



CONSUMER ATTORNEYS OF CALIFORNIA

Seeking Justice for All

Newsom signs bill to ease COVID-19 courts backlog

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

SACRAMENTO (September 18, 2020) – Gov. Gavin Newsom has signed a bill solidifying the use of web video and other internet technology to address the growing backlog of civil cases caused by COVID-19 courthouse shutdowns.

Senate Bill 1146 by Sen. Tom Umberg (D-Santa Ana) and co-sponsored by Consumer Attorneys of California and the California Defense Counsel will help keep the wheels of justice turning during and after the coronavirus pandemic.

SB 1146 was granted final approval on a more than two-thirds vote in both houses of the Legislature. By surpassing that super majority threshold, the bill went into effect immediately with the governor's signature.

Umberg's bill aims to address difficulties caused by the coronavirus pandemic, which has created a logjam of delayed hearings and trials, prompting court leaders in many counties pushing civil jury trials into 2021. SB 1146 helps by preserving in state law several emergency actions taken in recent months by 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 did not extend after the health crisis is over.

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 tool for attorneys in civil cases.

“SB 1146 will adapt our judicial system to handle some of the most immediate court-related problems caused by the COVID-19 pandemic, and simultaneously bring the courts closer to adapting to 21st Century technology,” Umberg said. “This pivotal law will eliminate confusion and give predictability to counsel and parties on timelines for several pretrial deadlines.”

“We want to thank Sen. Umberg and Gov. Newsom,” said CAOC President Micha Star Liberty. “This change will help in these tough times and far into the future by cementing the use of available technology to help overcome problems plaguing our civil justice system.”

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