

ARIZONA'S REVISED STATUTE FOR SEXUAL ASSAULT CLAIMS

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In early 2019, Arizona revised the statute of limitations for injuries to minors caused by sexual conduct. Prior to this amended statute, an injured person had two years after turning 18 to file a lawsuit against a person who committed sexual misconduct against them when they were a minor. The revised statute of limitations, however, revives all claims that may be time barred by the relevant statute of limitations. Under A.R.S. § 12-514, the previously barred causes of action can now be filed up to the deadline of December 31, 2020.

In addition to claims against a perpetrator, the revised statute allows claims to be brought against the non-perpetrator, however, a claimant must show that the non-perpetrator "knew or otherwise had actual notice of any misconduct that creates an unreasonable risk of sexual conduct or sexual contact with a minor by an employee, a volunteer, a representative or an agent." The claimant must also prove the non-perpetrator had actual knowledge by clear and convincing evidence. Furthermore, under the revised statute of limitations, punitive damages are not recoverable. Since the statute is brand new, there are no Arizona cases that have interpreted the statute's language or analyzed its constitutionality.

If you have any questions regarding the new statute of limitations for sexual assault claims, please contact Patrick Gorman.

[Read A.R.S. § 12-514](#)

[Patrick Gorman](#) concentrates his practice in the areas of bad faith and extra-contractual liability, insurance coverage, professional liability and other general civil litigation matters. In his practice, he represents large insurers in bad faith and breach of contract claims, often with allegations of punitive damages, through all phases of litigation in state and federal court.