



When Your Voice Deserves Justice
A Guide for Survivors Who Refuse To Be Silenced



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Disclaimer

This guide was created to help survivors understand the justice system in clear, human language. It pulls from publicly available information, legal frameworks, and survivor-centered best practices. While every effort was made to ensure accuracy, laws change, procedures vary by state, and every case is unique.

This guide is not legal advice.

It does not replace an attorney, advocate, therapist, or crisis professional.

Reading this guide does not create an attorney–client, advocate–client, or professional relationship of any kind.

If you are considering taking legal action, consult with a licensed attorney in your state. If you are in danger, contact local law enforcement or a crisis hotline.

Our Purpose

The Novel Advocate exists to make sure survivors are heard, seen, and never silenced again.

This guide was built to:

- Help you understand the criminal and civil justice systems
- Explain your rights in plain language
- Show you what options may exist after harm
- Help you advocate for yourself with clarity and confidence
- Support the people who support survivors

You deserve answers.

You deserve clarity.

You deserve to move forward without fear.



An Overview of the Justice System



Criminal Justice System

- Crime is against the State
- Focuses on guilt/punishment (prison, probation)

Civil Justice System

Offense against a person

- Accountability directly to victims
- No criminal punishment (no prison)



A Brief Overview of the Criminal Justice System

The Key Players

The Defendant

The person accused of the crime.

The Prosecution

This is the State's the attorney representing the government, not the victim.

The Victim

The person harmed by the crime. You may testify, provide statements, and have rights... but you do not control the case.

The Judge or Jury

The people who decide guilt or innocence.

How Criminal Court Works

- The defendant is accountable to the State, not to you personally.
- The State must prove the case beyond a reasonable doubt, which is the highest legal standard.
- The defendant is presumed innocent until proven guilty.
- If the accused is found not guilty, the State cannot prosecute them again for the same crime (double jeopardy).

What This Means for Survivors

Criminal court can deliver justice... but it can also feel distant, slow, and out of your hands. Your voice matters, but the system does not revolve around your needs. This is why many survivors also turn to the civil justice system, where they have more control.

The Realities of Criminal Prosecution

The criminal justice system can be a powerful tool for accountability, but it isn't perfect. Survivors often walk into the process hopeful and walk out feeling conflicted. Understanding the benefits and limitations can help you make informed choices about what justice looks like for you.

Advantages of Criminal Prosecution

A sense of justice and validation

When the State brings charges, many survivors feel seen. They're no longer carrying the responsibility alone.

A chance to tell your story

Whether through interviews, statements, or court testimony, you may have opportunities to be heard.

Protection for the community

A successful prosecution can prevent further harm by removing dangerous individuals from situations where they can reoffend.

Official acknowledgment of the crime

A conviction publicly confirms what happened and holds the perpetrator accountable under the law.

Disadvantages of Criminal Prosecution

Limited control for victims

The case belongs to the State. You don't get to decide charges, strategy, or plea deals. That can be frustrating and painful.

The defendant's rights come first

Criminal court is built to protect the accused sometimes at the expense of the survivor's comfort, emotional safety, or sense of justice.

The process can feel re-traumatizing

You may have to share your experience multiple times with police, attorneys, and the court.

Outcomes aren't guaranteed

The burden of proof is very high. Even strong cases can end in acquittal, and that can feel like the harm is being erased.

A Note for Survivors

Criminal prosecution is one path to justice — not the only one.
Some survivors find closure here.
Others don't. Some choose not to participate at all, and that's valid.
Your healing is not defined by a courtroom or a verdict.

Restitution in the Criminal Justice System

Understanding Criminal Restitution

Restitution is money the court may order the defendant to pay you as part of their criminal sentence. Think of it as the justice system's way of trying to restore what was lost — at least financially. But restitution has limits, and survivors are often surprised by what it can and cannot do. This page breaks it down clearly, so you know exactly what to expect.

How Restitution Works

Every state handles restitution differently.

- Some states have strong systems... others don't.
- Your state's Office for Victims of Crime is the best place to start for local rules.

Restitution must be requested before sentencing.

- Courts cannot go back later and add it.
- This is why timing matters.

Restitution covers out-of-pocket losses.

Things like:

- medical bills
- damaged property
- counseling costs
- lost wages
- funeral expenses (in some states)

Restitution is ordered by the judge — not the victim.

- The final amount depends on evidence and state law.

A restitution order is NOT a guarantee of payment.

- Even with a court order, many defendants don't have money, assets, or employment.

This is one of the biggest frustrations survivors face.

What Restitution Can't Do

It can't compensate you for pain and suffering.

- It can't punish the offender financially the way civil court can.
- It can't be enforced if the offender has no ability to pay.
- It doesn't replace a civil lawsuit — the two systems are entirely separate.

When Restitution Helps and When It Doesn't

Restitution can be incredibly helpful when:

- ✓ the offender is employed
- ✓ the offender has assets
- ✓ probation can enforce payment
- ✓ losses are clear and documented

But it may not be enough when:

- ✗ the offender is incarcerated
- ✗ the offender is unemployed
- ✗ damages are long-term or significant
- ✗ emotional trauma is the primary harm

This is why many survivors pursue both criminal and civil options.
Each system offers different kinds of justice.

The Civil Justice System

An Alternative Path to Justice

Not every form of justice happens in a criminal courtroom.

Civil court gives survivors something the criminal system often can't — a voice, control, and direct **accountability** from those who caused harm.

Civil justice isn't about putting someone in prison.

It's about rebuilding your life, recovering losses, uncovering truth, and holding the right people responsible.

Who's Who in Civil Court

The Plaintiff

You — the survivor.

You (or your family) control the case. You decide whether to pursue it, settle it, or continue it. Your attorney represents **your interests**, not the State's.

The Defendant(s)

This can be:

- the person who harmed you
- people who helped them
- institutions that failed to protect you
- employers, landlords, schools, or organizations

Civil cases can have multiple defendants, depending on who contributed to the harm.

How Civil Justice Works

The *defendant* is accountable to **you**, not the government.

- There is **no presumption of innocence** — civil court is not criminal court.
- The legal standard is lower: **"More likely than not."**

This means the survivor must show that the harm probably occurred the way they describe.

Civil justice focuses on:

- financial recovery
- accountability
- long-term losses
- emotional and psychological harm
- safety and prevention
- answers you may not get in criminal court

Why Survivors Choose Civil Court

- ✓ Control over the process
- ✓ Compensation for real losses
- ✓ Answers the criminal system never uncovers
- ✓ The ability to expose misconduct
- ✓ A sense of justice on your terms
- ✓ Accountability from individuals AND institutions

Types of Lawsuits Survivors Can Bring

Understanding Your Options in Civil Court

Civil law gives survivors the ability to hold people and institutions accountable for the harm they caused. There isn't just one type of civil case, there are several paths, depending on what happened, who was responsible, and how the harm affected your life.

Here's a clear overview of the most common types of lawsuits survivors may pursue.

1. Intentional Torts

Intentional torts involve actions done on purpose, not accidents, not misunderstandings, but choices that caused harm.

These can include:

- Assault
- Battery (physical harm)
- False imprisonment
- Stalking and harassment
- Sexual assault / sexual battery
- Intentional Infliction of Emotional Distress (IIED)
- Fraud or coercion
- Homicide (civil wrongful death claims)

These cases hold individuals directly responsible for their actions.

2. Negligence Claims

Negligence happens when someone fails to act with reasonable care, resulting in harm. They didn't mean to hurt you — but they should have done something to prevent it.

Examples include:

- negligent security (e.g., unsafe apartments, hotels, parking lots)
- negligent supervision (e.g., schools, youth programs)
- negligent hiring or retention (e.g., employers ignoring red flags)
- negligent medical or mental health care
- unsafe property conditions (“premises liability”)
- failure to protect children or vulnerable adults

Negligence claims can target individuals, organizations, or businesses that failed to act responsibly.

3. Wrongful Death Cases

When a crime results in someone's death, their family may bring a wrongful death lawsuit.

These cases can seek:

- funeral expenses
- loss of support
- emotional damages
- loss of companionship
- punitive damages (in some states)

Wrongful death suits can be brought against individual offenders, corporations, or institutions that contributed to the circumstances that caused the loss.

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4. Third-Party Liability Cases

Sometimes, the person who hurt you isn't the only one responsible. Civil law allows survivors to hold others accountable when they helped create the conditions for harm.

Examples:

- a hotel that failed to provide basic security
- a rideshare company that ignored safety complaints
- a school or church that covered up reports of abuse
- a bar that overserved someone who later caused harm
- an apartment complex that ignored serious safety issues

These cases can expose systemic failures and create lasting change.

5. Special Civil Actions for Certain Crimes

These vary by state, but the core idea is this: **Survivors don't need a criminal conviction to pursue civil justice.**

In some states, survivors may also bring:

- Civil sexual assault claims (even without criminal charges)
- Civil stalking / harassment claims
- Civil domestic violence claims
- Civil human trafficking lawsuits
- Civil child abuse claims
- Adult Protective Services–related civil actions

A Note for Survivors

Civil cases are not about revenge.

They're about truth, accountability, and healing.

They're about making sure what happened to you doesn't get minimized, buried, or dismissed.

And they give survivors something no criminal court can: the power to lead the process.

Understanding Tort Law

A Step by Step Look at What Happens in Civil Court

What is Tort Law?

Tort law is the part of civil law that deals with harm.

A tort is a wrongful act that causes injury, loss, or damage to another person. Civil court uses tort law to decide who is responsible and what they should pay to make things right.

You do not need to know legal jargon to understand torts. Think of it this way:

A tort is the legal name for the harm someone caused you.



What Is a Cause of Action?

A cause of action is your legal reason for filing a lawsuit. It is the specific harm that happened and the law that allows you to take action for it.

If something happened that caused you injury, trauma, or loss, your attorney identifies the cause of action that fits your situation.

Intentional Torts

These happen when someone chooses to act in a way that causes harm.

Examples include:

- assault
- battery
- sexual assault
- false imprisonment
- stalking or harassment
- intentional infliction of emotional distress
- fraud or coercion
- wrongful death caused by intentional acts

Key elements of an intentional tort:

- Someone acted on purpose
- Their actions caused harm
- They are legally responsible for the damage they caused

Most crimes also have a matching intentional tort in civil court.

Negligent Torts

Negligence happens when someone fails to act with reasonable care and harm was foreseeable.

They did not mean to hurt you, but their carelessness created the danger.

Examples include:

- unsafe property conditions
- lack of security in apartments or businesses
- failure to supervise children or vulnerable adults
- ignoring reports of abuse
- negligent medical or mental health care
- hiring or retaining dangerous employees

Key elements of negligence:

- Someone failed to act responsibly
- The risk of harm should have been obvious
- That failure caused injury, trauma, or loss

Negligence is almost always handled in civil court, not criminal court.

Understanding torts helps you understand:

- what type of lawsuit you can bring
- who might be responsible
- what kind of damages you can seek
- why civil court gives survivors more options

You do not need to become a legal expert.

This guide simply gives you the language to understand what your attorney is talking about and what your rights truly are.

Understanding Intentional Harm in Civil Law

A Step by Step Look at What Happens in Civil Court

Intentional torts happen when someone chooses to act in a way that causes harm.

These are not accidents. These are deliberate actions that hurt another person physically, emotionally, financially, or psychologically.

Civil law allows survivors to hold the wrongdoer responsible for the damage their choices caused.



Elements of an Intentional Tort

The Act

Someone did something. It was a choice, not an accident.

Intent

They meant to do the act. They did not need to intend the harm, only the action that caused it.

Causation

Their actions led directly to the harm.

Damages

You were injured, harmed, or suffered loss.

These elements give your attorney what they need to build a strong case.

Common Examples of Intentional Torts

Battery

Physical contact that causes harm

Assault

Causing fear of immediate harm.

Domestic Violence

Abuse in intimate partner or family relationships.

Stalking

Repeated unwanted contact that creates fear or distress.

Fraud

Deception that results in harm or loss.

Intentional Infliction of Emotional Distress

Extreme or outrageous behavior that causes emotional trauma.

These cases allow survivors to take legal action even if criminal charges were never filed.

Affirmative Defenses to Intentional Torts

Sometimes defendants claim defenses to avoid responsibility.

Understanding them helps you feel prepared.

Consent

Claiming the survivor agreed to the act.

Self Defense

Claiming the act was used to protect themselves.

Defense of Others

Claiming they acted to protect someone else.

Your attorney will explain why these defenses may or may not apply in your situation.

Understanding Intentional Harm in Civil Law

A Step by Step Look at What Happens in Civil Court

Negligent Torts

When Harm Happens Because Someone Failed to Act Safely

Negligence does not involve intent.

It happens when someone fails to act with reasonable care, and that failure leads to harm. Negligent torts are incredibly common and often appear in cases involving institutions, property owners, employers, schools, and medical or mental health providers.



Elements of Negligence

To prove negligence, the law looks at five basic elements:

1. Duty of Care

The person or organization had a responsibility to act safely.

2. Breach of Duty

They failed to meet that responsibility.

3. Causation

Their failure caused the harm.

4. Foreseeability

The harm was something a reasonable person could predict.

5. Damages

You suffered real injury, trauma, or loss.

Negligence focuses on what a responsible person or organization should have done but did not do.

Examples of Negligent Torts

- negligent hiring
- negligent retention
- negligent supervision
- negligent entrustment
- negligent infliction of emotional distress
- negligence per se
- inadequate or negligent security
- violations of Title IX protections
- unsafe property conditions

Most negligence cases involve third party defendants, such as schools, clinics, landlords, employers, or organizations that failed to protect someone.

Defenses to Negligence Claims

Defendants sometimes raise defenses that shift the blame or limit responsibility.

Comparative Negligence

Arguing the survivor was partly responsible.

Contributory Negligence

Similar to comparative, but harsher in some states.

Workers Compensation Bar

Some workplace injuries must go through workers compensation instead of civil court.

Statute of Limitations

A claim that too much time has passed to file.

Waiver

Claiming the survivor signed something that limits legal action.

Damages Unrelated

Arguing the harm came from another cause.

Your attorney will explain why these defenses may or may not apply in your situation.

Why Torts Matter for Survivors

Understanding tort law helps you understand the foundation of your case.

You do not need to memorize these terms.

You only need to know:

- a tort is a type of harm
- a cause of action is your legal reason to sue
- intentional torts involve choices
- negligent torts involve failures to act safely
- both can be powerful paths to justice

Civil justice recognizes the full reality of harm.

It gives survivors a way to hold not just individuals, but also institutions, employers, property owners, and systems accountable.

This knowledge gives you confidence as you move through your case, ask questions, and understand what your attorney is explaining.

Who Can Be Sued in Civil Court?

Understanding Who May Be Legally Responsible for the Harm

One of the strengths of the civil justice system is that it allows survivors to hold all responsible parties accountable, not just the person who committed the crime, but anyone whose actions (or failures) contributed to the harm.

Civil court recognizes that harm rarely happens in a vacuum.

There are almost always people, institutions, or systems that should have acted differently.

Here's who may be sued in a civil case.

1. The Person Who Caused the Harm (The Offender)

This includes anyone who:

- committed the assault
- engaged in abuse, violence, or exploitation
- intentionally inflicted emotional or physical harm
- caused a wrongful death
- engaged in fraud, manipulation, or coercion

These are called first-party defendants — the direct wrongdoers.

2. People Who Helped, Enabled, or Participated

Civil law can also hold accountable:

- accomplices
- co-conspirators
- individuals who knowingly assisted the abuser
- people who helped cover up or conceal the harm

If someone played a role — even behind the scenes they may be legally liable.

3. Employers, Businesses, or Organizations

These are known as third-party defendants, and they can be sued when they:

- failed to provide adequate security
- ignored complaints or warnings
- failed to supervise employees
- hired or retained dangerous individuals
- covered up misconduct
- created unsafe or negligent conditions
- violated safety policies or industry standards

Examples include:

- hospitals and clinics
- schools and universities
- property owners / landlords
- hotels and resorts
- rideshare companies
- bars, nightclubs, or entertainment venues
- churches or religious organizations
- youth programs
- mental health facilities
- employers of abusive staff members

If an institution allowed the harm to happen or failed to prevent it

— civil court can hold them accountable.

Who Can Be Sued in Civil Court?

Understanding Who May Be Legally Responsible for the Harm

4. Property Owners and Landlords

A landlord, property manager, or business owner may be liable if:

- security was inadequate
- lighting was poor
- locks or doors were faulty
- warnings were ignored
- past violence was not addressed
- dangerous conditions were left uncorrected

These cases fall under premises liability and negligent security.

5. Agencies or Systems That Failed to Protect

In some cases, survivors may be able to sue:

- child protective services
- group homes
- elder care facilities
- security companies
- contractors
- government entities (in limited circumstances)

These cases require special rules and deadlines, but they exist for a reason: when a system meant to protect people fails, they can be held responsible.

A Note for Survivors

You are not limited to “going after one person.” Civil justice recognizes the full reality. Harm is often the result of multiple failures, not just one bad act.

If someone contributed to the harm, whether through action, negligence, or silence, civil law gives you the right to hold them accountable.

You deserved better.

Civil court gives you a path to seek that truth.

Damages Survivors Can Seek in Civil Court

Understanding Damages and Financial Recovery

Civil justice is designed to help survivors rebuild their lives. While criminal court focuses on guilt and punishment, civil court focuses on your losses, your healing, and your future. The goal is simple. To restore what was taken from you as much as the law allows.

Below is a clear explanation of the types of compensation survivors may seek.

1. Compensatory Damages

Compensatory damages are meant to cover the harm you have already suffered and the harm you may continue to experience in the future.

Economic Damages

These are losses that can be measured or documented.

- medical bills
- mental health counseling
- medication costs
- transportation related to treatment
- lost wages
- lost earning capacity
- property damage
- funeral and burial expenses in wrongful death cases

Non-Economic Damages

- emotional distress
- trauma related symptoms
- pain and suffering
- loss of enjoyment of life
- anxiety, depression, PTSD
- loss of companionship or relationship strain

These address the impact that cannot be measured with receipts.

Some states limit the amount of non-economic damages that can be awarded, while others do not.

2. Punitive Damages

Punitive damages are meant to punish outrageous or reckless behavior and to discourage others from committing similar harm.

Not all states allow punitive damages, and the rules vary. These damages are usually awarded in cases involving:

- intentional violence
- extreme negligence
- abuse
- cover ups
- institutional misconduct

Punitive damages are not about restoring losses. They are meant to send a message that the behavior was unacceptable.

Damages Survivors Can Seek in Civil Court

Understanding Damages and Financial Recovery

3. Future Damages

Some harm continues long after the incident. Civil court can account for long term needs, such as:

- ongoing therapy
- trauma recovery
- long term medical care
- future lost wages
- disability or reduced earning potential

These damages recognize that healing often extends far beyond the first year after the harm.

4. Special Damages in Certain Cases

Depending on the type of case, survivors may also seek:

- costs of relocating for safety
- increased security measures
- childcare needed due to trauma
- expenses related to identity change in extreme situations
- long term medical complications
- bills from delayed trauma responses

These are situation specific and depend on state law.

A Note for Survivors

Seeking damages is not about putting a price on your pain.
It is about recognition. It is about recovery.
It is about rebuilding stability after harm shook the foundation of your life.

Civil justice exists because what happened to you was not small.
Your healing and your future matter.

How the Civil Lawsuit Process Works

A Step by Step Look at What Happens in Civil Court

Civil court can feel intimidating if you have never been part of a lawsuit before. The truth is more simple than it seems. A civil case is a structured process where your attorney gathers evidence, builds your case, and works to hold the responsible party accountable.

Here is a clear overview of what the process looks like.

The Initial Consultation

Your attorney meets with you to understand what happened, review your goals, and determine whether you have a strong civil claim. You do not need every piece of evidence on day one. You only need your story and whatever you already have.



Investigation

Your legal team gathers information to build the strongest case possible.

This can include:

- police reports
- medical and therapy records
- witness statements
- timelines
- photos, videos, or messages
- institutional records
- expert opinions



This stage helps identify who may be held responsible and what damages you can seek.

Filing the Complaint

Your attorney files a formal document known as a complaint.

This explains:

- what happened
- who is responsible
- the type of harm you suffered
- what compensation you are seeking



Once the complaint is filed, the defendants are officially notified.

How the Civil Lawsuit Process Works

A Step by Step Look at What Happens in Civil Court

The Discovery Process

Discovery is the information exchange between both sides. It is one of the most important stages of a civil case.

Discovery may include:

- written questions
- requests for documents
- depositions
- expert analysis
- review of institutional policies and failures



Discovery helps uncover the full truth, including documents you would never receive outside a lawsuit.

Settlement Discussions

Most civil cases settle before trial.

Settlement can happen at any time, including early in the case or after discovery reveals important information.

Settlements may include:

- financial compensation
- safety agreements
- confidentiality or non confidentiality terms
- structured payment plans



**You always choose whether to settle or continue.
The decision is yours, not the attorney's and not the court's.**

Mediation or Negotiation

Some states require mediation. Others use it voluntarily.

A trained mediator helps both sides explore possible agreements.

This process is private and focused on resolution..

Trial

If settlement does not happen, the case goes to trial. Your attorney presents evidence, witnesses, expert testimony, and your damages.

The judge or jury decides responsibility and compensation.

Most survivors never have to testify in a crowded courtroom. Many trials rely heavily on documents, experts, and attorney presentations.

Collecting the Judgment

If you win, the court orders the defendant to pay the amount awarded. Your attorney will help enforce the judgment, which may involve:

- wage garnishment
- liens on property
- structured payments

This step can take time, depending on the defendant's financial situation.

Special Considerations for Survivors of Crime

What Makes These Cases Unique

Civil cases involving crime are different from everyday lawsuits. Survivors face emotional, legal, and logistical challenges that other civil plaintiffs may never experience. This page helps explain what to expect so nothing catches you off guard.



Emotional Weight

Civil cases can bring up:

- trauma memories
- shame
- fear of being disbelieved
- pressure from others
- exhaustion from retelling the story

You are not weak for feeling this.

You are human, and the process is heavy.

This is why having a trauma informed attorney matters.

Privacy Concerns

Civil cases may involve:

- medical records
- therapy notes
- text messages
- photos
- timelines
- social media posts

Your attorney will work to protect your privacy and limit unnecessary disclosure.

Safety Concerns

Survivors may worry about:

- retaliation
- harassment
- intimidation
- contact from the defendant
- online stalking

Civil attorneys can request protective orders, no contact terms, and safety measures.

Delayed Reporting

Many survivors wait months or years before coming forward.

This does not weaken your story. It reflects the reality of trauma.

Civil cases often remain strong even when criminal cases cannot move forward because of timing.

Financial Barriers

Most civil attorneys for crime victims work on contingency, meaning you do not pay unless they win.

This allows survivors to pursue justice without up front costs.

The Survivor Leads the Case

Unlike criminal court, you have control here.

You and your attorney decide: when to file • who to sue • whether to settle • how far to push the case

Your voice matters at every step.

Legal Challenges Survivors May Face

Understanding the Roadblocks and How to Navigate Them

Civil cases are powerful tools for justice, but they can come with obstacles. Knowing them ahead of time helps you stay grounded.



Proving Damages

Some harms are invisible.

Trauma does not always show on paper. Your attorney may use:

- therapy notes
- expert witnesses
- medical documentation
- journals or timelines
- friends and family statements

These help show the full impact of what you survived

Statute of Limitations

A statute of limitations is the deadline for filing a lawsuit.

The deadline depends on:

- the type of harm
- the state
- the survivor's age
- when the harm was discovered

Some states extend or pause the clock for victims of abuse, violence, or trauma.

If the deadline is close, your attorney will act fast.

Collecting Money After a Judgment

Winning a case does not guarantee payment. Some defendants:

- hide assets
- quit jobs
- move money
- disappear

Attorneys can still enforce judgments through:

- wage garnishment
- liens
- asset tracing
- bank levies

Enforcement can take patience, but it is possible.

Defendants Who Deny or Minimize

Many defendants claim:

- it never happened
- it was exaggerated
- the survivor is confused
- there was consent
- someone else is to blame

Your attorney prepares for these defenses so you never feel caught off guard.

Institutions Protecting Themselves

Schools, clinics, employers, churches, and businesses may:

- destroy records
- withhold information
- blame the survivor
- hide staff misconduct

Civil discovery can reveal what they never expected to come to light.

Statute of Limitations

What It Is and Why It Matters

The statute of limitations is the legal time limit for filing a lawsuit. If the deadline passes, the case may be dismissed, no matter how strong the facts are.

This is not about fairness. It is about the law.



Understanding the Timeline

Different types of cases have different deadlines. For example:

- assault
- domestic violence
- child abuse
- sexual assault
- homicide
- negligence
- institutional failures

Each has its own rules. *at a later time we will try to have a guideline for these deadlines*

Discovery Rule

Some states use the discovery rule. This means the clock starts when you realized the harm, not when it happened. This protects survivors who did not understand what happened at the time or who were too young or traumatized to report.

Tolling

Some states pause the deadline under certain conditions, such as:

- the survivor was a minor
- the survivor was mentally incapacitated
- the defendant fled the state
- fraud or concealment delayed discovery

Your attorney will explain which rules apply in your case.

Criminal vs Civil Cases



**Two Systems.
Two Goals.
Two Outcomes.**

Survivors often expect criminal and civil outcomes to match, but they rarely do. These systems operate under different rules.

Criminal Court Focuses On:

- punishment
 - guilt or innocence
 - proof beyond a reasonable doubt
 - protecting the rights of the accused
 - violations of state law
-

Civil Court Focuses On:

- compensation
- accountability
- reasonable evidence
- safety and recovery
- personal harm

A criminal acquittal does not prevent a civil lawsuit.

The two systems move independently.

Choosing the Right Attorney

What to Look For

A strong victim focused attorney should:

- understand trauma
- listen without judgment
- explain things clearly
- have experience with civil cases involving crime
- keep you informed
- put your safety first
- respect your boundaries
- believe your story
- avoid pressuring you to settle



You deserve representation that supports your healing, not one that adds stress to it.

Questions to Ask Before Hiring

- How many cases like mine have you handled
- Do you work on contingency
- What costs will I be responsible for
 - How often will you update me
 - Who will be working on my case
 - What are the strengths and weaknesses of my case
 - How long do cases like this take
- How do you protect client privacy
- Have you taken cases to trial
- What is your philosophy on settlement

You are interviewing them, not the other way around.

What to Expect Emotionally

Civil cases can bring:

- empowerment
- fear
- anger
- closure
- frustration
- confidence
- moments of overwhelm

Healing is not linear. Your emotional experience is valid.

Final Thoughts for Survivors

Civil justice is not about revenge. It is about truth.

It is about safety.

It is about accountability.

It is about rebuilding your life on your terms.

What happened to you matters.

Your voice matters.

Your healing matters.

You are not alone in this.