

SUMMARY STATEMENT

Rossman Law Group, PLLC v. Holcomb
Docket No. 51745-2024

Denny Holcomb appealed from the judgment of the district court unequally apportioning the settlement proceeds from a joint wrongful death action between Denny Holcomb and Hillary Carraway. Twenty-two-year-old Connor Holcomb was killed by a drunk driver. Connor's parents, Hillary and Denny, each filed their own wrongful death suit. Their suits were consolidated into a single action, which settled on the eve of trial.

Hillary and Denny were unable to reach an agreement regarding the division of the settlement proceeds. The holder of the settlement proceeds, Rossman Law Group, PLLC, filed an interpleader action to resolve the dispute. Following an evidentiary hearing, the district court concluded that Denny failed at various times to fulfill his natural and legal obligations to care for and support Connor. The district court divided the net settlement funds 75% to Hillary and 25% to Denny.

On appeal, Denny argues that the district court erred because he is entitled to 50% of the funds. First, Denny asserts that he and Hillary entered into a valid oral contract to split the settlement funds evenly. Second, Denny contends that he is entitled to 50% of the settlement funds under Idaho's wrongful death statute, Idaho Code section 5-311. Finally, Denny argues that the district court erred when it relied on his moral failings to justify an unequal award.

The Idaho Supreme Court held that the district court erred in its decision. The Court held that wrongful death damages are forward-looking and intended to compensate for the loss of future support. The district court did not apportion the settlement proceeds based on Hillary's and Denny's loss of future support but instead apportioned them based on a comparison of their parental behavior during Connor's life. The Court reversed the district court's decision and judgment and remanded for further proceedings.

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.