

| CLAIM ¹ | TIME ALLOWED | ACTION REQUIRED ² |
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| Assault and Battery | 2 years ³ | 14 M.R.S. § 753 |
| Attorney Malpractice | | |
| • General | 6 years from act of negligence ³ | 14 M.R.S. §§ 752; 753-B(1) |
| • Title opinions | 6 years from discovery, but no more than 20 years from act or omission ³ | 14 M.R.S. § 753-B(2) |
| • Drafting of wills | 6 years from discovery ³ | 14 M.R.S. § 753-B(3) |
| Contract⁴ | | |
| • General | 6 years | 14 M.R.S. § 752 |
| • UCC – sale of goods | 4 years | 11 M.R.S. § 2-725(1) |
| | 6 years – physical injury | 11 M.R.S. § 2-725(2) |
| Defamation | 2 years ³ | 14 M.R.S. § 753 |
| Discrimination (Maine Human Rights Act) | 300 days from act of discrimination | Filing of complaint with M.H.R.C. – 5 M.R.S. § 4611 |
| | 2 years from act of discrimination or 90 days (whichever is later) from: (1) dismissal of the case under section 4612(2); (2) failure, within 90 days after finding reasonable grounds to believe that unlawful discrimination occurred, to enter into a conciliation agreement to which the plaintiff was a party; (3) issuance of a right-to-sue letter under section 4612(6); or (4) erroneous dismissal of case | 5 M.R.S. § 4613(2)(C) 5 M.R.S. § 4622(1)(A)-(D) |
| False Imprisonment | 2 years ³ | 14 M.R.S. § 753 |
| Federal Civil Rights (42 U.S.C. § 1983) | 6 years | 14 M.R.S. § 752 (most analogous state statute of limitations) (state law tolling rules apply) |
| Federal Tort Claims Act (FTCA) | 2 years. ⁵ Written denial by agency or failure of agency to act within 6 months of filing is a prerequisite to commencement of action (subject to equitable tolling) | Notice of Claim to federal agency – 28 U.S.C. § 240(b) |
| | 6 months following mailing of written denial of claim by agency, but no later than 6 years from accrual (failure of agency to make disposition of claim within 6 months may, at option of claimant at any time thereafter, be deemed a denial) (person under legal disability or “beyond the seas” when action accrues may bring action within 3 years after disability ceases) (subject to equitable tolling) | 28 U.S.C. § 2401(a), (b); § 2675(a) |
| Fire Loss (Property) – Action Under Standard Policy | 2 years | 24-A M.R.S. § 3002 |
| Liquor Liability | 180 days Notice of Claim unless “good cause” | Notice to “Server” 28-A M.R.S. § 2513 |
| | 2 years | 28-A M.R.S. § 2514 |
| Maine Tort Claims Act (MTCA) | 180 days Notice of Claim unless “good cause” (tolled during minority) | Notice of Claim to governmental entity 14 M.R.S. § 8107(1); (2) |
| | 2 years (tolled during minority) | 14 M.R.S. § 8110 |
| Medical Malpractice | | |
| • General | 3 years from act of negligence causing injury (In the case of continuing acts of negligence causing the injury, 3 years from the last such act. See <i>Baker v. Farrand</i> , 2011 ME 91, 26 A.3d 806) | Notice of Claim 24 M.R.S. § 2902 |
| • Foreign objects | 3 years from discovery | Notice of Claim 24 M.R.S. § 2902 |
| • Minors | Earlier of 3 years from majority or 6 years from accrual | Notice of Claim 24 M.R.S. § 2902 |

(continued)

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| Medical Malpractice | | <i>(continued)</i> |
| • Tolling pending Panel process | Statute of limitations tolled from service or filing of Notice of Claim until 30 days after notice of Panel findings | 24 M.R.S. § 2859 |
| • Governmental entities / employees | 1. State governmental entities/employees (e.g., hospital administrative districts). See MTCA requirements 2. Federal governmental entities/employees (e.g., VA Hospital, Togus). See FTCA requirements 3. Certain federally supported entities/employees (e.g., Community Health Centers, http://bphc.hrsa.gov). See FTCA requirements | Notice of Claim 24 M.R.S. § 2902 in addition to MTCA Notice |
| Mental Health Professional Malpractice Based on Sexual Acts (except minors) | 6 years, Section REPEALED, July 1, 2017 | 24 M.R.S. § 2902-B |
| Nursing Home Liability | See Medical Malpractice requirements | |
| Personal Injury* (except where otherwise provided) | 6 years ³ *Special limitation for proceedings to appoint P.R. of deceased defendant's estate: 1. Recovery of assets of estate – 3 years from date of death; 2. Recovery of liability insurance only – up to 6 years ⁶ from accrual | 14 M.R.S. § 752 18-A M.R.S. § 3-108(a)(4) |
| Product Liability (Negligence or Strict Liability) | 6 years from date of accrual (See, e.g., <i>Bernier v. Raymark Industries, Inc.</i> , 516 A.2d 534 (Me. 1986)) | |
| Sex Acts Against Minors | No limitations ⁷ | 14 M.R.S. § 752-C(1) |
| Ski Areas | 2 years ³ | 14 M.R.S. § 752-B |
| Uninsured Motorist Claims | 6 years from denial of claim ⁴ | 14 M.R.S. § 752 |
| Wrongful Death (except for medical malpractice. <i>Bulter v. Killoran</i> , 1998 ME 147, 714 A.2d 129) | 2 years from date of death | 18-A M.R.S. § 2-804 |

¹ Civil actions – SOL generally 6 years (tolled until majority) except where otherwise provided (14 M.R.S. § 752).

² Filing in court except as otherwise indicated.

³ Limitations tolled until majority – 14 M.R.S. § 853 (see below).

⁴ Unless otherwise provided in policy.

⁵ State law statutes of repose may be substantive defenses to federal tort claims. See *Wood v. United States*, 2016 U.S. Dist. LEXIS 13689 (D. Me.) (medical malpractice claim barred against United States by 24 M.R.S. § 2902 notwithstanding federal discovery rule).

⁶ Where no “actual notice” of death.

⁷ Applies to:

1. All actions based on a sexual act or sexual contact occurring on or after the effective date of this Act (August 11, 2000); and
2. All actions for which the claim has not yet been barred by the previous statute of limitations in force on the effective date of this Act.

Tolling Provisions (other than as noted)

| CLAIM | TIME ALLOWED | |
|--|--|-----------------|
| Absence of Defendant from the State | Certain state law limitations tolled during residence outside of Maine | 14 M.R.S. § 866 |
| Absence of Plaintiff from U.S. when cause of action accrues | Certain state law limitations tolled until return to U.S. | 14 M.R.S. § 853 |
| Fraud and Fraudulent Concealment | 6 years after discovery (state law claims) | 14 M.R.S. § 859 |
| Imprisonment or Mental Illness of Plaintiff when cause of action accrues | Limitations tolled until disability removed (state law claims) | 14 M.R.S. § 853 |
| Minority of Plaintiff when cause of action accrues | Certain state law limitations tolled until majority | 14 M.R.S. § 853 |