

# Denver Wrongful Death Lawyer FAQ

Understanding your rights and options after a tragic loss in Colorado.

Based on Denver Wrongful Death Lawyer by McCormick and Murphy

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## Q: Who can file a wrongful death lawsuit in Colorado?

**A:** In Colorado, the surviving spouse has the exclusive right to file a wrongful death claim during the first year. If there is no spouse, the deceased person's children may file. If there's no spouse or children, the parents can bring the claim. After one year, a designated beneficiary or the personal representative of the estate may file if no lawsuit has been initiated.

## Q: Why does Colorado law specify who can file a wrongful death claim?

**A:** The law is specific about standing to ensure that the people most directly impacted by the loss control the case. This ensures that those closest to the deceased have the primary authority to pursue legal action.

## Q: What is the timeframe for a surviving spouse to file a wrongful death claim?

**A:** The surviving spouse has the exclusive right to file a wrongful death claim during the first year after the death.

## Q: If there is no surviving spouse, who can file a wrongful death claim?

**A:** If there is no surviving spouse, the deceased person's children may file the wrongful death claim. If there are no children either, the parents of the deceased can bring the claim.

## Q: What happens if no lawsuit is filed within the first year?

**A:** After one year, if no lawsuit has been filed by the spouse, children, or parents, a designated beneficiary or the personal representative of the estate may file the claim on behalf of eligible family members.

## Q: Can a friend file a wrongful death lawsuit?

**A:** The law prioritizes those most directly impacted. Typically, only the surviving spouse, children, parents, a designated beneficiary, or the personal representative of the estate can file a wrongful death claim.

## Q: What is the purpose of a wrongful death claim?

**A:** A wrongful death claim seeks to hold a party responsible for causing another person's death due to negligence or intentional action. It aims to provide compensation for the losses suffered by the surviving family members.

## Q: What types of damages can be recovered in a wrongful death case?

**A:** While this specific article doesn't detail damages, wrongful death claims typically aim to recover compensation for losses such as lost income, loss of companionship, and funeral expenses.

## Q: How does Colorado law determine who is most impacted?

**A:** Colorado law establishes a hierarchy for who has the right to file a wrongful death claim, starting with the surviving spouse, then children, then parents, and finally the estate's representative or a designated beneficiary if no immediate family files within the specified timeframe.

**Q: Is it important to file a wrongful death claim promptly?**

**A:** Yes, it is important to file promptly, especially for the surviving spouse who has exclusive rights during the first year. Delays can impact the ability to file and potentially the outcome of the case.

## Resources & Further Reading

*Related guides for these FAQs:*

### ■ Navigating a Wrongful Death Claim in Colorado (Process Flow)

<https://storage.googleapis.com/mccormick-and-murphy-checklists-20260710-3eaad2/mccormick-and-murphy/Process%20Flow/denver-wrongful-death-lawyer-process-flow.pdf>

### ■ Wrongful Death Claim Filing Rights in Colorado (Comparison)

<https://storage.googleapis.com/mccormick-and-murphy-checklists-20260710-3eaad2/mccormick-and-murphy/Comparison/denver-wrongful-death-lawyer-comparison.pdf>

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Understand Colorado's wrongful death laws to protect your family's rights.