

## CA State Court Timesheets

Rules for Computation of Time		Cite	
1	<b>CCP computation rules also apply to the California Rules of Court Chapter 8 (Appellate Rules).</b>	CRC Rule 8.60(a)	
2	<b>Include/Exclude Rule:</b> Compute time by excluding the first day and including the last; unless the last day is a holiday; and then it is also excluded.	CCP §12 CCP §12c	
3	<b>Count all days:</b> Days are construed as <i>calendar</i> days unless specifically qualified as <i>court</i> days in the rule or code. [no code or rule cite]	Iverson v. Superior Court of Orange, 213 Cal Rept. 399	
4	<b>Counting forwards:</b> If the last day to perform an act is a holiday, then that period is extended to and includes the next day which is not a holiday <sup>1</sup> .	CCP §§ 12a, 12b, 135, 2016.060; Gov. Code §§ 6700; 6701	
5	<b>Counting backwards:</b>		
	<b>a) Discovery cut-offs</b> are extended forward to the next day which is closer to trial	CCP 2016.060	
	<b>b) Hearing deadlines:</b> Count backward from the hearing date, excluding the date of the hearing. Continue to count back from the "primary" calculation, if you need to add time for service other than by hand.	CCP §12c	
6	<b>If time runs from “service” or “notice”, add additional days as follows.<sup>2</sup></b>		
	<b>Method of Service</b>	<b>Extension of Time</b>	
	<b>Cite</b>		
	<b>Hand</b>	<b>0 days</b>	CCP §1011
	<b>Mail Within CA:</b> Place of address <i>and</i> place of mailing must be <b><i>within CA.</i></b>	<b>5 days</b>	CCP §1013(a)
	<b>Mail Outside CA/within U.S.:</b> If either place of address <i>or</i> place of mailing is <b><i>outside CA but within the U.S.</i></b>	<b>10 days</b>	CCP §1013(a)
	<b>Mail Outside the U.S.:</b> If either place of address <i>or</i> place of mailing is <b><i>outside the U.S.</i></b>	<b>20 days</b>	CCP §1013(a)
	<b>Overnight Delivery</b>	<b>2 court days (except for service of moving papers under CCP 1005 when extension is 2 calendar days)</b>	CCP §1013(c) CCP 1005(b)
	<b>Fax Transmission</b> (must be by consent)	<b>2 court days (except for service of moving papers under CCP 1005 when extension is 2 calendar days)</b>	CCP §1013(e) CCP 1005(b) CRC 2.300 <i>et. seq.</i>
	<b>Electronic Service</b> (must be by consent)	<b>2 court days</b>	CCP §1010.6(a)(4) CRC 2.250 <i>et. seq.</i>

<sup>1</sup> Exception: An opinion or decision of the Cal. Court of Appeals may become final on a weekend or holiday; do not move the deadline forward or back when computing time to Petition for Review. See CRC Rule 8.500(e)(1)

<sup>2</sup> Extensions for service other than by hand do *not* apply to extend the time for filing; notice of intention to move for new trial, notice of intention to move to vacate judgment pursuant to CCP § 663a, or notice of appeal; these extensions apply in the absence of a specific exception provided for by CCP §1013 or other statute or rule of court. Also does not apply to the service of a summons and complaint.

## Summary of Civil Case Management Calendar Deadlines

### CA State Court

CRC Rules 3.110 & 3.720 - 3.730

**Time for Service of Complaint, Cross-Complaint:** CRC 3.110 establishes statewide deadlines for service of pleadings and filing of proofs of service in all civil cases except for: unlawful detainer, family law and other proceedings which have different service requirements. These deadlines can be modified by court order; however, failure to serve and file pleadings as required may result in the issuance of an Order to Show Cause as to why sanctions should not be imposed.

Trigger Date	Deadline/Calendar Entry	Cite
<ul style="list-style-type: none"> <li>▪ <b>60</b> days after filing of the complaint*</li> </ul>	LD to serve complaint on all named defts and file proof(s) of service	CRC 3.110(b)
<ul style="list-style-type: none"> <li>▪ <b>365</b> days after filing of the initial complaint if no Case Management Conference is scheduled; <b>OR on or before the date scheduled for the initial CMC.</b></li> </ul>	LD to deposit jury fees	CCP 631(c)
<ul style="list-style-type: none"> <li>▪ <b>30</b> days after filing of an amended complaint <i>that adds a new party</i></li> </ul>	LD to serve added defendant and file proof of service with the court	CRC 3.110(b)
<ul style="list-style-type: none"> <li>▪ <b>30</b> days after filing of a cross-complaint <i>that adds a new party</i></li> </ul>	LD to serve added cross-defendant and file proof of service with the court	CRC 3.110(c)
<ul style="list-style-type: none"> <li>▪ <b>10</b> days after the time for service of responsive pleading has elapsed</li> </ul>	LD plff to file a request for entry of default	CRC 3.110(g)
<ul style="list-style-type: none"> <li>▪ <b>45</b> days after entry of default</li> </ul>	LD plff to obtain a default judgment	CRC 3.110(h)
<ul style="list-style-type: none"> <li>▪ <b>5</b> days prior to a hearing on any Order to Show Cause issued under this rule</li> </ul>	LD to file and serve responsive papers	CRC 3.110(i)
<p><i>*Parties may stipulate without leave of court to one 15 day extension beyond the 30-day time period prescribed for the response after service of the initial complaint. 3.110(d).</i></p>		

**Case Management Conference:** CRC 3.720 establishes statewide policy for case management review. Applies to all general civil cases except the following: short cause; complex; uninsured motorists; unlawful detainer; coordination and those that can be disposed of between 6-9 months.

**Each court must:**

- Review the case no later than 180 days after the filing of the initial complaint. The court may issue a Case Management order and notify the parties that no appearance is required. CRC 3.721, 3.722(d).
- Provide notice of the date of the Case Management Conference to all parties no later than 45 days before the Conference. CRC 3.722(b).

**Parties must:**

- Deposit jury fees on or before the date scheduled for the initial Case Management Conference. CCP 631(c).
- Meet and confer no later than 30 days prior to the Conference. CRC 3.724.
- File and serve a Case Management Conference Statement no later than 15 days prior to the conference. Parties must use the mandatory statewide Case Management Statement (form CM-110. It replaces all local case management, status conference, at-issue, or other similar statements previously used). CRC 3.725.

**Methods of Service of Process  
for Service on a New Party  
CA State Court**

To calendar response time determine the *method of service* and when *service was deemed complete*; calendar 30 days after date service deemed complete. CCP §412.20(a)(3).

Method of Service	CA Code	Computation Based on Effective Date of Service
<b>Personal Service</b>	CCP §415.10; CCP § 416.10 thru CCP § 416.90	Service deemed complete upon delivery to the individual personally; or (if a corporation, partnership, association or public entity) to an officer or agent for service of process, or as specified in the relevant code section.
<b>Substituted Service</b>	CCP §415.20, 413.20	Service deemed complete on the 10th day after mailing*  *Confirm Due Diligence has been established.
<b>Notice and Acknowledgment (Mail) Service</b>	CCP §415.30, 413.20	1) Defendant signs and returns Acknowledgment of Receipt no later than 20 days after plaintiff mails Notice and Acknowledgment Form.  2) Service deemed completed on the date a written acknowledgment of receipt of summons is executed (i.e. defendant's signing of Acknowledgment Form).
<b>Out-of-State Service</b>	CCP §415.40, 413.20	Service deemed complete on the 10th day after mailing (return receipt requested)*  *service may also be accomplished in any other manner as provided by CCP §415.10 et seq
<b>Publication (by Court Order)</b>	CCP §415.50 Govt. Code §6064	Service deemed complete the date of the last publication (summons published once a week for 4 successive weeks)

Documents to serve:

1. File-stamped copy of the pleading. See CRC 3.222 for cross-complaints.
2. Copy of the issued Summons. CCP §412.20.
3. Civil Case Cover Sheet (only if complex per CRC 3.400 or collections per 3.740). CRC 3.220.
4. All materials provided by the clerk at the time of filing. CRC 3.221(c).

Proof of Service must be filed within 60 days of filing of the original complaint. CRC 3.110(b).

Proof of Service must be filed within 30 days of filing amended complaint. CRC 3.110(b).

Proof of Service must be filed within 30 days of filing cross-complaint. CRC 3.110(c).

**Methods of Service of Process  
Unlawful Detainer Actions  
CA State Court**

Document	CA Code	Computation based on Effective Date of Service
<b>Notice to Pay Rent or Quit</b>	CCP §1161	1) Provides notice of 3 days or 30 days to move out  2) Service deemed complete upon delivery or;  3) Service deemed complete on the 10 <sup>th</sup> day after mailing (from 'substituted service' or 'posting and mailing')
<b>Prejudgment Claim of Right to Possession</b>	CCP §415.46	1) Unknown occupants may be sub-served without any diligence  2) Must be posted and mailed  3) Service deemed complete on the 10 <sup>th</sup> day after posting and mailing
<b>Posting and Certified Mailing of Summons and Complaint (by Court Order)</b>	CCP §415.45	Service deemed complete on the 10 <sup>th</sup> day after posting and mailing

To calendar response time for complaint determine the *method of service* and when *service was deemed complete*; calendar 5 days after date service deemed complete. CCP §§1167 and 1167.3. This computation *includes* Saturdays and Sundays but *excludes* all other judicial holidays.

Method of Service	CA Code	Computation Based on Effective Date of Service
<b>Personal Service</b>	CCP §1162	Service deemed complete upon delivery
<b>Substituted Service</b>	CCP §415.20	Service deemed complete the 10 <sup>th</sup> day after mailing

Documents to serve:

1. File-stamped copy of the pleading.
2. Copy of the issued Unlawful Detainer Summons. CCP §1167.

Proof of Service must be filed within 60 days of filing of the original complaint. CRC 3.110(b).

Proof of Service must be filed within 30 days of filing amended complaint. CRC 3.110(b).

DISCOVERY COMPARISON CHART			
DOCUMENT	DEADLINE	STATE	FEDERAL
<b>INTERROGATORIES</b>			
Interrogatories Served	Responses Due	<b>30 days</b> CCP 2030.260(a)	<b>30 days</b> FRCP 33(b)
Verified Responses to Interrogatories Served (includes suppl.)	Motion to Compel Further Response	<b>45 days</b> CCP 2030.300(c)	<b>Reasonable Time</b>
<b>INSPECTION DEMANDS</b>			
Request for Production/Inspection Served	1. Responses Due	<b>30 days</b> CCP 2031.260	<b>30 days</b> FRCP 34(b)
	2. Date of Production/Inspection	<b>30 days</b> CCP 2031.030(c)	<b>Reasonable Time</b>
Verified Responses to Production/Inspection Demand Served (includes suppl.)	Motion to Compel Further Response	<b>45 days</b> CCP 2031.310(c)	<b>Reasonable Time</b>
<b>ADMISSIONS</b>			
Request for Admissions Served	Responses Due	<b>30 days</b> CCP 2033.250	<b>30 days</b> FRCP 36(a)
Verified Responses to Request for Admissions Served (includes suppl.)	Motion to Compel Further Response	<b>45 days</b> CCP 2033.290(c)	<b>Reasonable Time</b>
<b>DEPOSITIONS</b>			
Notice of Deposition	Notice period	<b>10 days prior</b> CCP 2025.270(a)	<b>Reasonable Time</b>
Date of Deposition (non-consumer)	Objections	<b>3 days prior by personal service</b> CCP 2025.410(a),(b)	<b>Reasonable Time</b>
<b>SUBPOENAS</b>			
Non-Consumer Subpoena Served on Deponent/Witness	Objections	<b>No specific time</b>	(If docs requested) earlier of <b>14 days</b> after service or prior to date specified FRCP 45(d)

DISCOVERY COMPARISON CHART			
DOCUMENT	DEADLINE	STATE	FEDERAL
<b>EXPERTS</b>			
Demand for Experts	1. Serve Demand	<b>10</b> days after initial trial date has been set <i>or</i> <b>70</b> days before that trial date, whichever is closer to trial CCP 2034.220	
	2. Experts Exchanged/Disclosed	<b>20</b> days after service of demand <i>or</i> <b>50</b> days prior to initial trial date, whichever is closer to trial CCP 2034.230(b)	<b>90 days prior to trial, unless set by stip or court order</b>  <b>30 days after disclosure for evidence that contradicts/rebutts</b> FRCP 26(a)(2)(D)
Exchange/Disclosure Served	Supplement Experts	<b>20</b> days CCP 2034.280	<b>"in a timely manner"</b> FRCP 26(e)(1)
<b>COMMENCEMENT OF DISCOVERY</b>			
Discovery	First Day Plff to Serve	<b>10</b> days after service on deft CCP 2030.020(b) CCP 2031.020(b) CCP 2033.020(b)	<b>No sooner than Meet and Confer</b> FRCP 26(d)
Notice of Deposition	First Day Plff to Serve	<b>20</b> days after service on deft CCP 2025.210(b)	<b>No sooner than Meet and Confer</b> FRCP 26(d)
<b>DISCOVERY CUTOFFS</b>			
Non-Expert Discovery	Responses Due Depositions Noticed	<b>30</b> days prior to initial trial date CCP 2024.020(a)	<b>Set by Judge and/or Local Rule</b>
Non-Expert Discovery Motions	Hearings Scheduled	<b>15</b> days prior to initial trial date CCP 2024.020(a)	<b>Set by Judge and/or Local Rule</b>
Expert Discovery	Depositions Noticed	<b>15</b> days prior to initial trial date CCP 2024.030	<b>Set by Judge and/or Local Rule</b>
Expert Discovery Motions	Hearings Scheduled	<b>10</b> days prior to initial trial date CCP 2024.030	<b>Set by Judge and/or Local Rule</b>

## CA State Court Timesheets

### Motions that are *Exceptions* to CCP 1005 – Notice Requirement and/or Briefing *Differ from* CCP § 1005

Type of Motion	Cite
Arbitration, Petition to Compel	CCP § 1290.2
Attachments (see below)	CCP §§ 484.050; 484.060; 484.070
Class certification	CRC 3.764
Coordination (Petition for)	CRC 3.500 <i>et seq.</i> ; CCP § 404
Dismissal for Delay in Prosecution under CCP § 583.410	CRC 3.1342
Ex Parte Applications	CRC 3.1200 <i>et seq.</i> ; CRC 3.670
<i>in limine</i> motions	Check Local Rules/Case Scheduling Order
Judgment Notwithstanding the Verdict (JNOV)	CCP § 629(b) – follows timing for Motion for New Trial
New Trial	CRC 3.1600; CCP § 659; 659(a)
Preliminary Injunction – following the issuance of a TRO	CCP § 527
Reconsideration of an Order	CCP § 1008
Sanctions under CCP § 128.7 <i>only</i> – <i>Does not apply to other sanctions motions</i>	CCP § 128.7 “safe harbor” notice requirement + regular CCP § 1005 briefing schedule
Set Aside or Vacate a Judgment	CCP § 663a – follows timing for Motion for New Trial
Summary judgment/Summary Adjudication (see next page)	CCP § 437c
Unlawful detainer cases – Motions to Quash; Summary judgment	CCP § 1167.4; CCP § 1170.7

**Summary of Consumer Production Timeline  
CA State Court**

CCP §§1985.3; 1985.6; 2020.410; 2025.270(c)

The intent of these procedures is for the Consumer to receive notice of the records being sought about him/her before the witness (Custodian) is subpoenaed, so that the consumer has a chance to object or move to quash or modify the subpoena.

**Serving party must:**

- Serve the Notice to Consumer or Employee, subpoena and related documents on the Consumer or his/her attorney.
- Serve the Custodian of Records with the subpoena and related documents, including a completed Proof of Service indicating the Consumer was served with the Notice to Consumer, at least 5 days after the Consumer was served (10 days if Consumer was served by mail) and at least 10 days before the production date. If opposing counsel is not counsel for the Consumer, serve a copy of the subpoena on opposing counsel a reasonable time before the production date.

**Custodian must:**

- Produce the documents not sooner than 20 days after the attorney issues the subpoena or 15 days after the Custodian is served, whichever is later.

**Consumers may:**

- Move to quash or modify the subpoena at least 5 days prior to production date (if consumer is a party) or;
- Serve objections prior to the production date (if consumer is not a party)

**Sample Timeline**

Date	Day	Event
November 1	0	Attorney issues (signs) subpoena
November 1	0	Consumer served
November 6	5	Custodian is served (if consumer sbh)
November 11	10	Custodian is served (if consumer sbm)
November 11-17	10	Opposing counsel is served (if not counsel for the consumer)
November 16	15	Consumer may move to quash/modify
November 21	20	Custodian produces documents to deposition officer (if consumer was sbh)
November 27	25	Custodian produces documents to deposition officer (if consumer was sbm)

