

Compare PI and WD claims

WD statutes govern post-death damages, and survival statutes (PI and PICD) govern pre-death damages. Otani v. Broudy, 151 Wn.2d 750, 755, 92 P.3d 192 (2004).

PI under RCW 4.20.046

- Plaintiff is PR
- Beneficiaries are:
 - The Estate, but only for special (economic) damages
 - General (noneconomic) damages go to WD beneficiaries
- Measure of damages is *decedent's* special (economic) damages plus general damages (noneconomic) for pain and suffering

WD under RCW 4.20.010

- Plaintiff is PR
- Beneficiaries per RCW 4.20.020:
 - Spouse, and children, and *stepchildren*
 - “Parents or siblings” if no spouse, no “such child or children” (what about stepchildren?)
- Measure of damages is *each beneficiary's* loss of love, care, affection, and pecuniary loss due to financial dependence on the decedent. Note this means that each beneficiary's damages claim is different (e.g., spouse v. children v. estranged children). Parrish v. Jones, 44 Wn.App. 449, 454, 722 P.2d 878 (1986).