

# COVID-19 Updates for Small Claims Court – FAQ

*General Reminder: The current COVID-19 pandemic is an evolving situation. Stay tuned to reliable sources (see suggestions in the below FAQ) for updates.*

## **1. Are hearings being held?**

- a. Yes, hearings in Small Claims matters have resumed as of August 10, 2020. Litigants can sign up to make remote appearances by audio or video through LACourtConnect <<https://www.lacourt.org/lacc/>>. Remote appearances can only be scheduled within 30 days of the hearing date.
- b. Note: Effective February 24, 2021, all Small Claims litigants must register for Small Claims Online Dispute Resolution (ODR) prior to their scheduled court hearing. (See below for more information on ODR and how to register.)

## **2. Are statutes of limitations extended?**

- a. Yes, for civil claims having a statute of limitations of more than 180 days (which applies to most Small Claims), the statute is tolled from April 6, 2020 until October 1, 2020. For claims having a statute of limitations of 180 days or less, the statute is tolled from April 6, 2020 until August 3, 2020.
  1. California Rules of Court, Emergency Rules Related to COVID-19, Emergency Rule 9, amended effective May 29, 2020. Link: <https://www.courts.ca.gov/documents/appendix-i.pdf>.
  2. For more information: <https://newsroom.courts.ca.gov/news/judicial-council-revises-emergency-rule-on-civil-filing-deadlines>.

## **3. How do I file documents with the Court?**

- a. Small Claims filings may be submitted via:
  1. Fax Filing: [View Fax Filing Phone Numbers](#)

2. US Mail: [View Small Claims Court Locations](#)
3. Drop Box: [View Small Claims Court Locations](#)
4. In-Person Filing with a Clerk: Available by appointment only. To schedule an appointment, please call the phone number associated with the courthouse you are trying to visit. [View Call Center Phone Numbers](#)

- b. The Small Claims Efiling site has been decommissioned. The Court is scheduled to implement Small Claims Efiling in 2021, and notifications will be posted as more information becomes available.

**4. How do I serve documents?**

- a. The court has not announced any changes to the rules for service of process for Small Claims matters. For more information, visit: <https://dcba.lacounty.gov/portfolio/serving-court-papers/>.

**5. How do I submit evidence to the Court and exchange evidence with the other side in advance of the hearing?**

- a. As of September 4, 2020, the Court has ordered litigants in Small Claims cases to follow a certain protocol to submit evidence in support of their position and to exchange that evidence with the other side in advance of the hearing.
- b. Under the Order, litigants must send their evidence to the other party at least ten (10) days in advance of the hearing.
- c. The order can be found here: <http://www.lacourt.org/division/smallclaims/pdf/1stAmendSOreEvidenceExchange.pdf>

**6. What is Online Dispute Resolution (ODR) and how do I register?**

- a. ODR is a new, free service that helps people resolve their legal disputes online, by computer, without meetings or phone calls. If all parties reach an agreement through ODR and the judge approves your agreement, you do not need to appear for your scheduled court date.
- b. As of February 23, 2021, each Plaintiff must register for ODR within five calendar days of case filing and each Defendant must register for ODR within five calendar days of receiving the Plaintiff's Claim

and Order to Go to Small Claims Court. To register for ODR, visit <https://my.lacourt.org/odr/small-claims>.

- c. Once all parties have registered for ODR, each party is required to participate in good faith settlement discussions through the ODR website. The settlement discussions must be completed at least two court days prior to the date set for trial. Settlement forms may be completed, signed, and filed through the ODR website.
- d. During ODR, the parties may request help from a free mediator.
- e. For more information, please visit:
  1. <https://my.lacourt.org/odr/small-claims>
  2. <http://www.lacourt.org/newsmedia/uploads/1420212181526321NRSmallClaimsODR.pdf>
  3. <http://www.lacourt.org/division/smallclaims/pdf/Standing%20OrderMeetandConferinSmallClaimsCases.pdf>

#### Links to Additional Resources:

- a. LA Superior Court: LACourtConnect <<https://www.lacourt.org/lacc/>>
- b. LA Superior Court: Standing Order Re: Evidence Exchange in Small Claims Matters  
<<http://www.lacourt.org/division/smallclaims/pdf/1stAmendSOreEvidenceExchange.pdf>>
- c. LA Superior Court: COVID-19 News and Resource Center  
<<http://www.lacourt.org/newsmedia/ui/covid19NewsCenter.aspx>>
- d. LA Superior Court: Small Claims  
<<http://www.lacourt.org/division/smallclaims/smallclaims.aspx>>
- e. LA Superior Court: Small Claims eFiling Notice  
<<http://ww2.lacourt.org/efiling/EfilingNotice.aspx>>
- f. LA Superior Court: Fax Filing Telephone Numbers  
<<https://www.lacourt.org/division/civil/pdf/FaxFilingNumbers.pdf>>
- g. LA County Consumer & Business Affairs: Small Claims and Mediation  
<<https://dcba.lacounty.gov/small-claims-and-mediation/>>

*Note: This document provides general information only and does not constitute legal advice.*