

# Florida Statute of Limitations Guide

**Statutes of Limitations in Florida** are primarily governed by Florida Statutes section 95.11 (FS.95.11).

## Negligence – Four Years

The Statute of Limitations in most Negligence cases is four years from the date the action “accrues”, usually the date of accident.

## First Party Actions – Five Years

First Party Actions on Insurance Policies are usually considered to be “Breach of Contract” actions with a five year Statute of Limitations.

## Wrongful Death – Two Years

Wrongful Death actions have a two year Statute of Limitations.

## Product Liability – Four Years

Product Liability cases usually have a four year Statute of Limitations, which runs from the date the cause of action is discovered or should have been discovered. However there are **several exceptions** and a **twelve year** Statute of Repose contained in **FS.95.081**.

## Professional Negligence – Two Years

The Statute of Limitations for Professional Negligence cases is usually two years from the date the cause of the action is discovered or should have been discovered.

## Medical Malpractice – Two Years

The Statute of Limitations for Medical Malpractice is two years from the time of the incident or two years from when the incident was discovered or should have been discovered with a maximum limit of four years from the incident. This can be extended for minors and in other special situations.

**Disclaimer** - Statutes of Limitations is a technical area of the law in Florida. This guide is intended for general information purposes only. The information contained in this guide is not intended to furnish legal services or advice. You should not act, or refrain from acting, in any way based on the information contained in this guide. Any specific question should be addressed to one of the attorneys at Williams, Leininger & Cosby, P.A.