



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Gov. Brown signs CAOC-sponsored bill clarifying rights of childhood sex abuse victims

SB 1053 resolves confusion about when victims can file a claim

SACRAMENTO (July 20, 2018) – Victims of childhood sexual abuse in California will no longer face restrictions in seeking accountability from wrongdoers under legislation sponsored by Consumer Attorneys of California that was signed by Gov. Jerry Brown today.

Senate Bill 1053, authored by Sen. Jim Beall (D-San Jose), resolves any confusion about how long a victim of childhood sexual abuse has to file a claim against a public entity and seek justice through the civil courts.

All too often, victims of childhood sexual abuse don't quickly report the abuse or fail to report it at all. While the victims almost always know their abusers, they often don't come forward in a timely manner because of threats, suppressed memories, feels of shame, or other factors. It may take years for victims to come forward to bring civil or seek criminal actions against both direct perpetrators of child sexual abuse and third parties, such as schools, that allowed the abuse to occur and continue.

Recognizing these unique aspects of childhood sexual abuse cases, the Legislature in 2008 exempted claims arising out of molestation from the normal claims process against public entities, which requires written notice within six months. But in recent years, some school districts have challenged the current law, claiming that each district can create its own special six-month claims filing procedure.

SB 1053 clarifies that the Legislature's clear intent with its action in 2008 was to exempt child sexual abuse victims from that six-month claims process for public entities, thus denying them access to justice.

Consumer Attorneys of California sponsored the bill, which was supported by a dozen other stakeholder groups including the California Catholic Conference, the California Coalition Against Sexual Assault, the California Nurses Association and the California State PTA.

Consumer Attorneys of California is a professional organization of plaintiffs' attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

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