

Wigdor LLP Calls on the New York State Assembly to Pass the Adult Survivors Act

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On Thursday, June 3, 2021, the New York State Senate voted unanimously to pass the [Adult Survivors Act](#), a critical piece of legislation that would pave the way for thousands of victims of sexual abuse as adults to seek justice in civil court. Wigdor LLP fully supports the Adult Survivors Act and strongly urges the New York State Assembly to pass it before the legislative session ends on June 10, 2021.

The bill, introduced by State Sen. Brad Hoylman (D-Manhattan), creates a one-year “revival” period for victims of sexual abuse in New York to file civil claims that would otherwise be time-barred by a statute of limitations. The bill applies to survivors who were eighteen years or older when the abuse took place.

The bill also allows claimants to file civil lawsuits against any workplace, school or institution where the abuse took place.

The Adult Survivors Act largely mirrors the text of the [Child Victims Act](#) (CVA), a state law enacted in August 2019 that allows survivors of sexual abuse as children to file civil claims until they turn 55 years old. More importantly, the law provided a one-year “lookback window” for all expired claims of child sexual abuse. The window was originally set to end August 14, 2020, but the [deadline was extended](#) to August 14, 2021 due to the COVID-19 pandemic.

Supporters of both the CVA and the Adult Survivors Act argue that the current laws in New York do not align with how victims of sexual assault process their trauma. Many survivors of sexual abuse do not come forward immediately out of fear of retaliation or further abuse. Others choose to stay silent out of fear that they will not be believed. Many survivors may not even realize that they were abused until years or even decades later.

“Over the last two years, the legislature has recognized that New York’s statutes of limitations for survivors of sexual violence were not aligned with how survivors process trauma,” said Michael Polenberg, VP of Governmental Affairs for [Safe Horizon](#), a leading victims’ rights organization. “By passing the Child Victims Act and the prospective extension of the civil and criminal statute of limitations for most felony sex offenses, the legislature made New York’s laws more reflective of survivors’ experiences,” Pohlenberg added.

Safe Horizon has led the lobbying efforts to pass both the CVA and the Adult Survivors Act in New York, which Wigdor LLP has supported.

More than 6,000 civil claims have been filed under the CVA since it was enacted, according to Sen. Hoylman, who noted that adult survivors of alleged serial predators such as Harvey Weinstein, Jeffrey Epstein and former OB-GYN Robert Hadden have been denied their day in court due to statutes of

limitations.

Wigdor LLP is a nationally recognized law firm that is well-versed in handling sexual harassment, sexual assault and employment discrimination cases on behalf of victims. If you were sexually assaulted and would like to speak to a lawyer, please call [\(212\) 257-6800](tel:(212)257-6800) to speak to an attorney at Wigdor LLP who can advise you of your legal rights.