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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

SEP 11 2020

V. Morigoña

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

GENERAL ORDER RE: TIME FOR SERVICE ORDER NO. 2020-56
OF RESPONSIVE PLEADINGS IN FAMILY
LAW CASES

In light of the COVID-19 pandemic and proclamations of a State of Emergency by federal, state and local officials, and the subsequent state and local shelter in place orders, to protect the health and safety of the public, attorneys, litigants, witnesses, court personnel and judicial officers, and to restore services to the public, the court hereby rescinds paragraph 11 of General Order 2020-25 and issues the following order:

1. General Order 2020-25, paragraph 11 (which extended the time in which to file a responsive pleading in a family law case) is rescinded, effective September 11, 2020.
2. In all family law cases in which service of process was completed after September 11, 2020, the time to file a responsive pleading is not extended. The clerk shall enter default upon timely application in accordance with the time periods and other conditions specified in Code of Civil Procedure section 585.

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3. In all family law cases in which service of process was completed on or before September 11, 2020, the time in which to file a responsive pleading under Code of Civil Procedure section 585 is hereby extended to 30 calendar days from the earliest of the following:

a. The date of the termination of the State of Emergency that was declared by the Governor of the State of California on March 4, 2020.

b. The date on which service was completed if service was accomplished:

i. By publication when authorized by the Court pursuant to Code of Civil Procedure section 415.50;

ii. By service on the Secretary of State when authorized by the Court pursuant to applicable provisions of the Corporations Code, including but not limited to section 1702, section 2111, subdivision (b) of section 2114, and subdivision (c) of section 17701.16; and

iii. By service on a person residing outside of the United States pursuant to:

1. The Hague Convention on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial matters, or

2. The Inter-American Convention on Letters Rogatory and the Additional Protocol to the Inter-American Convention on Letter Rogatory.

- 1 c. The date of service of Local Form RI-FL077 to the address at which the
2 summons was delivered or mailed, if service was accomplished by any
3 other means pursuant to any other statute, including but not limited to:
- 4 i. Code of Civil Procedure section 415.10 (personal service);
 - 5 ii. Code of Civil Procedure section 415.20 (substituted service);
 - 6 iii. Code of Civil Procedure section 415.30 (service by notice and
7 acknowledgement);
 - 8 iv. Code of Civil Procedure section 415.40 (service by mail on out-of-
9 state defendant); and
 - 10 v. Code of Civil Procedure section 415.95 (service on business
11 organization of unknown form).

12 Service of Local Form RI-FL077 shall either be personal or by first-class mail,
13 but if served by first-class mail, the time in which to file a responsive pleading
14 is extended by an additional five calendar days.

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- 16 4. In all family law cases, the Clerk shall reject any application for entry of default that
17 is submitted prior to the expiration of the time periods specified in paragraph 3,
18 above. To allow the Clerk to determine whether the request is timely, the party
19 requesting entry of default must file a proof of service of the summons and complaint
20 and, if applicable, a proof of service of Local Form RI-FL077, if those proofs of
21 service have not been filed prior to the request for entry of default.
- 22 5. If a respondent or defendant has already appeared in a family law case by filing a
23 request for order to quash the proceeding, request for order to quash service of
24 summons, request for order to strike, request for order to dismiss, or request for order
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1 to transfer, and the request for order is denied, nothing in this order either (a) extends
2 the time for service of a response or answer following that ruling or (b) prevents the
3 entry of default in accordance with the time periods and other conditions specified in
4 Code of Civil Procedure section 585.

5 6. If a respondent or defendant has already paid its first-appearance fee in a family law
6 case, nothing in this order either extends the time for service of a responsive pleading
7 or prevents the entry of default in accordance with the time periods and other
8 conditions specified in Code of Civil Procedure section 585.

9 7. Except for paragraph 1 above, this order shall expire 30 calendar days after the
10 termination of the State of Emergency declared by the Governor of the State of
11 California on March 4, 2020, or upon further order of this court.
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14 IT IS SO ORDERED, on 9/11, 2020.

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17 JOHN W. VINEYARD
18 Presiding Judge
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