

New York Adult Survivors Act 2022: Frequently Asked Questions (Adapted from safehorizon.org/adult-survivor-act)

Beginning on November 24th, 2022, the [Adult Survivors Act](#) (ASA) went into effect in NYS. The ASA is a law that provides a 1 year “look back window” for adults that were sexually assaulted or raped to file a civil suit against their assaulter or an institution that protected them if they are past the current statute of limitations to file.

Who is covered by this law?

Anyone who was sexually assaulted as an adult in New York State and whose claim is outside the statute of limitations. Under New York law, an adult is anyone who is 18 or older.

What is considered a sexual assault or rape under this law?

For specific questions about your experience and if it falls into the guidelines of this law we recommend talking with an attorney, but the sex offenses as defined in [Penal Law 130](#) are covered by this law.

When does the Look Back Window Expire?

The lookback window opens on November 24, 2022, and closes on November 24, 2023. The case does not need to have been resolved by the end of the window but it does need to have been appropriately filed.

Is a Civil Case the same as a Criminal Case?

No, Civil and Criminal cases have different processes, burdens of proof, and possible sanctions if someone is found guilty or liable. In simpler terms:

- **In a criminal case**, the state decides if and how to pursue the case. If the abuser is convicted, they may be sentenced to jail or prison.
- **In a civil case**, the survivor, not the state, makes decisions that shape the case, including whether to sue, accept a settlement offer, or go to trial. If the court rules in favor of the survivor, the abuser may have to pay damages.
- Civil cases may also hold institutions, like churches, schools, or organizations, accountable.

Can the Advocacy Center help me file a case under the ASA?

Civil Lawsuits are not our expertise, and you will benefit from working with an experienced attorney. However, advocates can provide a compassionate and non-judgemental ear as you decide to file a case or not, provide resources to finding an appropriate attorney, and support you throughout your case if you choose to file.

Where can I learn more?

Visit safehorizon.org/adult-survivor-act for FAQ's, a webinar with attorney's about the ASA, and a general guide to choosing an attorney. Or, call our 24 hour hotline at 607.277.5000.

24 Hour Support in Tompkins County: 607.277.5000 or actompkins.org

