



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Legislature OKs bill to ease COVID-19 courts backlog

SB 1146 will enshrine use of web depositions and email service of process

SACRAMENTO (September 1, 2020) – A bill that would solidify the use of web video and other internet technology to address the growing backlog of civil court cases caused by COVID-19 courthouse shutdowns won final legislative approval early this morning and is headed to the governor’s desk.

Senate Bill 1146 by Sen. Tom Umberg (D-Santa Ana) and co-sponsored by Consumer Attorneys of California and California Defense Counsel would keep the wheels of justice turning during the coronavirus pandemic and into the future. The health crisis has caused a logjam of delayed hearings and trials, with court leaders in many counties pushing civil jury trials into 2021.

Umberg’s bill, which was granted final approval on a concurrence vote in the state Senate on the last day of the 2019-20 legislative session, will help by preserving in state law several emergency actions taken in recent months by Gov. Gavin Newsom and state court leaders that have allowed remote video depositions and electronic service of process during the health crisis.

It also will extend deadlines for discovery actions such as the exchange of expert witness information, mandatory settlement conferences, and summary judgment motions for the same length of time as any continuance or postponement of a trial.

Those emergency actions were taken to limit public exposure to COVID-19 while keeping civil cases moving toward resolution, but they do not extend after the health crisis is over. Meanwhile, the backlog of cases is expected to outlast the pandemic. SB 1146 will help clear that lengthy queue by making remote depositions and e-service a permanent working part of California civil cases.

“This will be a change for the better, cementing the use of available technology to help overcome some of the dysfunction that currently plagues our civil justice system,” said CAOC President Micha Star Liberty. “It will help in these tough times and far into the future. We encourage Gov. Newsom to sign SB 1146.”

The bill would take effect immediately if signed by Gov. Newsom.

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