



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

With statewide trial suspension, more need than ever for gubernatorial action to ensure access to justice

CAOC calls for action extending filing, other deadlines due to COVID-19

SACRAMENTO (March 24, 2020) – The suspension of jury trials for 60 days due to the coronavirus health crisis is underscoring the necessity for Gov. Gavin Newsom to extend legal deadlines and take other emergency steps to protect the civil justice system.

In a letter to Newsom this week, Consumer Attorneys of California and the California Defense Counsel called for an emergency order postponing legal deadlines and allowing use of technology to preserve access to justice while protecting citizens from COVID-19.

As of today, 25 other states have issued emergency orders to extend the statute of limitations and other legal deadlines. Consumers and businesses alike are facing closed courtrooms or courts opened only at extremely limited capacities with inconsistencies across counties and courtrooms leading to uncertainty in the judicial process.

The March 22 letter to Newsom noted that the California Judicial Council and Chief Justice Tani Cantil-Sakauye possess limited statutory authority, and that only the governor can act to extend legal deadlines statewide and lift barriers for litigation to continue through web and video technology during the pandemic.

“The situation is dire and must be addressed immediately to preserve the basic functioning of the legal system,” the letter states. “Technology can allow legal matters to continue while still ensuring the safety of Californians. For these reasons, we respectfully request an Emergency Order to maintain access to justice during this pandemic.”

As the coronavirus crisis has battered court operations in the state’s 58 counties, court administrators have responded by creating a county-by-county hodgepodge of new rules and deadlines that have undercut any sense of cohesive operation in California’s civil justice system.

Cantil-Sakauye acted on Monday by suspending trials for 60 days during the health crisis, but that action to protect the public from COVID-19 stopped short of addressing other basic issues that threaten the public’s access to justice.

CAOC and the other groups believe only a gubernatorial emergency order can create a statewide menu of actions to ensure access to the courts while the health threat has Californians largely working from home.

The groups said that gubernatorial emergency order should extend deadlines on matters such as statute of limitations for filing cases, the filing of motions and minors compromise petitions.

The governor also could endorse a statewide embrace of technology as a workaround to keep the civil justice system operational. CAOC and CDC asked Newsom to eliminate barriers to electronic service of legal documents as well as remote video depositions, steps that would protect public access to the courts while also protecting public health during the pandemic.

“Truly this is an access to justice issue,” said CAOC President Micha Star Liberty. “If we cannot protect the status of legal rights, if we cannot serve documents by email or take depositions remotely, a key component of our democracy – the civil justice system – will come grinding to a halt.”

Consumer Attorneys of California is a professional organization of plaintiffs' attorneys representing consumers seeking accountability against wrongdoers in cases involving personal injury, product liability, environmental degradation and other causes.

For more information:

**J.G. Preston, CAOC Press Secretary, 916-600-9692, jgpreston@caoc.org
Eric Bailey, CAOC Communications Director, 916-669-7122, ebailey@caoc.org**