

Wrongful Death

Maryland, DC, and Virginia Wrongful Death Attorneys, Serving Clients Nationwide

Shulman Rogers represents families who have lost a loved one due to someone else's negligence or wrongful conduct, across Maryland, DC, Virginia, and the country. No case can undo that loss, but a wrongful death claim can hold the responsible party accountable and provide for the family left behind. We act quickly to preserve evidence and identify every liable party, and we handle every wrongful death matter in-house.

We handle every case ourselves. No referrals, no outsourcing.

We Move Quickly, Because Evidence and Deadlines Do Not Wait for Grief

Losing a family member changes everything, and there is rarely time to think about legal deadlines in the immediate aftermath. But the evidence that proves how and why a death occurred, whether from a crash, a medical error, a defective product, or a dangerous property condition, needs to be preserved quickly, and each state puts its own firm time limit on when a claim can be filed.

From the moment your family calls us, we begin investigating what happened, identifying every party who may share responsibility, and building the case with the same care we would want for our own family.

Why Wrongful Death Cases Require Different Legal Experience

Only certain family members can bring the claim, and who qualifies depends on the state. Under Maryland law, for example, a wrongful death claim generally belongs first to primary beneficiaries, the surviving spouse, children, and parents of the person who died. If any primary beneficiary is living, they hold the exclusive right to bring the claim. Only if there are no living primary beneficiaries can secondary beneficiaries, such as siblings or other relatives who were substantially dependent on the deceased, bring a claim. DC and Virginia have their own beneficiary structures. Understanding which state's law applies, who it allows to bring the claim, and making sure every eligible family member's interests are represented, takes careful attention from the start.

The claim is separate from the deceased's own estate claim. A wrongful death claim compensates the surviving family for their own losses, including lost companionship, lost financial support, and loss of care and guidance. This is legally distinct from a survival action, which the deceased's estate may bring for the pain, suffering, and losses the deceased experienced before death. Many cases involve both, and each has its own rules for who can recover and how damages are calculated.

The underlying cause of death still has to be proven. A wrongful death case is only as strong as the underlying claim, whether that is a car or trucking crash, medical malpractice, a defective product, or a dangerous property condition. That means the same investigation, evidence preservation, and expert analysis required in the underlying type of case still has to happen, on top of the wrongful death claim itself.

The statute of limitations generally runs from the date of death, not the date of the underlying incident, and the specific deadline depends on the state. In Maryland, a wrongful death claim generally must be filed within three years after the date of death, with an added limit of five years from the date of the malpractice in medical wrongful death cases. DC and Virginia apply their own deadlines. Confirming the correct jurisdiction and deadline early is critical, since missing either can end the case.

Military and veteran cases carry additional complexity. Claims involving VA hospitals and military treatment facilities follow the standard FTCA process, but claims involving active duty service members are generally barred by the Feres doctrine, a separate legal rule that limits when service members can sue the government for injuries related to their service.

What We Do From Day One

- **Identify every eligible beneficiary:** Determine who has standing to bring the claim under the applicable state's beneficiary rules
- **Investigate the underlying cause of death:** Apply the same evidence preservation and expert analysis the underlying claim requires, whether it involves a crash, medical negligence, a defective product, or a property hazard
- **Obtain the official records:** Police reports, medical records, autopsy findings, and any regulatory records relevant to the cause of death
- **Evaluate whether a survival action also applies:** Assess whether the estate has a separate claim for the deceased's own pain, suffering, and losses before death
- **Document the family's losses:** Lost financial support, lost services, and the loss of care, guidance, and companionship each surviving beneficiary experienced
- **Confirm the applicable statute of limitations:** Determine the correct deadline based on the cause of death and the jurisdiction involved

Common Causes of Wrongful Death We Handle

- Car, truck, and motorcycle crashes
- Medical malpractice, including hospital and surgical errors

- Defective products
- Dangerous property conditions, including inadequate security
- Dog attacks
- Workplace incidents
- Nursing home neglect and abuse

Who Can Recover in a Wrongful Death Case

- **Primary beneficiaries:** The surviving spouse, children, and parents of the person who died, who generally hold the exclusive right to bring the claim if any are living
- **Secondary beneficiaries:** Siblings and other relatives who were substantially dependent on the deceased, who may bring a claim only if there are no living primary beneficiaries

The exact rules for who qualifies, and in what order, vary between Maryland, DC, and Virginia.

Geographic Areas We Serve

Our wrongful death attorneys represent families throughout Montgomery County, Prince George's County, Howard County, Frederick County, Anne Arundel County, and Baltimore in Maryland, all DC neighborhoods and federal roadways, and Fairfax County, Arlington, Alexandria, Loudoun County, and Prince William County in Virginia. For serious cases in other states, we evaluate national matters and have litigated in multiple jurisdictions.

Past results do not guarantee future outcomes. The information on this page is for general informational purposes only and does not constitute legal advice. Shulman Rogers is licensed to practice law in Maryland, Washington DC, and Virginia. National representation is available for select matter types.

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