

NEW JERSEY STATUTES OF LIMITATION
Generally Speaking

TYPE OF CASE	S.O.L.	AUTHORITY
<i>Adverse Possession</i> Woodlands or uncultivated tract All other property	60 years 30 years	J & M Land Co. v. First Union 166 N.J. 493 (2001)
<i>Antitrust</i>	4 years	N.J.S.A. 56:9-14
<i>Appeal (from)</i> Interlocutory Order (Superior Ct) Municipal Court Planning/Zoning Board Superior Court final judgment	20 days 20 days 45 days 45 days	R. 2:5-6 R. 3:23-2 R. 4:69-6(b)(3) R. 2:4-1
<i>Assault and Battery</i> Intentional Tort Claim Criminal Prosecution	2 years 5 years	N.J.S.A. 2A:14-2 N.J.S.A. 2C:1-6(b)(1)
<i>Bail</i> State prosecution of bail jumping	5 years	N.J.S.A. 2C:1-6
<i>Civil Rights §1983</i>	2 years	N.J.S.A. 2A:14-2 Wilson v. Garcia, 471 US 261(1985) *Check Lilly Ledbetter Act of 2009
<i>Childhood Sex Abuse</i>	2 years – but variable: see cases	Hardwicke v. Princeton Boys Choir; R.L. v. Voytac, 199 N.J. 285
<i>Collection of Debt</i>	6 years from last payment	Burlington v. MNBS, 223 N.J. Super. 227 (App. Div. 1987)
<i>Conscientious Employee Protection Act (CEPA)</i>	1 year (from last day of work)	N.J.S.A. 34:19-5
<i>Contract</i> General UCC Sale of Goods	6 years 4 years	N.J.S.A. 2A:14-1 Nat'l Util. Serv., Inc. v. Cambridge-Lee Indus. Inc. (3 rd Cir. 2006) N.J.S.A. 12A:2-725 (2011) Am. Cyanamid Co. v. Miss. Chem. Corp., 817 F.2d 91 (11 th Cir. 1987)
<i>Contractors</i> Claim for recovery of damages for defective or unsafe conditions	10 years	N.J.S.A. 2A:14-1.1
<i>Conversion of Chattels (Personal Property)</i>	6 years	N.J.S.A. 2A:14-1 Weiss v. Stelling
<i>Conversion of a Negotiable Instrument</i>	3 years	N.J.S.A. 12A:3-118 (g) New Jersey Lawyers' Fund for Client Protection v. Pace
<i>Courts</i> Upon Judgment or Decree	20 years from entry	N.J.S.A. 2A:14-5

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TYPE OF CASE	S.O.L.	AUTHORITY
<i>Crime (generally)</i>	5 years	N.J.S.A. 2C:1-6(b)(1) See <u>State v. Diorio</u> , Supreme Ct of NJ 2014 (for exceptions & extensions)
<i>Discrimination</i> Tortious Employment [See – Law Against Discrimination] Handicap	2 years 2 years 2 years	N.J.S.A. 2A:14-2 N.J.S.A. 2A:14-2 N.J.S.A. 2A:14-2
<i>Design Defect to Improvement to Real Property</i>	10 years	N.J.S.A. 2A:14-1.1(a) <u>Cherilus v. FedEx</u> (2014) (construction defects)
<i>Disorderly Persons Offense</i>	1 year	N.J.S.A. 2C:1-6
<i>Elective Share</i>	6 months from appointment of personal rep	N.J.S.A. 3B:8-12
<i>Employment Matters</i> Conscientious Employee Protection Act Law Against Discrimination (for administrative claims) Law Against Discrimination (for civil cases filed in Superior Ct)	1 year 180 days 2 years	N.J.S.A. 34:19-5 (2011) <u>Matthews v. N.J. Inst. of Tech.</u> N.J.S.A. 10:5-18 <u>Alexander v. Seton Hall Univ.</u> N.J.S.A. 10:5-18 <u>Montells v. Haynes</u> , 627 A.2d 654
<i>ERISA Violation</i>	3 or 6 years	29 USCA § 1113(a)
<i>Fair Debt Credit Protection Act Violation</i>	1 year	15 USCA § 1692K(d); <u>Schoffhauser v. Citibank</u> , 340 Fed. Appx. 128 (2009)
<i>Federal Employers Liability Act (Railroads)</i>	3 years	45 USCA § 56 (Railroad incidents only)
<i>Fiduciary (Breach of Fiduciary Duty)</i>	6 years	<u>Zolov Gordan</u> 685 F. Supp. 354 (1988); N.J.S.A. 2A:14-1, <u>Fleming v. Thriftway</u> 913 F. Supp. 837 (1995)
<i>Fraudulent Transfer of Real Property</i>	4 years or 1 year from discovery	N.J.S.A. 25:2-31; <u>Guido v. Spina</u> , Docket No. A-3215-08T3 See also: N.J.S.A. 25:2-27 and 25:2-25
<i>Fraud - Consumer</i>	6 years or Less than 6 years by agreement	N.J.S.A. 2A:14-1 <u>Mirra v. Holland America Line</u> , 331 N.J. Super. 86 (App. Div. 2000)
<i>Fraud Upon the Court</i>	No set time	Rule 4:50-3 <u>In re Tanksley</u> , 2013 N.J. Super. Unpub. Lexis 121 (1/18/13) <u>Tara Enters., Inc. v. Daribar Mgmt. Corp.</u> , 369 N.J. Super. 45, 52 (App. Div. 2004) <u>Von Pein v. Von Pein</u> , 268 N.J. Super. 7 (App. Div. 1983) <u>Shammas v. Shammas</u> , 9 NJ 321, 324 (1952)

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TYPE OF CASE	S.O.L.	AUTHORITY
<i>Homeowners Claim</i>	It Depends	Pursuant to N.J.A.C. 11:2-17, an insurer may limit same to one year
<i>Judgments</i> Upon Judgment or Decree	20 years from entry	N.J.S.A. 2A:14-5
Relief from Judgment or Order	1 year (unless Judgment is void or no longer equitable due to changed circumstances or existence of exceptional circumstances justifying relief)	R. 4:50-1 R. 4:50-2
<i>Law Against Discrimination (LAD)</i>	2 years	Montells v. Haynes, 133 N.J. 282 (1993) Rodriguez v. Raymours Furniture Co., 2016 NJ Lexis 556 (cannot be shortened by agreement)
<i>Libel</i>	1 year	N.J.S.A. 2A:14-1
<i>Liens</i> Generally	20 years from date of judgment	N.J.S.A. 2A:14-5
Construction Lien	Within 1 year from date of work	N.J.S.A. 2A:44A-24.1
<i>Legal Malpractice</i>	6 years	N.J.S.A. 2A:14-1 McGrogan v. Till, 327 N.J. Super. 595 (App. Div. 2000)
<i>Medical Malpractice</i>	2 years (from discovery of malpractice)	N.J.S.A. 2A:14-2
<i>Malicious Abuse of Process</i>	6 years	N.J.S.A. 2:24-1 Kearney v. Mellon, 23 N.J.Misc. 83 (1945)
<i>Minor</i>	2 years from 18 th birthday	Green v. Auerbach 127 N.J. 591 (1992)
<i>Misdemeanors</i> Generally (See – Crime)	5 years	N.J.S.A. 2C:1-6(b)(1) See <i>State v. Diorio</i> , Supreme Ct of NJ 2014 (for exceptions & extensions)
<i>Mortgage Foreclosure (Residential)</i>	Must read statute, it depends	N.J.S.A. 2A:50-56.1 (See also: N.J.S.A. 2A:14-6 to 14-8) 6 years – 36 years
<i>Negotiable Instruments</i> Certificate of Deposit CD under certain circumstances	6 years 10 years	N.J.S.A. 12A:3-118 See -118(b)
<i>OPRA Request</i>	45 Days	Stop & Shop v. Bergen County, Law Div. 2014
<i>Personal Injury</i>	2 years	N.J.S.A. 2A:14-2
<i>Products Liability</i>	2 years	N.J.S.A. 2A:14-2
<i>Property Damage (Real or Personal)</i>	6 years	N.J.S.A. 2A:14-1

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TYPE OF CASE	S.O.L.	AUTHORITY
<i>Purpose of Statute of Limitations</i> NJ Supreme Court on Purpose and Intent of SOL		Palisades at Fort Lee Condominium Assoc., Inc. v. 100 Old Palisades, LLC 230 N.J. 427 (2017)
<i>Securities Fraud (NJ)</i>	2 years	N.J.S.A. 49:3-71(g)
<i>Sexual Harassment</i>	2 years (from last act of harassment)	Montells v. Haynes, 133 NJ 282 (1993) and Caggiano v. Fontoura, 354 NJ Super 111 (2002)
<i>Slander and Libel</i>	1 year	N.J.S.A. 2A:14-3
<i>State (NJ) v. Defendant</i> <i>(Medicaid Lien, for example)</i>	10 years	N.J.S.A. 2A:14-1.2
<i>Statute of Repose</i>	10 years Extension	N.J.S.A. 2A:14-1.1(a) Diadone v. Buterick Bulkheading Palisades at Fort Lee Condominium Assoc., Inc. v. 100 Old Palisades, LLC 230 N.J. 427 (2017) Horosz v. Alps Estate, 266 N.J. Super. 382 (App. Div. 1993), <i>aff'd</i> 136 N.J. 124
<i>Taxation</i> Appeal of County Tax Board to Tax Court Claim by State for income-tax deficiency that does not involve omission of income Claim by State for income-tax deficiency that involves an omission of income	45 days from service of judgment 3 years from filing of return 6 years from filing of return	N.J.S.A. 54:51-A-9(a) N.J.S.A. 54A:9-4(a) DiStefano v. Dir. of Tax., 23 N.J. 609 (Tax Ct. 2008) N.J.S.A. 54A:9-4(d)
<i>Theft by Deception</i>	5 years	N.J.S.A. 2C:1-6(b)(1) State v. DiOrio
<i>Torts Claims Notices</i> New Jersey Federal	90 days 2 years	N.J.S.A. 59:8-8(a) Pascale v. US, 988 F.2d. 186 (1993)
<i>Traffic Tickets</i> Driving w/o Insurance Driving while Suspended DWI & Refusal Leaving Scene of Accident	30 days 6 months 90 days 90 days 1 year	N.J.S.A. 39:5-3 N.J.S.A. 39:6B-2 N.J.S.A. 39:5-3 N.J.S.A. 39:5-3 N.J.S.A. 39:5-3
<i>Tresspass</i>	6 years	N.J.S.A. 2A:14-1

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TYPE OF CASE	S.O.L.	AUTHORITY
<i>Truth in Lending (Affirmative)</i> <i>Claims for Damages</i> <i>To Rescind the Transaction</i>	1 year 3 years	15 U.S.C. § 1601 15 U.S.C. § 1601
<i>Uniform Commercial Code (UCC)</i> Bank Deposits and Collections Governed by UCC Breach of Lease Governed by UCC Contracts for Sale Governed by UCC	3 years 4 years 4 years	N.J.S.A. 12A:4-11 N.J.S.A. 12A:2A-506 N.J.S.A. 12A:2-725
<i>Uninsured Motorist Claim</i>	6 years from date of accident, but can be tolled	Green v. Selective Ins. 144 N.J. 344 (1966) Price v. N.J. Man. Ins. Co. 182 N.J. 519 (2005)
<i>Unauthorized Signature</i> Customer's Duty to report unauthorized sig or alteration	1 year	N.J.S.A. 12A:4-406 (f)
<i>Warranty Express under the UCC</i>	4 years	N.J.S.A. 12A:2-725 Comm'rs of Fire Dist. No. 9, Iselin, Woodbridge, N.J. v. American La France, 424 A.2d 441 (App. Div. 1980)
<i>Whistleblower Suit</i>	1 year	N.J.S.A. 34:19-5
<i>Will Contest</i> In State (NJ) Out of State Based on Fraud	4 months 6 months Reasonable time Fraud in Administration of Assets (2 years)	R. 4:85-1; applies to only Will challenge or letters appointing a fiduciary (inapplicable to challenge) the administration of an estate In Re Racamato App. Div. 2010); Also see Estate of Jack Thomas (decided May 22, 2013 App.Div) for laches extension of time argument. Estate of Roberson (Cal. App. 2004) Also see R.4:50-1 – when there is no time limitation
<i>Will Drafting</i>	6 years	N.J.S.A. 2A:14-1 Grunwald v. Bronkesh 131 N.J. 483, 499 (1993)
<i>Workers Compensation</i> New Jersey Federal	2 years from accident or last payment 3 years provided notice is given in first 30 days	N.J.S.A. 34:15-51 5 U.S.C. § 8121 5 U.S.C. § 8122

TYPE OF CASE	S.O.L.	AUTHORITY
<i>Wrongful Death</i>	2 years from date of death	N.J.S.A. 2A:31-3 (unless defendant convicted of murder, manslaughter etc)

NEW JERSEY EXTENSIONS OF TIME
Generally Speaking

<i>Extensions of Time</i>		Estoppel by Trickery on Concealment R. 4:5-4 (2015) Comment 36.4.1. Freeman v. State, 347 N.J. Super 11, 31 (App. Div. 2002)