|  ITEM | TIME |
| --- | --- |
| Tort Claim Notice | Within one year of loss or injury for wrongful death and 180 days from occurrence for all other claims. ORS 30.275(2) |
| Dram Shop Notice | For wrongful death, within one year after date of death or after the date the person asserting the claim discovers or should have discovered the existence of the claim, whichever is later. For all other claims, within 180 days from the injury or after the date the person asserting the claim discovers or should have discovered the existence of the claim, whichever is later. ORS 471.565(3) |
| Summons and Complaint | An action is deemed commenced as to a defendant when the complaint is filed, and summons is served on that defendant. ORS 12.020 (1). If service occurs within 60 days of filing of the complaint, the action commences on the date of filing. If service occurs outside the 60 days, the action is commenced on the date of service. ORS 12.020 (2). Check Chapter 12 of the Oregon Revised Statutes for specific limitation periods, or specific statutes that govern cause of action.  |
| Proof of Service | If not filed within 63 days after filing complaint, the Court will issue a notice that the case will be dismissed for want of prosecution 28 days from the issuance of the notice unless (1) proof of service is filed; (2) motion showing good cause is filed; or (3) defendant has appeared during that time period. UTCR 7.020(2) |
| First Appearance | Within 30 days of service of summons and complaint, unless an extension is obtained or defendant appears or provides opposing counsel notice of intent to appear. ORCP 7C(2). If defendant provides written notice of intent to appear, plaintiff must file and serve a notice of intent to seek default at least 10 days before moving for default. ORCP 69 B. |
| Response to Motion (Other Than Motion For Summary Judgment) | 14 days from service or filing of the motion, whichever is later. UTCR 5.030(1). *See* ORCP 10 B (adding 3 days when service of motion is by mail, email, fax, or electronic service). |
| Reply Memorandum in Response to Motion (Other Than Summary Judgment) | 7 days from service or filing of responding memorandum, whichever is later. UTCR 5.030(2). *See* ORCP 10 B (adding time when service of pleading is by mail, email, fax, or electronic service). |
| Motion for Exemption from Arbitration | 14 days after notification of assignment to arbitration. UTCR 13.070 |
| Prehearing Statement | 14 days before arbitration hearing. UTCR 13.170 |
| Trial de Novo | 20 days from filing of arbitration decision and award. ORS 36.425(2) |
| Request for Production of Documents | Unless otherwise ordered by the court or by agreement of the parties, responses are due 30 days after service of the request and defendant cannot be required to produce documents before the expiration of 45 days after service of summons and complaint. ORCP 43B. *See* ORCP 10 B (adding time when service is by mail, email, fax, or electronic service). |
| Request for Admissions | 30 days after service of the request, but defendant cannot be required to answer before the expiration of 45 days after service of summons and complaint, unless court orders another time. ORCP 45 B. *See* ORCP 10 B (adding time when service by mail, email, fax, or electronic service). |
| Third Party Complaint | Must be filed and served within 90 days of initial service. Otherwise, must obtain agreement of the parties who have appeared and the court. ORCP 22 C(1) |
| Motion / Matter Under Advisement | More than 60 days (all parties notify court of non-decision); for 90 days (all parties notify court of non-decision with copies to presiding judge and Chief Justice). UTCR 2.030 |
| Repleading after Rule 21 D Motion to Make More Definite and Certain | 10 days after service of order unless otherwise stated by court. ORCP 21 D |
| Motion for Order of Default | 30 days after service of summons, if no appearance is filed. ORCP 7 C(2). If defendant against whom default is sought has provided written notice of intent to file an appearance, then must first file and serve 10 day written notice of intent before application for an order of default. ORCP 69 A and B |
| Motion for Summary Judgment | At least 60 days before trial date unless modified by court. ORCP 47 C. |
| Response to Motion for Summary Judgment | 20 days after motion for summary judgment is filed, unless modified by court. ORCP 47 C. See ORCP 10 B for additional time if service by mail, email, fax, or electronic service.  |
| Reply to Response to Motion For Summary Judgment | 5 days after response is filed, unless modified by court. ORCP 47 C. See ORCP 10 A for not including weekends and legal holidays in computation when prescribed period is less than 7 days. See ORCP 10 B for additional time if service by mail, email, fax, or electronic service.  |
| Voluntary Dismissal | Plaintiff may dismiss entire action or against one or more defendants without order of court by filing and serving notice of dismissal not less than five days prior to trial if no counterclaim is pleaded, or by filing a stipulation of dismissal signed by all adverse parties who have appeared. ORCP 54 A(1).  |
| Submission of Proposed Orders or Judgments | At least 3 days after service on opposing party or 7 days after service on unrepresented party. UTCR 5.100. *See* UTCR 5.100(2) for required certification of readiness that must be accompanied.  |
| Statement of Costs/Petition for Fees | File and serve not later than 14 days after entry of judgment. ORCP 68 C(4).  |
| Objections to Statement of Costs/Petition for Fees | File and serve within 14 days of service of statement/petition. ORCP 68 C(4). *See* ORCP 10 B (adding time when service of pleading is by mail, email, fax, or electronic service). |
| Motion for New Trial or Motion for Judgment NOV | Within 10 days after judgment is entered, or further time as the court may allow; deemed denied if not heard and determined by the court within 55 days from entry of judgment. ORCP 63 D; ORCP 64 F |
| Notice of Appeal | 30 days from entry of judgment, unless post-trial motions, e.g., motion for new trial or motion for judgment notwithstanding verdict, are timely filed and served, in which case notice is due either within 30 days from timely entry of an order disposing of a post-trial motion or within the time the motion is deemed denied under ORCP 63 D or 64 F, whichever is earlier. ORS 19.255; ORCP 63 D; ORCP 64 F. However, when post-trial motions are filed and served, a notice of appeal is due 30 days from entry of judgment if that period is later than the period otherwise applicable when post-trial motions are filed and served. |

*NOTE*: If plaintiff has filed for bankruptcy, it may be necessary to obtain relief from the bankruptcy stay before moving to dismiss, filing a motion for summary judgment, or bringing a counterclaim in a state court action.

**IMPORTANT NOTICES**

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