case, my entire staff works together tirelessly seeking and obtaining the best results possible. We seek out and hire the most authoritative and brightest experts possible for each case we accept because our clients deserve the best. We do everything within the bounds of the law, good ethics, and that years of battle have taught us to obtain a successful result in every case we accept for representation.**

**My experience, skill and litigation methods have resulted in numerous multi-million dollar and significant verdicts and settlements. I am a Lifetime Member of both the Million Dollar Advocates Forum and the Multi-million Dollar Advocates forum for my client's verdicts in the past. Please understand, I tell you this not as a guarantee of your results if you**

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were to hire me because every case must stand on its own merits. Any lawyer who makes a guarantee of results has not only violated the Rules of Professional Conduct, but is flat out lying to you. We don't have a crystal ball and can't guarantee what a judge or jury will do with your case. We just know what should be done, what must be done, and when to do it in order to properly maximize the results in a deserving case.

If you have any questions left unanswered after reading this report, please e-mail me at [lmk@lkahnlaw.com](mailto:lmk@lkahnlaw.com). I'll respond to every question as quickly as possible and usually within 24 hours.



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135 LAKE ST., S, SUITE 265, KIRKLAND, WA 98033  
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