

APPENDIX S – Statute of Limitations

A statute of limitations is a law limiting the time within which a cause of action can be brought. The time limitations depends on the type of relief requested in the complaint.

In civil cases, the purpose of the limitation is to require the plaintiff to exercise the right to sue within a reasonable time. In criminal cases, a statute of limitations is an act of grace because the government surrenders its right to prosecute after a period of time.

A statute of limitation ensures that a civil or criminal defendant has a fair opportunity to respond where the facts in dispute occurred so long ago that evidence is lost or witnesses cannot be located. A statute of limitation does not prohibit a plaintiff from filing a case, but it does allow the defendant to ask the court to dismiss a case which is filed after the statutory time limit has expired.

Individuals inquiring about statutes of limitation should be referred to an attorney or directed to the Law Library. Remember, clerks are not allowed to give legal advice. Administrative Rule 2(d) and AS 08.08.230.