



FILING A WRONGFUL DEATH LAWSUIT AFTER LOSING A LOVED ONE IN A CRANE ACCIDENT

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Towering construction cranes are ubiquitous fixtures on city skylines across the country. And when operated safely, they boost productivity on job sites. But these heavy industrial machines also pose immense dangers in residential areas. A single accident can easily inflict catastrophic harm.

Devastating crane collapses, falling debris, and overloaded equipment regularly cause serious injuries and deaths on or around chaotic construction sites. And in most cases, surviving family members are left to pick up the pieces after such a traumatic event on their own.

The good news is that legal options exist for families of victims who pass away after succumbing to [injuries suffered in a crane accident](#). Such families, through the legal system, can pursue financial accountability from those responsible for the deadly crane accidents that led to the death of their loved ones. And one of the ways they can do this is by filing a wrongful death lawsuit.

Who Can File a Wrongful Death Lawsuit After Losing a Loved One in a Crane Accident?

Certain surviving family members have legal standing to participate in wrongful death claims resulting from fatal crane accidents. Typical eligible relatives include:

- Spouses
- Children and stepchildren
- Parents
- Siblings

Adult children can pursue claims on their own behalf. But minor children must have a surviving parent or legal guardian act as their representative in the proceedings.

If there is no surviving spouse, child or parent, more distant family like grandparents, nieces/nephews, etc. may also be able to sue for damages in some states.

The court will appoint a “personal representative” from among these relatives to manage the legal proceedings on behalf of all survivors. This is often the spouse or nearest adult relative. They work closely with an attorney, provide documentation, and distribute any proceeds from settlements or awards appropriately among family members.



Time Limits to File Claims After Fatal Crane Accidents

Every state sets strict [statutes of limitations](#) on filing wrongful death lawsuits, usually ranging from 1-6 years. The countdown starts on the actual date of the victim’s death. Working quickly with a lawyer gives more time to fully investigate accident causes, prove negligence, identify all liable parties, and calculate complete damages amounts before filing claims.

Rushing through investigations risks missing evidence and defendants. Delayed claims also give insurance companies less motivation to negotiate fair settlements if they face no imminent lawsuit threat before time expires.

It is crucial that grieving families meet with an attorney quickly so their rights can be fully protected before legal deadlines pass. Skilled lawyers usually account for these tight time frames when pursuing maximum compensation.

Building a Strong Liability Case Against Negligent Parties in Fatal Crane Accidents

Successfully recovering damages starts with investigations proving that preventable negligence caused the death. Lawsuits must show exactly how particular individuals or entities failed to meet reasonable duties of safety and care they owed to the victim.

Establishing valid liability theories requires gathering extensive evidence and speaking with eyewitnesses. Potential at-fault parties in deadly crane accident cases may include:

Crane operators are held to many mandated duties and certifications to ensure safe operations protecting workers and the public.

Lawyers investigate if their conduct played any role in the death, such as:

- Failure to conduct required inspections for mechanical defects
- Attempting lifts beyond safe capacities
- Operating in hazardous weather conditions
- Lack of certification or improper licensing
- Disregarding other protocols meant to prevent accidents

Property owners & general contractors overseeing construction sites also shoulder extensive safety obligations:

- Ensuring proper foundations to support weight and movements
- Establishing adequate traffic controls and public barriers from danger zones
- Developing lift plans coordinating all parties during operations
- Monitoring for hazards like overhead power lines, uneven ground, wind warnings, etc.

Equipment manufacturers & maintenance companies can share liability if flaws in crane designs or lack of appropriate repairs caused mechanical failures resulting in death:

- Defective hydraulics, cables, pulleys, hooks, booms, brakes or other key components

- Failure to address known mechanical deficiencies
- Improper crane modifications from original certified designs



Other third parties - Additional negligent parties may include site engineering firms, safety managers, loading crews, vehicle operators, etc.

Proving all the [elements of negligence](#) in such cases requires extensive evidence gathering and accident reconstructions. But this establishes the grounds which make surviving families eligible for significant compensation.

Categories of Damages Available in Wrongful Death Claims After Fatal Crane Accidents

There are different types of monetary damages available to compensate families for their tremendous loss after fatal crane accidents:

Economic damages account for tangible financial losses survivors now face. These seek to replace the real money the victim can no longer earn and provide for their family:

- Lost income, wages, salaries, bonuses, commissions, benefits
- Lost employer-sponsored benefits like health insurance, retirement contributions
- Medical expenses incurred before death
- Funeral and burial costs
- Future inheritance losses
- Loss of household services like maintenance, repairs, cleaning, childcare

Non-economic damages aim to address the emotional suffering from losing someone cherished. While no dollar amounts can truly compensate this anguish, reasonable sums are awarded by juries for:

- Loss of companionship, guidance, nurturing for surviving children
- Emotional distress, grief, sorrow
- Loss of intimacy, embrace for the spouse
- Disruption and damage to family relationships
- Loss of enjoyment of life
- Pain and suffering of the victim if they survived for a period before death

Punitive damages may also be warranted in rare cases where misconduct shows deliberate disregard for safety. These additional sums punish and deter egregious behavior.

Successfully recovering full and fair compensation relies on attorneys with specialized skills for documenting all applicable current and future damages. This financial accounting helps families immediately and in the long-term.

Settling Crane Accident Wrongful Death Claims Out-of-Court

Litigating crane accident cases through lengthy court proceedings prolongs trauma for grieving families. So many choose to pursue negotiations with insurers seeking equitable out-of-court settlements instead.

These private meetings aim to determine financial compensation both sides view as fair given the available evidence. Families receive funds more quickly, while companies avoid risky trials. Experienced lawyers use their negotiation talents to persistently seek maximum damages reflecting the magnitude of losses.



However, if no settlement is reached, the court claim proceeds. In some cases, families wish to take their chances at trial. Strong liability evidence and emotional arguments to a jury can potentially yield even greater financial compensation. Attorneys have an ethical duty to inform clients about both options: guaranteed settlements or possibly higher awards from trials.

Either way, an attorney's skills can navigate these complex legal processes allowing families time to grieve without extra burdens.

Why Hire an Attorney for Wrongful Death Cases After Fatal Crane Accidents?

Taking legal action while struggling with grief places an unfair strain on mourning families. That is why it is often advisable to let accomplished wrongful death lawyers handle the many legal details and complex processes instead. This allows relatives to focus on healing.

Attorneys also offer compassionate guidance about the claims process itself. And their legal expertise is vital for:

- Conducting initial case investigations
- Identifying all parties potentially at fault
- Estimating full compensation amounts families are owed
- Meeting strict statutes of limitations
- Proving liability arguments attributing blame
- Negotiating persistently with insurance companies
- Trying cases in court if fair settlements cannot be reached

Equally important, most wrongful death attorneys work on a contingency fee basis. This means they only get paid if they succeed in securing financial compensation for grieving families. Their own payment is a percentage (often 30-40%) of any final settlement or court award.

Contingency fee arrangements ensure that lawyers are highly motivated to fight aggressively on the family's behalf. Securing evidence, maximizing damages, and persuading insurance adjusters is aligned with their own interests as well. This fee structure also ensures mourning families can pursue accountability without any upfront legal expenses.

Conclusion

Coping with the aftermath of an accidental death from a construction site crane tragedy adds painful complexity to normal grieving. Struggling families have little power except to hold negligent parties financially accountable. By pursuing compensation through a wrongful death claim, they can fight back against misconduct that takes loved ones too soon.

Successful legal cases cannot replace someone cherished or undo suffering. But damages can provide stability when families need it most. Funds can pay urgent medical bills or funeral costs first. Then provide long-term security by replacing lost income, securing futures, and finding other meaningful ways to honor legacies.

With an experienced crane accident attorney guiding families through the legal process, justice has a better chance even during the darkest times. Settlements or court awards cannot bring back those lost. But they can secure means to piece broken lives back together again.

