



THE THINK TANK FOR CHILD PROTECTION

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SURVIVOR TOOL KIT



FOR CHILD SEX ABUSE
VICTIMS CONSIDERING
LEGAL ACTION UNDER A
WINDOW OR REVIVAL LAW

If you are considering filing under a window or revival law please consider the following:

- 1** Know that you are not alone
- 2** See a therapist before consulting a lawyer, and continue seeing that therapist during the pendency of the lawsuit
- 3** Understand that the legal system is a lot of “hurry up and wait” - It is normal to be asked to produce information quickly, and then not hear from your lawyer for a while
- 4** An attorney cannot be your attorney without your authorization
- 5** Your attorney works for YOU and cannot settle your case prior to your approval of the monetary amount
- 6** Don't assume that the court system understands your needs; some officials will have received trauma-informed training, some will not (see 1 & 2)
- 7** Understand that this can be a confusing time not only for you but everyone around you (see 2 and encourage loved ones to do the same)
- 8** You have been empowered to file a legal action, but it will take the whole culture to end child sex abuse
- 9** The settlement funds you receive are not blood money or dirty money, this is American justice. You deserve to be compensated for your harm.
- 10** Talk to a finance professional about how to protect your settlement

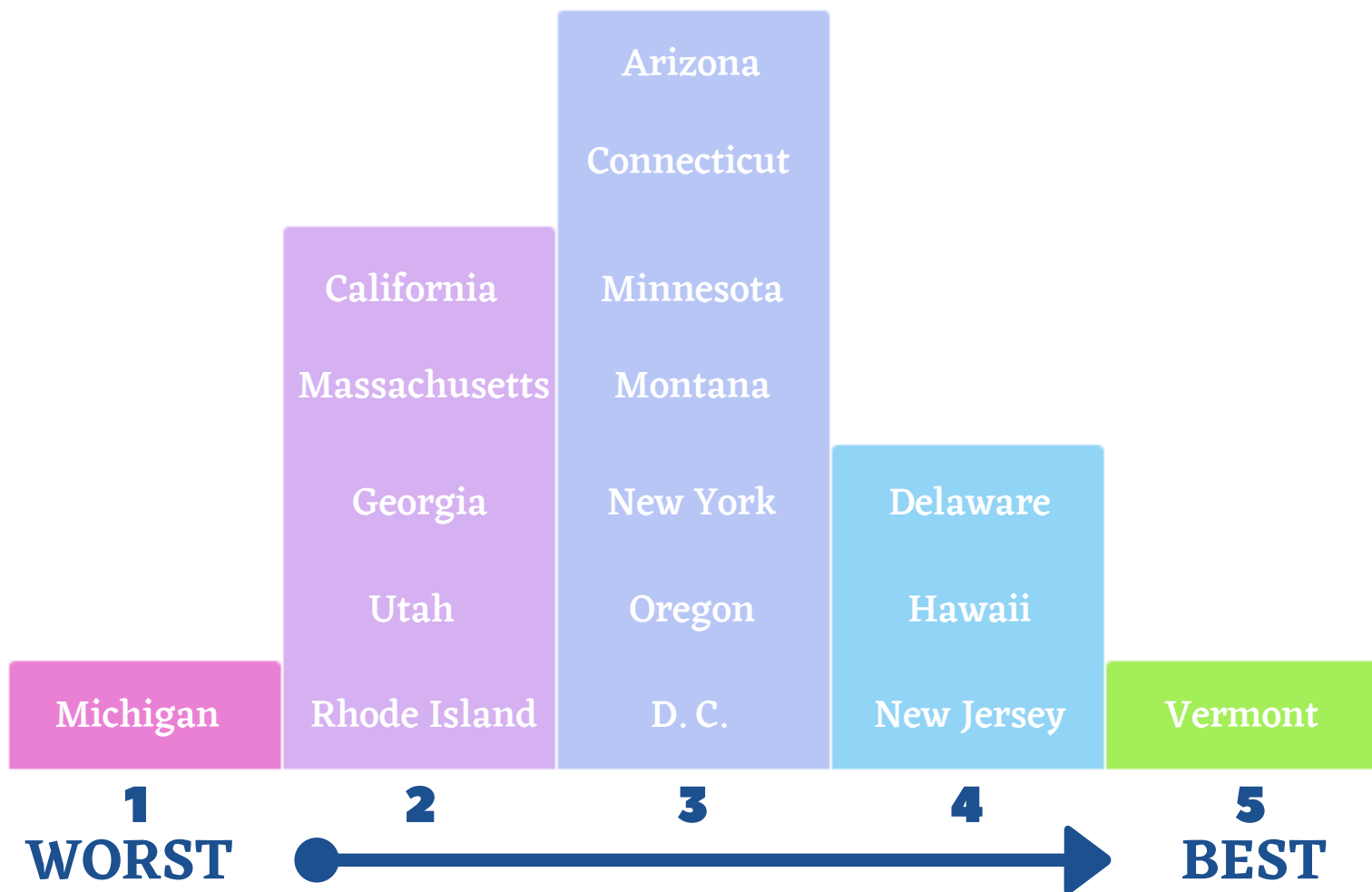
Remember, your state's law is specific to your state. Each window/revival is different:

SOL Revival Laws - Opening in 2019

(window for set period of time, up to certain age or fully retroactive)

Jurisdiction	Date Opens	Date Closes	Revival Law Description
Washington D.C.	May 3, 2019	May 2, 2021	2-year window: 2-year window for expired claims against perpetrators and private organizations opened on May 3, 2019. Window applies to all child sex abuse victims up to age 40 and, in some circumstances, older victims and those sexually assaulted as adults.
Montana	May 7, 2019	May 6, 2020	1-year window: 1-year window opened on May 7, 2019 for expired claims against perpetrators and private organizations.
Arizona	May 27, 2019	Dec. 31, 2020	19-month window: 19-month revival window opened on May 27, 2019 for expired claims against perpetrators and private organizations and will close on December 31, 2020.
Vermont	May 28, 2019	n/a	Revives all expired claims: Revived all expired claims against perpetrators, private organizations and government.
Rhode Island	July 1, 2019	n/a	Revives up to age 53: Revived SOL up to age 53 against perpetrator only.
New York	Aug. 14, 2019	Aug. 13, 2020	1-year window: 1-year window will open on August 14, 2019 for expired claims against perpetrators, private organizations and government.
Connecticut	Oct. 1, 2019	n/a	Revives up to age 51: Revives SOL up to age 51 against perpetrators, private organizations and government. Applies to sex abuse victims abused while under age 21.
New Jersey	Dec. 1, 2019	Nov. 30, 2021	2-year window: 2-year window will open on December 1, 2019 for expired claims against perpetrators, private organizations and government. Window applies to child sex abuse victims and those sexually assaulted as adults.

Not all windows and revival laws are equally valuable:



- 1** Revival window for claims against perpetrator doctors only
- 2** Revival window, revival up to a certain age, or revival of all claims, against perpetrators only or private organizations only
- 3** Revival window or revival up to age 30-54, for claims against perpetrators and private organizations
- 4** Revival window for 2 or more years or revival up to age 55, for claims against perpetrators, private organizations, and government
- 5** Revival of all expired claims against perpetrators, private organizations, and government without a time limitation



The Sean P. McIlmail Statute of
Limitations Research Institute
at CHILDUSA

Who is eligible under New York's Child Victims Act (CVA)?

The NY CVA explained— it will benefit all victims of child sex abuse in some way:

All children being abused now will have until age 55 to file a civil suit against the perpetrator and entity, there is no age limit on felony sex assault for them, and they will have to age 28 for other criminal charges.

Under age 21?

You will benefit from the civil extension to age 55 with capacity to sue both perpetrator and entity and criminal extension to age 28 for felonies for which the criminal SOL wasn't eliminated in 2006.

Age 22-23?

You will benefit from the civil extension to age 55 against the perpetrator and criminal extension to age 28 for felonies for which the SOL wasn't eliminated in 2006.

Over 23?

You cannot file criminal charges unless you can file charges for felonies starting for abuse in 2006, but you will have the benefit of the window that will be open from August 14, 2019 - August 13, 2020.

The purpose of the window is to give victims access to justice who had been shut out of the system. **THE WINDOW OPENS AUGUST 14, 2019 AND CLOSSES AUGUST 13, 2020.**

Trusted Resources

- 1** CHILD USA: www.childusa.org
- 2** CHILD USAdvocacy: www.childusadvocacy.org
- 3** To find a Child Advocacy Center near you visit: www.nationalcac.org/find-a-cac
- 4** RAINN – Rape, Abuse, & Incest National Network: www.rainn.org
- 5** The National Sexual Assault Telephone Hotline: 1-800-656-HOPE (4673)
- 6** NCVC – The National Center for Victims of Crime: victimsofcrime.org/help-for-crime-victims
- 7** The National Suicide Prevention Hotline: 1-800-273-8255
- 8** The National Center for Exploited and Missing Children: www.missingkids.org/gethelpnow
- 9** The National Human Trafficking Hotline: 1-888-373-7888