



Missouri

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 R.S.Mo.516.100 through 516.370 is when the damage is sustained and capable of ascertainment. See R.S.Mo. 516.100 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.

**By the original agreement the parties may reduce the period of limitation to not less than one year but may not extend it. See statute for details.

12/2016

Answer to petition (State Court)	30 days*	Mo. Rule 55.25(a)
Answer to complaint (Fed. Court)	21 days	F.R.C.P. 12(a)(1)
Answer to cross-claim (State Court)	30 days	Mo. Rule 55.25(b)
Answer to cross-claim (Fed. Court)	21 days	F.R.C.P. 12(a)(1)
Assault, Battery	2 years	R.S.Mo. 516.140
Contract – Sale governed by U.C.C.	4 years**	R.S.Mo. 400.2-725(1)
Contract – written, for payment of money or property	10 years	R.S.Mo. 516.110(1)
Contract – all others	5 years	R.S.Mo. 516.120(1)
Conversion of Chattels	5 years	R.S.Mo. 516.120(4)
Discovery – Answer to interrogatories (State Court)	30 days*	Mo. Rule 57.01(c)
Discovery – Answer to interrogatories (Fed. Court)	30 days	F.R.C.P. 33(b)(2)
False Imprisonment	2 years	R.S.Mo. 516.140
Farmers' Mutual Property Insurance Companies	12 months*	R.S.Mo. 380.591(1)
Federal Tort Claims Act	2yrs/6months*	28 U.S.C. 2401(b)
Fraud	5 years*	R.S.Mo. 516.120(5)
Libel	2 years	R.S.Mo. 516.140
Malicious Prosecution	2 years	R.S.Mo. 516.140
Medical Malpractice	2 years*	R.S.Mo. 516.105
Municipalities, notice	90 days	R.S.Mo. 82.210,79.480,77.600,81.060
Personal Actions in General	5 years	R.S.Mo. 516.120
Probate – Claim against estate from publication of letters	6 months*	R.S.Mo. 473.360
Probate – Claim against estate from date of death	1 year	R.S.Mo. 473.444(1)
Real Estate – trespass	5 years	R.S.Mo. 516.120(3)
Slander	2 years	R.S.Mo. 516.140
Worker's Compensation	2 years*	R.S.Mo. 287.430
Wrongful Death	3 years	R.S.Mo. 537.100

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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