

New Jersey Extends The Civil Statute of Limitations for Sexual Abuse Claims

by Leonard S. dePalma, Esq.

On May 13, 2019 a new law was signed by Governor Murphy providing New Jersey victims of sexual abuse with new abilities to sue their attackers, and also making it easier for them to seek damages from institutions such as churches that shielded the abuse.

Prior to this new enactment, survivors of sexual assault had only two years to pursue litigation, and a victim of child sexual abuse had only until age 20 because of the statute of limitations. Under the new law, victims of child sexual abuse have the ability to sue their abusers up until they turn 55, or within seven years of their realization that the abuse caused them harm.

In addition, victims who would still be time-barred by the statute of limitations under the old law from suing their abusers and the institutions that protected them now have under the new law a two-year window from the statute's effective date of Dec. 1, 2019 to file claims.

"Survivors of sexual abuse deserve opportunities to seek redress against their abusers," said Governor Phil Murphy. "This legislation allows survivors who have faced tremendous trauma the ability to pursue justice through the court system. I thank the bill's sponsors for their commitment to tackling this issue, as well as the advocates for their activism and engagement."



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the Advocate

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Primary sponsors of the bill include Senators Joseph Vitale and Nicholas Scutari; and Assemblymembers Annette Quijano, Valerie Vainieri Huttie, and Mila Jasey.

"This law would not have made it to the governor's desk today, if it wasn't for the tireless efforts of survivors, advocates and organizations for over a decade. This is not my bill or Senator Scutari's bill, this is their bill," said Senator Vitale. "Their work is an affirmation for all survivors of sexual assault, past and present, and today, New Jersey is a more just state. I want to thank everyone who has made this day possible. Sexual assault and rape are crimes entirely unique and they should be treated as such, particularly when it involves children. We know entirely too much today

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"It is customary these days to ignore what should be done in favor of what pleases us."

- Plautus

"Every man has his moral backside too, which he does not expose unnecessarily but keeps covered as long as possible by the trousers of decorum."

- G.C. Lichtenberg

"A man does not have to be an angel in order to be a saint."

- Albert Schweitzer

Sexual Abuse Claims Statute

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about the suppression of childhood trauma to be able to morally hold their justice to the same legal limitations as a victim of robbery. The standard statute of limitations, is simply, is painfully inadequate. Today, thankfully, survivors in New Jersey have the opportunity to seek justice.”

Holding Institutions Accountable

“It’s time to stand up for the survivors of sexual assault,” said Senator Scutari. “If our institutions cannot keep their members safe or hold their employees accountable, then we will. With this bill, we are making it clear; New Jersey stands with the survivors, first.”

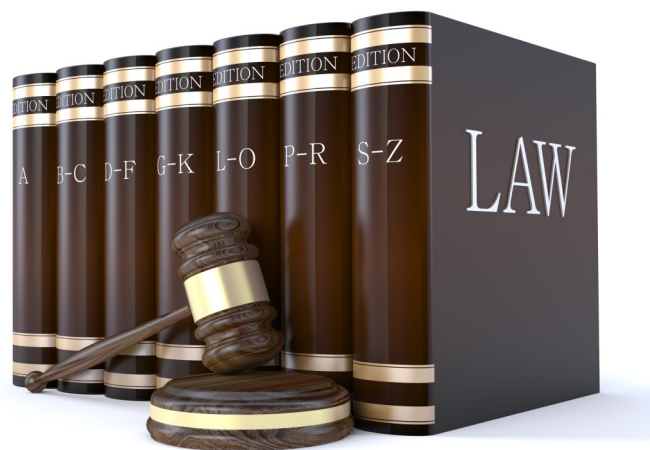
“This bill is about allowing victims the time to get the justice they deserve,” said Assemblywoman Quijano. “Because those who have been sexually abused often suppress their memories for years or don’t connect their injuries to their abuse, they need much more time to file a civil action. This new law gives them that time.”

“Sexual abuse survivors often struggle for years to come to terms with their abuse, especially child victims,” said Assemblywoman Vainieri Huttel. “We must allow victims the time to realize the damage that has been done to them both physically and mentally. Survivors of sexual abuse deserve a fair opportunity to seek justice.”

“We have an obligation to hold organizations and institutions accountable for the bad actions of their employees,” said Assemblywoman Jasey. “We must also stand up for victims of sexual assault, particularly those who suffered the assault as a child. Often times, survivors continue to suffer for years as they block memories of the horror of rape. With this new law, New Jersey is making it clear that we put victims first.”

“Put simply, this bill gives survivors more options and opportunity to pursue justice. For too long, sur-

vivors’ choice was restricted by New Jersey’s insufficient two-year civil statute of limitations for sexual assault,” said Patricia Teffenhart, Executive Director of the New Jersey Coalition Against Sexual Assault (NJCASA). “Adding this trauma-informed policy to the portfolio of bills we’ve passed over the last few years is a significant step forward and is a direct result of over a decade’s worth of advocacy from survivors. It is their tenacity we celebrate today and we’re thankful for Senator Vitale, Assemblywoman Quijano, Senate President Sweeney, Assembly Speaker Coughlin, and Governor Murphy for ensuring that justice delayed no longer means justice denied.”



“SNAP commends Governor Phil Murphy, Senator Joseph Vitale, Assemblywoman Annette Quijano, NJ SNAP leader Mark Crawford, and the hundreds of survivors and advocates who made this dramatic reform of the statute of limitations in New Jersey possible,” said Zach Hiner, Executive Director of Survivors Network of Those Abused by Priests (SNAP). “This new law will be one of the best in the nation, granting all sexual abuse survivors the opportunity to access the justice system, and provides an example for other states of concrete legislation they can pass that will help survivors of sexual abuse heal while creating safer, more informed communities.”