

Scott Seaman Discusses *Wrongful-Death and Survival Actions* Handbook on IICLE Podcast

In The News | 1 min read

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Scott Seaman, a Chicago-based partner and Co-Chair of Hinshaw's global Insurance Services Practice Group, was a featured guest on the *Cornered Out of Court* podcast, produced by the Illinois Institute for Continuing Legal Education (IICLE).

As the general editor of the newly released 2026 edition of the [IICLE handbook *Wrongful-Death and Survival Actions*](#), Scott used the opportunity to discuss the complexities of wrongful death and survival actions in Illinois and his early-career motivation to develop this practitioner's handbook to fill a gap over 33 years ago, given the absence of other resource guides on this topic.

What is the Difference Between Wrongful Death and Survival Actions?

In the discussion, Scott breaks down the key distinctions between wrongful death actions and survival actions in Illinois, also illustrating how both claims can often arise from the same set of facts:

- A **wrongful death action** allows a decedent's personal representative to recover pecuniary damages on behalf of the surviving spouse and next of kin for losses they sustained as a result of the death.
- A **survival action, by contrast, seeks recovery for injuries and damages** suffered by the decedent during their lifetime before death. He also discusses the additional pleading requirements, evidentiary issues, and strategic considerations presented in death cases.

2023 Amendment of the Illinois Wrongful Death Act

Scott also highlights the notable 2023 amendment to the Illinois Wrongful Death Act that permits punitive damages in most wrongful death cases (excluding medical and legal malpractice and cases against government

entities).

He discusses the impact of this significant change on litigation and the broader implications of this amendment, along with other legislation expanding the scope of personal jurisdiction of companies, in some cases, contributing to social inflation and rising legal costs.

[Listen to the podcast episode](#)

Access the Handbook

The *Wrongful-Death and Survival Actions* handbook, now in its Eighth Edition, is available [here on the IICLE's website](#). Scott and his Hinshaw partners, William F. Cook VI and Philip R. Kujawa, co-authored six chapters in the book.


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Hinshaw Contributes Chapters to “Wrongful-Death and Survival Actions” IICLE Handbook

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