



# STATE BAR OF MICHIGAN

## Member Comment

### Member Name:

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### Bill Number:

HB 4467 (Condino) Civil procedure; statute of limitations; civil action for damages resulting from criminal sexual conduct against a minor; extend tolling of statute of limitations. Amends sec. 5851 of 1961 PA 236 (MCL 600.5851).

### Date comment submitted:

July 24, 2006

### Member Position:

In response to SBM member Larry Mulligan, I believe that the statute should be extended the class of repressed memory involving crimes is much broader than children. Would you suggest that intimidation and memory be a basis for tolling the statute or extending the time for other ages?

### State Bar of Michigan Position:

Oppose in Principle. Due to the length of time the statute of limitations would be extended, the due process rights of the defendant may be violated.