

COMMON CIVIL LITIGATION TIME LIMITATIONS
OREGON COURTS (DOES NOT INCLUDE LOCAL RULES)

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	Within one year of loss or injury for wrongful death and 180 days from occurrence for all other claims. ORS 471.565(3)
Complaint	Must be filed and served within the statute of limitations. ORS 12.020. Check Chapter 12 of the Oregon Revised Statutes for specific limitation periods, or specific statutes that govern cause of action.
Summons	Must serve summons and file complaint within applicable statute of limitations. If you serve summons within 60 days after filing complaint, service date relates back to date of filing of complaint. ORS 12.020(2).
Return of Service	Not later than 63 days after filing complaint. 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 notice of intent to appear, plaintiff must give 10 days notice before moving for default. ORCP 69 B.
Memorandum in Response to Motion (Other Than Motion For Summary Judgment)	14 days from date of service of motion. UTCR 5.030(1). See ORCP 10 B (adding time when service of motion is by mail).
Reply Memorandum in Response to Motion (Other Than Summary Judgment)	7 days from service of responding memorandum. UTCR 5.030(2). See ORCP 10 B (adding time when service of motion is by mail).
Arbitration Exemption	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 to Produce	30 days after service of the request, but not within 45 days after service of summons and complaint, unless court orders another time. ORCP 43B. See ORCP 10 B (adding time when service by mail).
Request for Admissions	30 days after service of the request, but not within 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).
Third Party Complaint	Must be filed and served within 90 days of initial service. If later, must obtain agreement of the parties who have appeared and the court. ORCP 22 C(1)
Motion / Matter Under Advisement	60 days (both sides notify court of non-decision); 90 days (both sides notify court of non-decision with copies to presiding judge and Chief Justice). UTCR 2.030
Repleading after Rule 21 Motion	10 days, unless otherwise stated in order. ORCP 21 D

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Order of Default	30 days after service of summons, if no answer or motion filed. ORCP 7 C(2). If defendant against whom default is sought has filed an appearance or has provided written notice of intent to file an appearance, then 10 days after service of written notice of application for an order of default. ORCP 69 A
Motion for Summary Judgment	At least 60 days before trial date. 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
Reply to Response to Motion For Summary Judgment	5 days after response memorandum is filed, unless modified by court. ORCP 47 C
Judgment of Dismissal after Settlement	28-day dismissal. UTCR 6.020
Voluntary Dismissal	Without order of court, by filing and serving notice of dismissal not less than five days prior to trial if no counterclaim is pleaded, and order on dispositive motion has not been entered; or by filing a stipulation of dismissal signed by all adverse parties who have appeared. ORCP 54 A(1).
Orders and Judgments	3 days after service on opposing party or 7 days after service on unrepresented party. UTCR 5.100.
Statement of Costs/Petition for Fees	Filed within 14 days of entry of judgment. ORCP 68 C(4)
Objections to Statement of Costs/Petition for Fees	Filed within 14 days of service of statement/petition. ORCP 68 C(4)
Motion for New Trial or Motion for Judgment NOV	10 days after judgment is entered, unless trial court enters order allowing extension within that 10 days; deemed denied if order not entered 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 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. See Personal Injury Claims and Bankruptcy, PLF In Brief, February 2008. Available online at www.osbplf.org.

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IMPORTANT NOTICES

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