

PRESS RELEASE

Oddo & Babat: Judge Rules that New York's Child Victims Act is Constitutional

SOURCE Oddo & Babat, PC

NEW YORK, May 14, 2020 /PRNewswire/ -- A state court judge rejected the attempt by the Diocese of Rockville Centre to dismiss all cases brought against them under New York State's Child Victims Act (CVA) on the grounds that the extension of time to file suit under the act was unconstitutional. The CVA, enacted in 2019, created a special "look back" period which allowed the filing of sexual abuse lawsuits that were previously barred by the statute of limitations.

State Supreme Court Judge Steven Jaeger rejected the diocese plea to dismiss 44 lawsuits filed against them. Judge Jaeger found that "Based on this legislative history, the court finds the Child Victims Act is a reasonable response to remedy the injustice of past child sexual abuse." The court further held that "Accordingly, it does not violate defendant diocese's right to due process under the New York State Constitution."

"Thankfully, the court's decision recognized the constitutionality of the CVA and acknowledged to the victims of childhood sexual abuse, and their families, that they will be able to seek justice," said David Oddo, a senior partner at Oddo & Babat, a law firm that represents many victims of childhood sexual abuse (<https://c212.net/c/link/?t=0&l=en&o=2805044-1&h=2241958606&u=https%3A%2F%2Fwww.oddobabat.com%2Fareas-of-law%2Fchildhood-sexual-abuse-lawyer-new-york-ny%2F&a=law+firm+that+represents+many+victims+of+childhood+sexual+abuse>) under the CVA.

Last year, the Rockville Centre Diocese asked the court to dismiss all of the lawsuits filed against them in a motion filed in Nassau County. They claimed that the extension of the statute of limitations violated their due process rights. However, Judge Jaeger found that New York courts have previously upheld suspensions of time limitations as a remedy in extraordinary cases.

Over 1,700 CVA lawsuits have been filed in New York State since the "look back" window was opened last August. The one-year window was originally set to expire in August, but Gov. Andrew Cuomo used an Executive Order to extend the deadline to January, due to the COVID-19 pandemic.

Oddo & Babat (<https://c212.net/c/link/?t=0&l=en&o=2805044-1&h=2328883793&u=https%3A%2F%2Fwww.oddobabat.com%2F&a=Oddo+%26+Babat>) represents a significant number of childhood abuse victims under New York's Child Victims Act throughout New York State. If you, or someone you know, has any questions about pursuing a claim under the Child Victims Act, please contact Oddo & Babat by calling (212)642-0950, or info@oddobabat.com (<mailto:info@oddobabat.com>).

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