

Access to Justice

Michigan's statute of limitations (SOL) for criminal sexual conduct is among the narrowest in the entire country and has failed survivors and shielded abusers for far too long.

Survivors, especially child survivors, often hesitate to disclose their abuse because of the brain's response to trauma. In fact, the average age a child survivor discloses their abuse is 52. This phenomenon is known as delayed disclosure. One consequence of our state's narrow statute of limitation is that by the time a childhood survivor is ready to share what happened to them, they will have already missed their opportunity to pursue justice. This is how our state laws harbor sexual predators and silence their victims.

History in the Michigan legislature

As a response to the crimes committed by Larry Nassar, Michigan passed reforms in 2018 that extended our civil SOL to age 28, but it still expires 24 years before survivors reach age 52, denying them justice and harboring serial abusers.

The 2018 reforms also created a 90-day revival window for survivors of doctors whose SOL had expired, giving them a second chance to file a claim, but it was written so narrowly that 2 years later, survivors of Dr. Anderson, another Big 10 sports doctor, did not have any opportunity to file claims.

Michigan is the **only** state that restricts access to justice based on the occupation of the abuser.

Survivors shouldn't have to hire a lobbyist and pass legislation to seek justice in the courts. Everyone, no matter who their abuser was, should have access to our justice system.

House Bills 4482-4487

- Extend the civil SOL from age 28 to age 52
- Eliminate the civil SOL if there is a criminal conviction
- Eliminate the criminal SOL for charges of second-degree sexual assault on a minor
- Extend the civil SOL from the time of discovery from 3 to 7 years
- Establish a 2-year revival window for survivors whose SOL has already expired.
- Remove governmental immunity for criminal sexual conduct.

This is one of the most active issues nationally

17 states have eliminated civil SOLs and 26 have revived claims. In 2023 alone:

- 3 states have eliminated the civil statute of limitations
- 2 states have extended the civil statute of limitations
- 1 state eliminated the criminal statute of limitations
- 5 states extended the criminal statute of limitations
- 3 states created retroactive revival windows for civil cases

