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**Template for approaching an attorney for legal help  
for violations of your rights during birth**

*This document is a tool for individuals seeking to bring a legal case to redress harms caused by a violation of rights during birth. This document is not itself to be considered legal advice.*

***Statutes of limitations** restrict the amount of time that may pass after a violation before you bring a claim. Different types of **claims** - the kind of legal violation you are filing under - have different statutes of limitations in different states. For example, **battery** often has a 1-year limit, while **malpractice** has a 1- or 2-year limit. If you fail to file a case within the time limit set, the statute of limitations is said to have **tolled**, and you will not be permitted to file the claim.*

*As soon as you begin to consider filing a claim, check the restrictions for your claim in your state.*

*A legal case is not the only pathway to redress harms. You can also **file formal complaints** against the facility or providers, or **organize for change** through advocacy and with community groups like those found here: <https://birthrightsbar.org/brba-resources#related-organizations>*

*Several of those organizations have links to online information about filing complaints, like this: <http://www.ican-online.org/wp-content/uploads/2014/06/filing-a-hospital-complaint.pdf>*

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Dear \_\_\_\_\_

I am looking for a lawyer who is willing to take a novel case. I have been injured in a way that the current law does not commonly address. More and more people who have been harmed in this way are seeking redress and I am interested in considering legal action because of what happened to me.

Here are some examples of cases in this area:

[https://www.independent.co.uk/news/long\\_reads/childbirth-delivery-room-ethics-doctor-patient-healthcare-a8085346.html](https://www.independent.co.uk/news/long_reads/childbirth-delivery-room-ethics-doctor-patient-healthcare-a8085346.html)

<https://www.yahoo.com/news/woman-sues-hospital-for-traumatic-birth-that-201605478.html>

<https://www.nytimes.com/2014/05/17/nyregion/mother-accuses-doctors-of-forcing-a-c-section-and-files-suit.html>

Some examples of the legal claims that have been used in other cases like this include: battery, assault, medical malpractice, negligence, lack of informed consent, statutory patient's rights violations, breach of contract, fraud, violation of consumer protection laws, false advertising, violations of equal protection in public accommodations, and human rights violations. We need lawyers who are willing to push the envelope and who are willing to consider making claims that are not common or that have not been made in quite the same way before.

In my case, I was harmed at [Facility Name] on [Date]. The providers involved in this incident were [Provider Names]. The violation I experienced involved [Procedure Name] and [How the Procedure Was Performed or description of the nature of the violation]. The physical harms I suffer as a result of this experience are [Fill in physical harms]. The physical harms my infant suffered as a result of this experience are [Fill in physical harms]. The psychological harms I suffer as a result of this experience are [Fill in psychological harms]. The financial harms I suffer as a result of this experience are [Fill in financial costs]. I have my medical records from this event.

I know that there are other advocacy organizations that will support this case if you are willing to represent me. The Birth Rights Bar Association, [birthrightsbar.org](http://birthrightsbar.org), is a resource for lawyers working on these kinds of cases. They can help with finding experts, providing you with research, and helping you to learn more about this area and why cases like this need to be brought.

Thank you for your consideration,