

New York City Courts Put Lawsuits Under the Child Victims Act on Hold

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Litigation Alert

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Cases brought under the Child Victims Act (CVA) in New York City are on a temporary hold. On December 11, 2019, the Deputy Chief Administrative Judge of the New York City Courts issued an administrative order to manage CVA cases. Enacted in February 2019, the CVA extends the statute of limitations for certain child victim sex offense criminal cases, extends the age limit for victims to bring civil actions based on certain criminal conduct to age 55, and created a one-year window beginning August 14, 2019 reviving civil actions that otherwise could be, or were, dismissed on statute of limitations grounds. The administrative order does the following:

- Preliminary conferences are adjourned to a control date of January 31, 2020.
- The time for responses to discovery demands are adjourned without a date, and discovery demands cannot be served by any party absent a further order.
- The time for pseudonym-plaintiffs to provide identifying information under stipulations or orders is extended until December 20, 2019.
- Other than motions to proceed anonymously or by pseudonym, motions are adjourned to January 31, 2020.
- Any party's time to respond to a complaint is extended until a further order, and if a complaint is served between December 11, 2019 and January 31, 2020, the time to respond will be determined by stipulation or a further order.
- No motion to sever is to be filed until after January 31, 2020.
- The order applies to pending and future Supreme Court cases in the counties of Bronx, Kings, New York, Queens and Richmond.

The order contemplates the future entry of a Case Management Order for cases filed under the CVA.

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