



FOR IMMEDIATE RELEASE

October 31, 2019

MEDIA CONTACT:

Andrea Smith
Rhine Law Firm, P.C. 1612
Military Cutoff Road - Suite 300
Wilmington, NC 28403
(910) 772-9960
E-mail: ars@rhinelawfirm.com

NEWS RELEASE

PROPOSED LEGISLATION WOULD EXTEND STATUTE OF LIMITATIONS FOR VICTIMS OF CHILDHOOD SEXUAL ABUSE

Senate Bill 199, if signed into law, extends the age victims can file a civil lawsuit from 21 to 28

Wilmington, NC – Today, the North Carolina House of Representatives and Senate passed Senate Bill 199, legislation that extends the statute of limitations in civil cases involving victims of childhood sexual abuse. “This is an extraordinary day for victims throughout North Carolina as well as in New Hanover County,” said Joel R. Rhine of the Rhine Law Firm, one of two firms suing the New Hanover County Board of Education and other defendants for assaults committed by former teacher and convicted felon Michael Kelly.

Under existing law, victims have until their 21st birthday to bring a lawsuit against someone who commits a sexual assault against them while they were a minor. However, unlike other types of injuries, victims of sexual assaults are often not ready to acknowledge their injuries or have not come to terms fully with what happened to them by the time they turn 21. Today’s legislation does several important things:

- It allows victims to bring their cases until they reach the age of 28;
- It provides for a revival of all past stale claims beginning in January of 2020 and continuing for two years;
- It exempts such cases from the 10-year statute of repose (from the last wrongful act committed by a defendant); and
- It provides victims with an additional two years to file a civil case following a felony conviction of a defendant who committed a sexual crime against the person while they were a minor.

Attorney Jim Lea, of The Lea/Schultz Law Firm, whose firm is co-counsel in the lawsuit representing victims of Kelly notes the importance of this legislation. “In our lawsuit, all of the defendants who have answered the Plaintiffs’ complaint – Defendant Rick Holliday, Timothy Markley and the Board of Education – have alleged the statute of limitations as a defense in the case. Today’s legislation, if signed by the Governor, will allow for all of these victims and others to come forward and have their day in court.”

Both lawyers attribute passage of the legislation to Senator Harper Peterson. “He has stood continuously for child victims of sexual assault. His bravery and advocacy are unsurpassed. His work and that of other members of the House and Senate who supported this bill have ensured that childhood predators and those who enable them are held accountable.”

###