

## 2024 PROFESSIONAL LIABILITY PRACTICE GROUP LEGAL MALPRACTICE STATUTES OF LIMITATION GUIDE

STATE	STATUTE(S)	LENGTH	DISCOVERY RULE	CONTIN. REP.	COMMENTS	ALFA CONTACT
AL	Ala. Code § 6-5-574	2 years	Applies	Not adopted	Discovery rule tolls statute for 6 months from discovery, but not more than 4 years from injury	Archie T. Reeves, Mobile, AL areeves@mcdowellknight.com Will Thompson, Birmingham, AL wthompson@huelaw.com
AK	AS §§ 09.10.070; 09.10.053.	Tort: 2 years; Contract: 3 years	Applies	Not adopted		
AZ	A.R.S. 12-542; A.R.S. 12-548	Tort: 2 years; Contract: 6 years	Applies	Not adopted		Jeffrey S. Hunter & Scott Conlon, Phoenix, AZ jhunter@rcdmlaw.com; sconlon@rcdmlaw.com
AR	Ark. Code § 16-56-105	3 years	Does not apply	Rejected	Discovery rule does not apply absent concealment	Glenn S. Ritter, Rogers, Arkansas gritter@wlj.com
CA	Cal Code. Civ. P. § 340.6	1 year/4 years	Applies	Adopted	SOL expires earlier of 1 year of discovery or 4 years from act (whichever occurs first)	Jennifer K. Saunders, Los Angeles, CA jsaunders@hbblaw.com
CO	CRS 13-80-102	2 years	Applies	Not adopted		
CT	§§ 52-577, 52-584 C.G.S.	2 years from act or discovery/3 years at most	Does not apply	Adopted	SOL expires after 3 years, regardless of when discovered	Richard Tynan, Hartford, CT tynan@halloran-sage.com
DE	10 Del c. § 8106	3 years	Applies	Not adopted		
DC	§ 12-301(8)	3 years	Applies	Adopted		
FL	§ 95.11(4)(a)	2 years	Applies	Not adopted		Ralph Marchbank, Sarasota, FL rmarchbank@dglawyers.com
GA	O.C.G.A. 9-3-25; 9-3-24	Tort: 4 years; Contract: 6 years	Does not apply	Not adopted	Discovery rule does not apply absent concealment	Christine Mast; Atlanta, GA cmast@hpylaw.com
HI	HRS § 657-1	6 years	Applies	Not adopted		
ID	IC § 5-219(4)	2 years	Applies	Precluded by Statute		Kevin Scanlan, Boise, ID kjs@sgaidaho.com
IL	735 ILCS 5/13-214.3	2 years	Applies	Rejected	6-year Statute of Repose	Joseph R. Marconi, Chicago, IL marconij@jbld.com
IN	IN Code § 34-11-2-4	2 years	Applies	Adopted		Carlos Vera, Crown Point, IN cvera@jbld.com Dina Cox, Indianapolis, IN dcox@lewiswagner.com
IA	IA St. §§ 614-1(2), (4)	Tort: 2 years; other COAs: 5 years	Applies	Not expressly adopted	5-year SOL applies to unwritten K, fraud, inj.to prop.	Jason M. Casini, Des Moines, IA casini@whitfieldlaw.com
KS	K.S.A. §§ 60-513; 60-512; 60-511	Tort 2 years; other COAs: 3/5 years	Applies	Adopted	3-year SOL applies to unwritten K, 5 years to written K. 10 year statute of repose	Hal D. Meltzer, Overland Park, KS meltzer@bscr-law.com
KY	Ky.Rev.Stat. § 413.245; § 413.090(2); § 413.120(1)	1 year (professional service malpractice in tort or contract); 5 years (contract not in writing); 15 years (contract in writing executed before July 15, 2014); 10 years (contract in writing executed after July 15, 2014)	Applies	Adopted		Gene Vance, Lexington, KY gene.vance@skofirm.com
LA	LRS 9:5605	1 year/3 years	Applies	Not adopted	SOL is 1 year from act or discovery, but no later than 3 years	George Fagan, New Orleans, LA gfagan@leakeanderson.com
ME	14 M.R.S.A. § 752	6 years	Applies	Not adopted	Discovery rule limited by statute	Jonathan W. Brogan, Portland, ME jbrogan@nhdlaw.com
MD	MD Code Cts. & Jud. Proc. §5-101	3 years	Applies	Adopted		Zachary Schlein, Baltimore, MD zschlein@semmes.com
MA	M.G.L. ch. 260 § 4	3 years	Applies	Adopted		Alan E. Brown, Boston, MA abrown@morrisonmahoney.com
MI	MCL 600.5805(6);	2 years	Applies	Adopted	6-year statute of repose, MCL 600.5838b(1).	Jeffrey S. Hengeveld, Detroit, MI jhengeveld@plunkettcooney.com
MN	M.S.A. § 541.05	6 years	Applies	Not adopted		Stanley E. Siegel, Minneapolis, MN ssiegel@nilanjohnson.com
MS	Miss. Code §§ 15-1-49; 15-1-29	3 years	Applies	Not adopted		

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MO	§516.120 R.S.Mo.	5 years	Applies	Not adopted		
MT	Mont. Code § 27-2-206	3 years	Applies	Adopted	10-year Statute of Repose	
NE	Neb.Rev.Stat. §25-222	2 years from act or omission, with 1 year discovery under certain circumstances	Applies	Adopted	Discovery provision applies only if act or omission could not be discovered during two-year limitation period. 10-year Statute of Repose	Dallas D. Jones, Lincoln, NE djones@bayloreevnen.com
NV	NRS §11.207(1)	2 years (from date discovered) or 4 years (after damages sustained)	Applies	Not adopted	Statute of Limitations will be determined by the earliest malpractice incident; SOL is tolled for any period the attorney conceals the act. See NRS § 11.207(2)	
NH	N.H. Rev. Stat. § 508:4	3 years	Applies	Not adopted		
NJ	N.J.S.A. 2A:14-1	6 years	Applies	Adopted		Richard Granofsky; New York, NY rgranofsky@lskdnylaw.com
NM	NMSA 1978, §§ 37-1-3, 37-1-4	Tort: 4 years; Written K: 6 years	Applies	Not adopted		
NY	NY CPLR 214(6)	3 years	Rejected	Adopted		Richard Granofsky; New York, NY rgranofsky@lskdnylaw.com
NC	N.C. Gen. Stat. § 1-15(c)	3 years	Applies	Not adopted	4-year Statute of Repose	Walter E. Brock, Jr. Raleigh, NC web@youngmoorelaw.com
ND	N.D.C.C. 28-01-18(3)	2 years	Applies	Adopted		
OH	OH Rev. Code § 2305.11(A)	1 year	Applies	Adopted		
OK	OK.Stat.tit.12, §§ 95(A)(3); (1); (2)	Tort: 2 years; Contract: 3/5 years	Applies	Rejected	Contract SOL: 3 years unwritten K; 5 years written K	Paula J. Quillin, Tulsa, OK pquillin@tulsalawyer.com
OR	ORS 12.110 (1); ORS 12.080(1)	Tort: 2 years; Contract 6 years	Applies	Not adopted	10-year statute of repose	Nicholas E. Wheeler; Portland, OR nwheeler@cosgravelaw.com
PA	42 Pa.C.S.A. §§ 5524(7); 5527	Tort: 2 years; Contract: 6 years	Applies	Rejected		Jacob Lehman; Philadelphia, PA lehmanj@ggmfirm.com
RI	G.L. 1956 § 9-1-14.3	3 years	Applies	Rejected		
SC	S.C. Code Ann. §15-3-530(5)	3 years	Applies	Rejected		D. Jay Davis, Charleston, SC jdavis@yrcrlaw.com
SD	SDCL § 15-2-14.2	3 years	Does not apply	Adopted		
TN	Tenn. Code §28-3-104	1 year	Applies	Adopted		Douglas Dooley & Alan Easterly; Chattanooga, TN doug.dooley@leitnerfirm.com; alan.easterly@leitnerfirm.com
TX	Tex. Civ. Prac. & Rem. Code §§16.003; 16.004	Tort: 2 years; other COAs: 4 years	Applies	Adopted	4-year SOL applies to breach of contract, fraud, fiduciary duty	Brian T. Coolidge, Houston, TX btc@lorancethompson.com
UT	U.C.A. § 78B-2-307	4 years	Applies	Not adopted		
VT	12 V.S.A. §§ 512(4); 511 12	3 years/6 years	Applies	Adopted	3 years: personal injury; 6 years: other than person injury	Mark Werle, Rutland, VT mfw@rsclaw.com
VA	Va. Code § 8.01-246	3 years/5 years	Does not apply	Adopted	3 years: oral contract; 5 years: written contract	
WA	RCW 4.16.080	3 years	Applies	Adopted		Scott Cifrese, Spokane, WA scott.cifrese@painehamblen.com
WV	W. Va. Code §§; 55-2-6; 55-2-12	Tort: 2 years; Contract: 5/10 years	Applies	Adopted	Contract SOL: 5 years unwritten K; 10 years written K	
WI	Wis. Stat. § 893.53	6 years	Applies	Adopted		
WY	W.S. § 1-3-107	2 years	Applies	Not adopted		