

SAMPLE –Statute of Limitations -Article

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Understanding Statute of Limitations

If you have been injured by the act of another, you have the right to claim compensation under the personal injury law. The compensation can be for lost wages, medical bills, the suffering you go through and any other losses. But your legal claim can be barred if you cross the window of time within which the compensation needs to be claimed. Here lies the importance of - statute of limitations. It determines the period of time within which the injured person should file a lawsuit against the party responsible for his or her injuries.

The statute of limitations can vary according to the kind of legal claim you have. In Ohio, the statute of limitations for medical malpractice is 1 year, which can be extended in case of an insertion of a foreign object into the body. In the latter case, the time limitation is 1 year from the date on which the foreign object was discovered in the body. But the date can in no way extend beyond 4 years after the foreign object was inserted into the body.

In case of a wrongful death, the statute of limitation is 2 years and is the same, for injury caused by a dangerous or defective product. 'Fraud' cases have statutes of limitations up to 4 years.

The rules tend to differ slightly for minors. Except for wrongful death claims, a minor's statute of limitations is tolled until the child is of 18 years.

Although most injured people have a minimum time period of 1 to 2 years to file a personal injury action, it is better to go ahead with the process immediately after the injury occurs. The sooner the case is filed, the easier it is for your attorney to collect evidence and make a strong case in your favor.