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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF RIVERSIDE

SEP 3 2020

V. Magaña

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

GENERAL ORDER RE: TIME FOR SERVICE
OF RESPONSIVE PLEADINGS IN LIMITED
CIVIL CASES

ORDER NO.: 2020-55

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 vacates General Order 2020-45 and issues the following order:

1. General Order 2020-19 (which extended time for service of responsive pleadings in limited civil cases and directed the Clerk to reject requests for entry of default received prior to the expiration of the extension) is vacated, effective July 16, 2020.
2. In all limited civil cases in which service of summons was completed after July 16, 2020, the time to file responsive pleadings 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.

GENERAL ORDER RE: RESPONSIVE PLEADINGS IN LIMITED CIVIL CASES

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3. In all limited civil actions in which service of process was completed on or before July 16, 2020, the time in which to file a responsive pleading under Code of Civil Procedure section 585 is hereby extended 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; or

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.

c. The date of service of Local Form RI-CI037 to the address at which the summons was delivered or mailed, if service was accomplished by any other means pursuant to any other statute, including but not limited to:

i. Code of Civil Procedure section 415.10 (personal service);

ii. Code of Civil Procedure section 415.20 (substituted service);

iii. Code of Civil Procedure section 415.30 (service by notice and acknowledgement);


iv. Code of Civil Procedure section 415.40 (service by mail on out-of-state defendant); and

v. Code of Civil Procedure section 415.95 (service on business organization of unknown form).

Service of Local Form RI-CI037 shall either be personal or by first-class mail, but if served by first-class mail, the time in which to file a responsive pleading is extended by an additional five calendar days.

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4. In all limited civil cases, the Clerk shall reject any application for entry of default that is submitted prior to the expiration of the time periods specified in paragraph 3, above. To allow the Clerk to determine whether the request is timely, the party requesting entry of default must file a proof of service of the summons and complaint and, if applicable, a proof of service of Local Form RI-CI037, if those proofs of service have not been filed prior to the request for entry of default.
 5. If a defendant, cross-defendant, or respondent has already appeared in a limited civil case by filing a demurrer, motion to strike, motion to dismiss, motion to transfer, motion to quash, or similar motion, and the demurrer is overruled or the motion is denied, nothing in this order either (a) extends the time for service of an answer following that ruling or (b) prevents the entry of default in accordance with the time periods and other conditions specified in Code of Civil Procedure section 585.
 6. If a defendant, cross-defendant, or respondent has already paid its first-appearance fee in a limited civil case, nothing in this order either extends the time for service of a responsive pleading or prevents the entry of default in accordance with the time periods and other conditions specified in Code of Civil Procedure section 585.
 7. No part of this order shall apply to unlawful detainer actions.
 8. Except for paragraph 1 above, this order shall expire 30 calendar days after the termination of the State of Emergency declared by the Governor of the State of California on March 4, 2020, or upon further order of this court.

22 IT IS SO ORDERED, on September 3, 2020.

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JOHN W. VINEYARD
Presiding Judge