A PRACTICE GUIDE TO
WRONGFUL
DEATH ACTIONS

Fifth Edition

Richard E. Brennan, Esq.
FOREWORD

For the past 50 years, the New Jersey Institute for Continuing Legal Education (NJ ICLE) has endeavored to serve the continuing legal education needs of the New Jersey bench and bar. Our seminars, publications, CD-ROMs, and other educational materials are designed to facilitate the practice of law and to enable judges and lawyers to more effectively exercise their responsibilities.

As we are poised to enter our second half-century of service, NJ ICLE has recently become a division of the NJ State Bar Association. We are excited about becoming a part of the state’s leading lawyer organization and serving the CLE needs of its leadership and members.

Our success in bringing the legal community the very best in educational materials would not be possible without the judges and lawyers who volunteer their efforts to serve as lecturers and authors. NJ ICLE is the conduit through which they share their knowledge, skills, and expertise with their fellow professionals.

This *Practice Guide to Wrongful Death Actions* was conceived and developed by Richard E. Brennan, Esq., who recognized the need for an advanced practical guidebook to help practitioners successfully navigate the complex and troubled waters of wrongful death. Without his commitment to continuing legal education and, in particular, to this ever-evolving area of the law, this publication would not be possible. NJ ICLE is extremely grateful for his efforts.

A publication such as this would also not be possible without a dedicated publishing staff. It is, therefore, fitting to acknowledge the efforts of Michael Weisberg, Esq., our Publications Director, Donna Chamberlain, our Publications Administrator, and Dudley Engram, also of our staff, who together assure that orders are processed quickly and courteously.

Your satisfaction with the CLE products that we provide is very important to us. So that we may continue to serve you to the very best of our abilities, NJ ICLE always welcomes any comments or suggestions that you may have.

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Richard E. Brennan is Of Counsel with McElroy, Deutsch, Mulvaney & Carpenter, LLP, where he is primarily involved in civil litigation. He has tried a large variety of cases ranging from medical malpractice matters to products liability cases. He has been involved in significant appeals in New Jersey involving issues such as wrongful life and the liability of a psychiatrist to a third party.

He is a 1967 graduate of Seton Hall University School of Law, where he was first in his graduating class. He had a clerkship with the Honorable Mark A. Sullivan, Presiding Judge of the Appellate Division of Superior Court. He was a partner in Shanley & Fisher, as well as Drinker, Biddle & Reath, its successor, until 2009 when he joined McElroy, Deutsch, Mulvaney & Carpenter as Of Counsel.

Mr. Brennan is a frequent lecturer for the New Jersey Institute for Continuing Legal Education (NJICLE) and over the years has had an abiding interest in the law of evidence. He was a member of the original New Jersey State Rules of Court Review Commission, which prepared the first annotations to the bound volume of the New Jersey Rules of Evidence.

Mr. Brennan is a Master of the Worrall F. Mountain Inn of Court and an Adjunct Professor of Civil Trial Practice at Seton Hall University School of Law. In addition to this book, he is the editor for Abbott Brown’s New Jersey Medical Malpractice Law (NJICLE 2009) and New Jersey Medical Malpractice Cases (NJICLE 2009), and is a contributing author to New Jersey Trial & Evidence Practice (NJICLE 2008).

He is a Fellow of The American College of Trial Lawyers and a recipient of The Trial Attorneys of New Jersey 1997 Trial Bar Award for Distinguished Service in the Cause of Justice. In 2003, he received the Alfred C. Clapp Award for Excellence in Continuing Legal Education, awarded annually by NJICLE.
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