

California Judicial Council Adopts Emergency Rules Affecting Unlawful Detainer Actions and More

Article By:

Marissa M. Dennis

Charles D. Jarrell

The Judicial Council of California adopted 11 temporary [emergency rules](#) in response to the COVID-19 pandemic affecting eviction proceedings, judicial foreclosures, and statutes of limitations for civil causes of actions, among other things. The rules, adopted April 6, 2020, are effective immediately and apply to all California state courts.

Rules of particular interest:

- **Emergency Rule 1: Unlawful Detainers**
 - Prohibits courts from issuing a summons on an unlawful detainer complaint until 90 days after the Governor declares the state of emergency related to the COVID-19 pandemic is lifted. This rule applies to all new unlawful detainer actions – whether or not the eviction action is related to nonpayment of rent for COVID-19 related issues. The only exception is for an unlawful detainer action necessary to protect public health and safety.
- **Emergency Rule 2: Judicial Foreclosures**
 - Stays any action for judicial foreclosure and tolls any statute of limitations for filing such action until 90 days after the state of emergency is lifted.
- **Emergency Rule 9: Tolling of Statutes of Limitations for Civil Causes of Action**
 - Tolls statutes of limitations for civil causes of action from April 6, 2020, until 90 days after the Governor declares the state of emergency is lifted.
- **Emergency Rule 10: Extension of 5-Year Rule for Civil Actions**

- Extends the five-year deadline to bring a civil action to trial to five years and six months for all actions filed on or before April 6, 2020.

- **Emergency Rule 11: Depositions through Remote Electronic Means**

- Allows a deponent to not be present with the deposition officer at the time of deposition.

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