

CLAIM ¹	TIME ALLOWED	ACTION REQUIRED ²
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 – personal injuries	11 M.R.S. § 2-725(2)
Defamation	2 years ³	14 M.R.S. § 753
Design Professionals (Architects and Engineers)	4 years / 10 years	14 M.R.S. § 752-A
	All civil actions for malpractice or professional negligence against architects or engineers duly licensed or registered under Title 32 shall be commenced within 4 years after such malpractice or negligence is discovered, but in no event shall any such action be commenced more than 10 years after the substantial completion of the construction contract or the substantial completion of the services provided.	
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. § 2401(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)	For causes of action accruing before January 1, 2020 – 180 days Notice of Claim unless “good cause” (tolled during minority)	Notice of Claim to governmental entity 14 M.R.S. § 8107(1); (2)
	For causes of action accruing on or after January 1, 2020 - 365 days Notice of Claim unless “good cause” (tolled during minority)	
	2 years (tolled during minority)	14 M.R.S. § 8110
Medical Malpractice	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
• General		
• 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)

CLAIM ¹	TIME ALLOWED	ACTION REQUIRED ²
Medical Malpractice		<i>(continued)</i>
<ul style="list-style-type: none"> 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
<ul style="list-style-type: none"> Governmental entities / employees 	<ol style="list-style-type: none"> State governmental entities/employees (e.g., hospital administrative districts). See MTCA requirements Federal governmental entities/employees (e.g., VA Hospital, Togus). See FTCA requirements 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	14 M.R.S. § 752
	*Special limitation for proceedings to appoint P.R. of deceased defendant's estate: <ol style="list-style-type: none"> Recovery of assets of estate – 3 years from date of death; Recovery of liability insurance only – up to 6 years⁶ from accrual 	18-A M.R.S. § 3-108(a)(4) ⁸
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 ⁹

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 contract or 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:

- All actions based on a sexual act or sexual contact occurring on or after the effective date of this Act (August 11, 2000); and
- 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.

⁸ Maine Uniform Probate Code, 18-C M.R.S. § 3-108(1)(F), effective September 1, 2019.

⁹ Maine Uniform Probate Code, 18-C M.R.S. § 2-807(2), effective September 1, 2019.

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