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NJ Governor Signed Law Expanding Statute of Limitations for Sexual Abuse Civil Actions

New Jersey Governor Phil Murphy just signed a law significantly extending the statute of limitations period for those adults sexually assaulted or abused when they were children. The new law, S-477, permits victims to file civil claims until they turn age 55, or seven years from the time they become aware of the injury, whichever comes later. The old law, in place for decades, allowed civil claims to be filed within two years after a victim turns age 18, or within two years from the time they become aware of the injury.

This new law, effective December 1, 2019, will also create a one-time, two-year window for civil action claims to be filed by any adults who were previously time barred from filing a civil lawsuit under the current statute of limitations. This will open the door to claims that were previously precluded under the current limitations law.

New Jersey's new law follows a movement sweeping the country demanding that current statute of limitations laws involving claims of child sexual assault/abuse be amended. New York recently passed the Child Victims Act, which changed the statute of limitations for victims of child sexual abuse/assault, permitting those victims to bring civil lawsuits until they turn age 55. Also, the New York Child Victims Act includes a one-year "look-back" window that will permit those who may have not had a civil remedy under the previous statute to take advantage of the new law. Pennsylvania is moving forward with legislation that extends the limitations period for a victim to bring a civil suit 25 more years (current law permits victims to sue by their 30th birthday), until the victim's 55th birthday.

Comment: Starting December 1, 2019, expect to see an influx in civil suits by adults claiming they were sexually abused when they were children, not just against the alleged abusers, but also the institutions that employed them. In preparation for the change in law, we recommend you keep detailed and organized files of any incidents or employees (formers included) which may be the subject of a future lawsuit. Since the new law will permit adult victims many more years to file these claims, be mindful of potential claims that may have occurred years ago, and know where records involving those potential claims are located in the event of a lawsuit.

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