

Dissecting Nevada's statute of limitations

By Ana Ley, Las Vegas Sun

Among the more surprising ways Nevada's two-year statute of limitations protects defendants from excessive litigation is by actually dissuading potential plaintiffs by giving them ample time to think about filing suit.

"Strangely, and somewhat perversely," shorter time limits – like that of Kentucky, Louisiana and Tennessee, which span one year – tend to backfire because people often feel rushed into taking legal action after perceived wrongdoing, says UNLV law professor Thomas Main, who specializes in civil procedure.

In a conversation with the *Sun*, Main dissected Nevada's statute of limitations in cases involving personal injury and death:

How exactly can a longer statute of limitations subdue litigation?

Those statute of limitations periods – one way of thinking about them is that they give a person who would file a lawsuit a chance to see whether or not they need to file a lawsuit. If a statute were only 30 days or 60 days, everybody would have to hurry and find a lawyer and file a lawsuit before they really found out whether or not they needed to.

That is one often-overlooked thing – the virtue that, in a sense, it can discourage lawsuits because you can wait and see if you need to file one.

Over the course of years, a person can look back and realize an injury was just a bad weekend and one missed day of work.

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