



Kansas

Statute of Limitations & Other Deadlines

Disclaimer and warning: This information is provided by The Bar Plan and is to be used only for general information purposes and should not be construed as legal advice or legal opinion on any specific facts or circumstances. This is not inclusive of all exceptions and requirements for each statute of limitations or time limitation. When using this list, each attorney should always refer to the statute or rule, corroborate all dates and immediately calendar the earliest possible time limit.

The date of accrual for the limitations set forth in K.S.A. 60-513 is, at the latest, when the fact of injury is reasonably ascertainable. (See K.S.A. 60-513(b) and the specific time limitation.)

*Signifies a discovery requirement in either whole or part. Please consult the applicable statute and case law to determine when the statute of limitations begins to run

12/2016

Answer to petition (State Court)	21 days*	K.S.A. 60-212(a)
Answer to complaint (Federal Court)	21 days*	F.R.C.P. 12(a)(1)
Answer to cross-claim	21 days*	K.S.A. 60-212(a)
Assault, Battery	1 year	K.S.A. 60-514(b)
Contract (written)	5 years	K.S.A. 60-511(1)
Contract (all others)	3 years	K.S.A. 60-512(1)
Conversion	2 years*	K.S.A. 60-513(a)(2)
Discovery – Answer to interrogatories (State Court)	30 days*	K.S.A. 60-233(b)(2)
Discovery – Answer to interrogatories (Fed. Court)	30 days	F.R.C.P. 33(b)(2)
False Imprisonment	1 year	K.S.A. 60-514(b)
Federal Tort Claims Act – accrual/denial	2 years/6 months*	28 U.S.C. 2401(b)
Fraud	2 years*	K.S.A. 60-513(a)(3)
Libel	1 year	K.S.A. 60-514(a)
Malicious Prosecution	1 year	K.S.A. 60-514(b)
Medical Malpractice	2 years*	K.S.A. 60-513(a)(7)&(c)
Municipalities, from date of denial of claim	90 days*	K.S.A. 12-105b(d)
Personal Actions in General	2 years*	K.S.A. 60-513(a)(4)
Probate Claim – from publication of notice	4 months/30 days*	K.S.A. 59-2236(a); 59-2239(1)
Probate Claim – from date of death	6 months*	K.S.A. 59-2239(1)
Real Estate – trespass	2 years*	K.S.A. 60-513(a)(1)
Sale (covered by U.C.C.)	4 years*	K.S.A. 84-2-725(1)
Slander	1 year	K.S.A. 60-514(a)
Work Comp – App. For Hearing – accident/compensation	3 years/2 years*	K.S.A. 44-534(b)
Work Comp – Notice to Employer	20 days/10 days*	K.S.A. 44-520
Work Comp – Deadline for Hearing	1 year/3 years*	K.S.A. 44-523(f)
Wrongful Death	2 years*	K.S.A. 60-513 (a)(5)

Fair Debt Collection Practices Act (FDCPA):

FDCPA claims are now the most common claim reported to The Bar Plan.

Five most common statutes violated:

- Harassment...15 U.S.C. 1692d
- False representations...15 U.S.C. 1692e
- Unfair practices...15 U.S.C. 1692f
- Failure to Validate or Follow Dispute Procedures...15 U.S.C. 1692g
- Deceptive Forms...15 U.S.C. 1692j

Statute of Limitation to file a FDCPA suit:

Suit for Violation of Fair Debt Collections Practices Act - **1 year** - 15 U.S.C. 1692k(d)



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