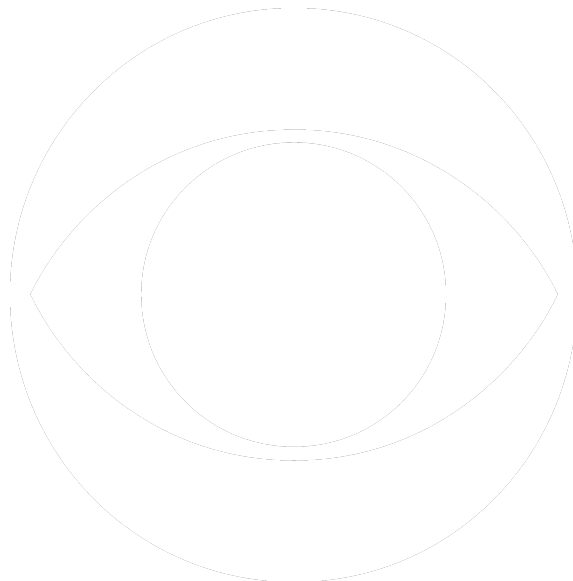



Utah Supreme Court rules on sex abuse lawsuit against former federal judge

 [kutv.com/news/local/utah-supreme-court-rules-on-sex-abuse-lawsuit-against-former-federal-judge](https://www.kutv.com/news/local/utah-supreme-court-rules-on-sex-abuse-lawsuit-against-former-federal-judge)



SALT LAKE CITY (KUTV) — The Utah Supreme Court struck down a 2016 law that lifted the statute of limitations for child sex abuse victims to bring civil cases against their abusers.

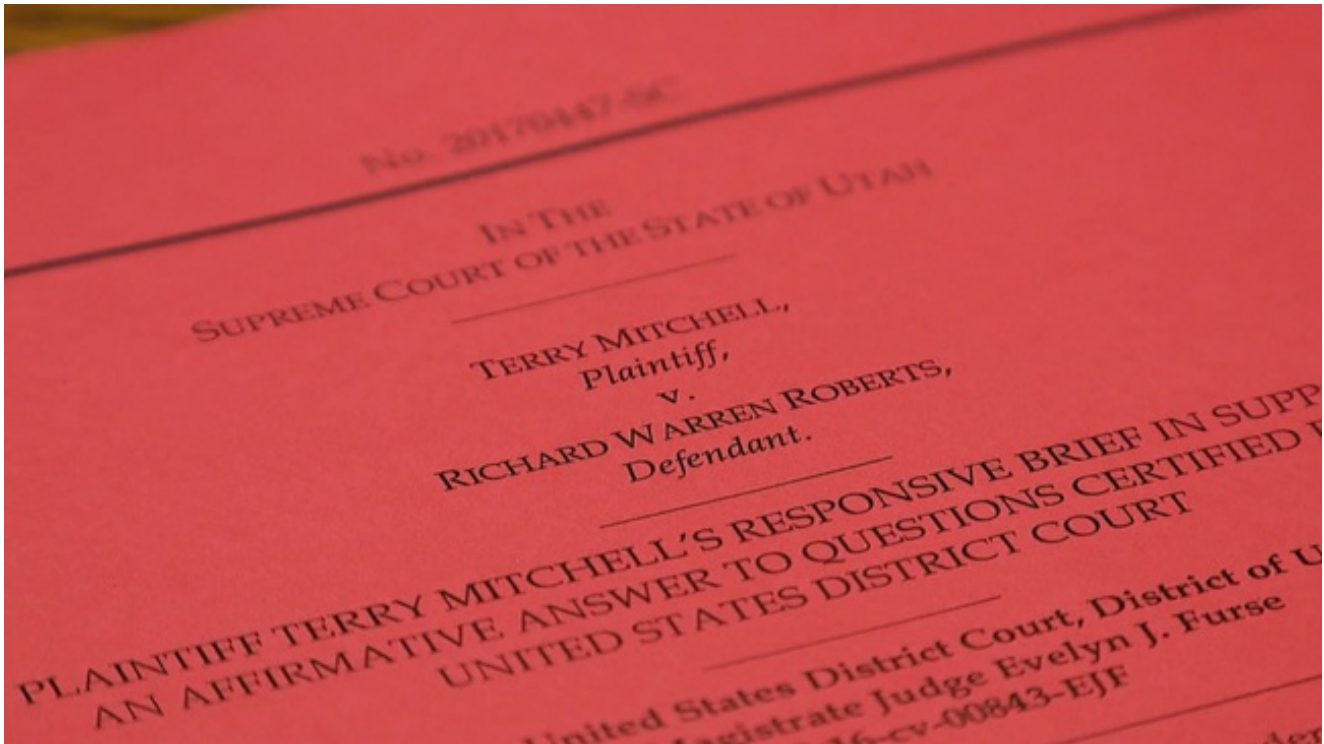
KUTV: Jeremy Harris reports{ }

The court’s decision, released Thursday, is a likely fatal blow to the lawsuit of Terry Mitchell, who alleged she was sexually abused by former federal prosecutor Richard W. Roberts in 1981. 

“The entire system has turned its back on Terry Mitchell,” Mitchell’s attorney, Rocky Anderson told 2News.

“It has been an unbelievable cycle of abuse and neglect, disregard and indifference by everybody in the system.”

The 2016 lawsuit centers around allegations that Roberts coerced Mitchell to have sex with him when he oversaw the prosecution of a 1981 murder case in Salt Lake City. Mitchell was a witness who testified in the murder case. She was 16 at the time; Roberts was 27.



Utah Supreme Court rules on sex abuse lawsuit against former federal judge (Photo: KUTV)

The Utah Supreme Court's 22-page ruling cited due-process concerns in the Utah Constitution.

“We hold that the Utah Legislature is constitutently prohibited from retroactively reviving a time-barred claim in a manner depriving a defendant of a vested statute of limitations defense,” Associate Chief Justice Thomas Lee wrote in the Court’s ruling.

[Supreme Court Ruling on Mitchell v. Roberts](#) by [Jeremy Harris](#) on Scribd

The ruling essentially eviscerates a 2016 legislation that specifically lifted the statute of limitations for child sex abuse victims to sue their abusers.

Ken Ivory sponsored [H.B. 279](#) and expressed disappointment with the Court’s ruling.



Utah Supreme Court rules on sex abuse lawsuit against former federal judge (Photo: KUTV)

“We had the overwhelming supermajority of the legislature, the policy making body of the state. We exercised our discretion to protect our citizens and the Supreme Court said ‘no, we’re going to substitute our discretion for the policymaking body of the people’ and that’s just not right,” Ivory told 2News.

Ivory added that plans are already in the works to amend the Utah Constitution to overcome the concerns cited by the Supreme Court.

“The Supreme Court is not the final say, the people are, and we are going to get this right,” Ivory said.

Mitchell v. Roberts by Jeremy Harris on Scribd

Mitchell’s lawsuit alleges Roberts admitted on a secretly-recorded phone call to having sex with her when she was 16.

After the alleged abuse in 1981, Roberts went on to become a judge with the Federal District Court in the District Columbia. He retired from his position in the Federal Court on the same day that Mitchell sued him 2016.



(Photo from 2News file video)

Anderson, Mitchell's attorney, said the ruling will not only affect Mitchell's case, but also other child sex abuse victims who now may not be able to challenge their abusers in court.

"They're shafted out of any possibility of justice," he said.

| [Mitchell - Statement by RCA Re S. Crt Opinion 061120 by Jeremy Harris on Scribd](#)