

## COVID-19 NECESSITATES TOLLING OF STATUTE OF LIMITATIONS FOR CERTAIN FILINGS

April 2020

Recent circumstances that are unique to the [COVID-19 emergency](#) have forced jurisdictions to adopt new rules and alter existing ones in order to adapt in light of limited court functions and, in some cases, complete court closures. Such consequences include attempts to toll the statutes of limitations for cases that were set to run during the state of emergency.

For insurers and their insureds who may be monitoring potential claims and anticipating the deadline for when they can be filed, this is an important issue. However, simply stopping the clock and restarting it when the emergency ends is not as straightforward as one would expect. Further, the answer of how the statute of limitations is being tolled depends on the state and court where the potential case filed. It may also depend on the type of claim being asserted in the suit.

[Executive Order 7G](#) issued by [Connecticut Governor Ned Lamont](#) on March 19, 2020, suspends non-critical court operations and associated requirements, and all statutory:

- 1) Location or venue requirements;
- 2) Time requirements, statutes of limitation or other limitations or deadlines relating to service of process, court proceedings or court filings; and,
- 3) All time requirements or deadlines related to the Supreme, Appellate and Superior courts or their judicial officials to issue notices, hold court, hear matters and/or render decisions."

This order does not detail how much additional time will be afforded to filing deadlines that expire between March 19, 2020 and the date the coronavirus crisis ends in Connecticut. There is no similar situation that has been addressed in Connecticut that can provide significant guidance. This issue will likely require court interpretation and further guidance once the crisis has ended and the cases set to expire during the crisis are then filed. Future executive orders may further alter the legal analysis.

Litchfield Cavo attorneys are continuously monitoring the complexities of this issue as modifications and interpretations are released. Litchfield Cavo is ready to assist on this and all coronavirus-related legal matters. To discuss how this issue may impact your Connecticut claims, please reach out directly to [Jacqueline Maulucci](#), and please visit [LitchfieldCavo.com/COVID-19](https://LitchfieldCavo.com/COVID-19).

[Jacqueline Maulucci](#) focuses her practice on defending personal injury actions and claims that are brought against companies and individuals, including claims against medical professionals. Jacqueline has represented nursing homes, hospitals, doctors in various specialties, dentists, nurses and physical therapists in malpractice lawsuits and in administrative proceedings with the Department of Public Health.

Litchfield Cavo operates out of 22 offices, serving clients in more than 35 states nationwide.

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