



# Judicial Council of California

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## REPORT TO THE JUDICIAL COUNCIL

*Item No.: 25-149*

For business meeting on October 24, 2025

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**Title**

Civil Practice and Procedure: Amendment of the Collections Case Rule

**Report Type**

Action Required

**Effective Date**

January 1, 2026

**Rules, Forms, Standards, or Statutes Affected**

Amend Cal. Rules of Court, rule 3.740

**Date of Report**

September 29, 2025

**Recommended by**

Civil and Small Claims Advisory Committee  
Hon. Samantha P. Jessner, Chair

**Contact**

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### Executive Summary

California Rules of Court, rule 3.740 governs collections cases. The Civil and Small Claims Advisory Committee recommends amending the monetary limit in rule 3.740 to \$35,000. With this increase, the monetary limit in rule 3.740 will match the current jurisdictional limit for limited civil cases, which was raised in 2024 by Senate Bill 71 (Stats. 2023, ch. 861).

### Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective January 1, 2026, amend California Rules of Court, rule 3.740 to increase the monetary limit for collections cases to \$35,000.

The proposed amended rule is attached at pages 6–7.

### Relevant Previous Council Action

The Judicial Council adopted rule 3.740 effective July 1, 2007, to establish a category of “collections cases” and to provide uniform statewide rules for such cases.<sup>1</sup> The rule was last

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<sup>1</sup> Judicial Council of Cal., Advisory Com. Rep., *Collections Cases: Service and Case Management* (Apr. 1, 2007).

amended effective January 1, 2009, to require service of *Civil Case Cover Sheet* (form CM-010) with the initial complaint in a collections case.

## **Analysis/Rationale**

Rule 3.740 exempts collections cases from the case management rules that apply to general civil cases. The plaintiff in a collections case has 180 days to serve the complaint, rather than 60 days, and must obtain a default judgment within 360 days after the filing of the complaint if service is effected and the defendant does not file responsive pleadings. Rule 3.740 does not apply to collections cases that seek to recover more than \$25,000.

In SB 71 (see Link A), the Legislature raised the jurisdictional limit for limited civil cases to \$35,000, effective January 1, 2024.<sup>2</sup> The Civil and Small Claims Advisory Committee did not recommend amending rule 3.740 in 2024 to implement SB 71 because there is no statutory requirement to increase the rule's monetary limit to match an increase in the jurisdictional limit for limited civil cases, and the committee needed time to consider the potential impact of applying the rule's provisions to additional cases.

The committee now recommends amending subdivision (a) of rule 3.740 to change the monetary limit for collections cases from \$25,000 to \$35,000 to match the current jurisdictional limit for limited civil cases.<sup>3</sup>

The committee considered leaving the rule's monetary limit unchanged because the committee was concerned that making additional collections cases exempt from the general case management, time for service, and default judgment rules could increase the number of cases not disposed of in one year or not moving toward resolution because of a lack of active case management. The committee also considered that the \$25,000 monetary limit in the rule was originally chosen because "if the recovery sought is greater [than \$25,000], the case would not be simple and may require active case management."<sup>4</sup> It is unclear whether that reasoning still applies to cases seeking more than \$25,000, considering that \$25,000 in 2007 dollars (the year the rule was adopted) is \$38,000 in 2025 dollars.

The committee determined that leaving the monetary limit unchanged could be confusing for court staff and court users, who might assume that rule 3.740's monetary limit continued to match the jurisdictional limit for limited civil cases. This confusion could cause some collections

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<sup>2</sup> Code Civ. Proc., §§ 85, 86.

<sup>3</sup> The committee also recommends making two grammatical revisions to rule 3.740(b). Separately, the committee recommends revising the description of collections cases on page 2 of *Civil Case Cover Sheet* (form CM-010) to state the new \$35,000 monetary limit. See Judicial Council of Cal., Advisory Com. Rep., *Rules and Forms: New Case Categories for Civil Case Cover Sheet* (Sept. 18, 2025).

<sup>4</sup> Judicial Council of Cal., Advisory Com. Rep., *Collections Cases: Service and Case Management* (Apr. 1, 2007), p. 5. The delineation between limited and unlimited cases was one factor in choosing the monetary limit in the rule, but it was not the only factor. (See *id.* at p. 3 ["The committee agrees that the rules should exempt limited jurisdiction collections cases . . . and that unlimited cases should be treated as other general civil cases."].)

cases to be incorrectly handled, including errors by courts or court users when completing or processing forms such as *Civil Case Cover Sheet* (form CM-010).

### **Policy implications**

The key policy implications in this proposal are increasing court efficiency and reducing confusion for courts and court users by aligning the monetary limit in rule 3.740 with the jurisdictional limit for limited civil cases. This proposal is therefore consistent with the *Strategic Plan for California's Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Quality of Justice and Service to the Public (Goal IV).

### **Comments**

This proposal was circulated for comment from April 14 to May 23, 2025, as part of the regular spring invitation-to-comment cycle. The proposal received eight comments: four from superior courts, one from the Joint Rules Subcommittee (JRS) of the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee, two from legal aid organizations, and one from a county bar association. Four commenters approved of the proposal, one approved if amended, one did not approve of the proposal, and two did not indicate a position.

### ***Monetary limit***

All the commenters were either explicitly in favor of the proposal to increase the rule's monetary limit to \$35,000 or expressed indirect agreement by stating that they agreed with the proposal generally. Community Legal Aid SoCal commented that this amendment: "will reduce the disparity between defendant treatment in collections versus general civil cases. The increase acknowledges inflation and the evolving financial context since the rule's original adoption in 2007. This adjustment is essential for maintaining fairness in the judicial process."

### ***Provisions regarding time for service and default judgment***

In the invitation to comment, the committee proposed deleting subdivisions (c)(1), (d), (e), and (f) of rule 3.740, which extend the time for service and the time to seek a default judgment in collections cases. The committee proposed keeping subdivision (c)(2), which exempts collections cases from the case management rules that apply to all general civil cases under rules 3.712–3.715 and 3.721–3.730, unless a defendant files a responsive pleading.

Commenters were divided on this aspect of the proposal. Four commenters (Community Legal Aid SoCal, Orange County Bar Association, Superior Court of San Bernardino County, and Superior Court of San Diego County) agreed with the proposal, though only one elaborated on their position. Community Legal Aid SoCal supports the proposed amendments because they "enhance[] the likelihood that service can be completed efficiently and effectively on the correct individual" and "mitigate[] the risk of service issues arising from the defendant's potential change of address during prolonged timelines, ensuring that defendants are properly notified and can respond accordingly." Community Legal Aid SoCal also commented that the proposed amendments would "encourage[] more immediate engagement from defendants, allowing for a swifter judicial process." However, Community Legal Aid SoCal urged the committee to

“undertake thorough public consultation to gauge potential impacts adequately and consider mechanisms to address any arising challenges from these changes” and to monitor implementation outcomes following adoption.

Two commenters (Bay Area Legal Aid and JRS) were opposed to the proposal. JRS is opposed to amending subdivisions (c)–(f) because some courts rely on the rule’s existing time for service provision to manage their collections caseload. The court executive officer (CEO) of the Superior Court of Monterey County, a JRS member, explained that removing these provisions from rule 3.740 will cause a significant amount of process reengineering, training, and configuration for their court. The chair of JRS, who is the CEO of the Superior Court of Butte County, noted that other courts are likely in the same position as Monterey County.

Bay Area Legal Aid is opposed to amending subdivisions (c)–(f) and argued that doing so would place low-income, self-represented litigants at a disadvantage and would not increase the likelihood of effective service. Bay Area Legal Aid argued that reducing the time for service might increase the number of improperly served cases because “reducing the window of service will not increase a creditor’s incentive to obtain the correct address” and might cause process servers to rush or even falsify service to meet the deadline. Bay Area Legal Aid also explained that self-represented litigants in collections cases frequently need more time to answer the complaint and amending the rule might make it more difficult for plaintiffs to grant meaningful extensions. The commenter argued that the proposed rule amendments might reduce judicial efficiency because “courts will likely have to deal with more requests for extensions of time and more Motions to Set Aside from defendants who did not receive effective or actual notice” and because “more parties will be filing motions that require hearings and resources.”

Although the Superior Court of San Bernardino County stated that it approved the proposal to amend rule 3.740(c)–(f), the court noted that “the proposed changes could pose a difficulty in getting the correct defendant served . . . , putting the defendants in collection cases at a disadvantage because the cases will be disposed of quickly.”

The committee considered the comments and determined that it should not recommend deleting subdivisions (c)(1), (d), (e), and (f) of rule 3.740 without more information regarding the potential benefits and drawbacks. Several commenters raised significant concerns about the proposed amendments, and it is unclear whether and to what extent the potential benefits to courts and court users might balance those concerns. The committee plans to seek additional information from courts and other stakeholders before considering whether to proceed with amendments to subdivisions (c)(1), (d), (e), and (f).

### **Alternatives considered**

The committee considered taking no action but ultimately determined the recommended amendment is warranted in light of the benefits it would provide to the courts and court users. In addition, as discussed above, the committee considered several alternatives when proposing amendments to the rule and in response to the public comments.

## **Fiscal and Operational Impacts**

Amending rule 3.740 will require educating court staff and judicial officers and might require changes to computerized case management systems. However, these impacts are expected to be relatively minor due to the limited scope of the recommended rule amendments.

## **Attachments and Links**

1. Cal. Rules of Court, rule 3.740, at pages 6–7
2. Chart of comments, at pages 8–20
3. Link A: Senate Bill 71,  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202320240SB71](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240SB71)

Rule 3.740 of the California Rules of Court is amended, effective January 1, 2026, to read:

**Rule 3.740. Collections cases**

**(a) Definition**

“Collections case” means an action for recovery of money owed in a sum stated to be certain that is not more than ~~\$25,000~~ **\$35,000**, exclusive of interest and attorney fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking any of the following:

- (1) Tort damages;
- (2) Punitive damages;
- (3) Recovery of real property;
- (4) Recovery of personal property; or
- (5) A prejudgment writ of attachment.

**(b) Civil Case Cover Sheet**

If a case meets the definition in (a), a plaintiff must check the case type box on ~~the~~ *Civil Case Cover Sheet* (form CM-010) to indicate that the case is a collections case under rule 3.740 and serve ~~the~~ *Civil Case Cover Sheet* (form CM-010) with the initial complaint.

**(c) Exemption from general time-for-service requirement and case management rules**

A collections case is exempt from:

- (1) The time-for-service requirement of rule 3.110(b); and
- (2) The case management rules that apply to all general civil cases under rules 3.712–3.715 and 3.721–3.730, unless a defendant files a responsive pleading.

**(d) Time for service**

The complaint in a collections case must be served on all named defendants, and proofs of service on those defendants must be filed, or the plaintiff must obtain an order for publication of the summons, within 180 days after the filing of the complaint.

1   **(e)   Effect of failure to serve within required time**

2  
3       If proofs of service on all defendants are not filed or the plaintiff has not obtained  
4       an order for publication of the summons within 180 days after the filing of the  
5       complaint, the court may issue an order to show cause why reasonable monetary  
6       sanctions should not be imposed. If proofs of service on all defendants are filed or  
7       an order for publication of the summons is filed at least 10 court days before the  
8       order to show cause hearing, the court must continue the hearing to 360 days after  
9       the filing of the complaint.

10  
11   **(f)   Effect of failure to obtain default judgment within required time**

12  
13       If proofs of service of the complaint are filed or service by publication is made and  
14       defendants do not file responsive pleadings, the plaintiff must obtain a default  
15       judgment within 360 days after the filing of the complaint. If the plaintiff has not  
16       obtained a default judgment by that time, the court must issue an order to show  
17       cause why reasonable monetary sanctions should not be imposed. The order to  
18       show cause must be vacated if the plaintiff obtains a default judgment at least 10  
19       court days before the order to show cause hearing.

## SPR25-08

### Civil Practice and Procedure: Amendment of the Collections Case Rule (Amend Cal. Rules of Court, rule 3.740)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
1.	Bay Area Legal Aid by Alex Farrell, Consumer Staff Attorney	N	<p>Debt collection cases make up 25-36 % of cases in the civil docket in the California court system. In 95-99 % of these cases, debtors are in pro per. And 36-56 % of these cases result in default.[1]</p> <p>[1] One-Sided Litigation: Lessons from Civil Docket Data in California Debt Collection Lawsuits, Claire Johnson Raba (July 2023), Available at <a href="https://debtcollectionlab.org/research/one-sided-litigation">https://debtcollectionlab.org/research/one-sided-litigation</a></p> <p><b>We urge the judicial council not to change the service and default timelines for debt collection cases because:</b></p> <ol style="list-style-type: none"><li>1. A change is not required.</li><li>2. The change would place low-income pro per litigants in collection cases at a disadvantage compared to other civil cases as these cases often involve older debts, older addresses, and fewer resources.</li><li>3. The change will not ensure service is affected on the right person and may increase incidents of sewer service (claims of service where nonservice occurred).</li><li>4. The change will create additional burdens on courts if it leads to an increase in hasty bad service because cases will have to be re-opened</li></ol>	<p>The committee appreciates the response. In light of all the comments received regarding the proposal to amend subdivisions (c)–(f) of rule 3.740, the committee has determined that it should not recommend deleting subdivisions (c)(1), (d), (e), and (f) of rule 3.740 without more information regarding the potential benefits and drawbacks. Several commenters raised significant concerns about the proposed amendments, and it is unclear whether and to what extent the potential benefits to courts and court users might balance against those concerns. The committee plans to seek additional information from courts and other stakeholders before considering whether to proceed with amendments to subdivisions (c)(1), (d), (e), and (f).</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

## SPR25-08

### Civil Practice and Procedure: Amendment of the Collections Case Rule (Amend Cal. Rules of Court, rule 3.740)

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	Commenter	Position	Comment	Committee Response
			<p>in order to allow due process for low-income pro per litigants.</p> <p>We note that the proposed change to Rule 3.740 would also require a change to Rule 3.110, to bring collection cases in line with other unlimited civil cases. Rule 3.110 requires that an answer be filed within 30 days and only allows a 15-day extension without leave of the court.</p> <p><b>We note that the proposed change to Rule 3.740 to reduce the service period to 60 days from 180 days will not increase the likelihood of effective service.</b></p> <p>We are concerned that the change to the service timeline will not resolve the issue of poor service due to address changes and may exacerbate these. Many creditors use the last known address on an account to attempt service. That address could be up to 4 years old (the statute of limitations for most debt in California). We often see cases filed the week or even day before the statute of limitations expires. Reducing the window of service will not increase a creditor's incentive to obtain the correct address. Instead, we are concerned that we may see even more sewer service (or false service) cases as process servers will be rushed and have a perverse incentive to falsify service documents to "serve" the documents within the time frame. It will also decrease judicial efficiency as courts will likely have to deal with</p>	

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## SPR25-08

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	Commenter	Position	Comment	Committee Response
			<p>more requests for extensions of time and more Motions to Set Aside from defendants who did not receive effective or actual notice.</p> <p><b>We note that the proposed change to Rule 3.740 to reduce the period to request a default from 360 days to 10 days will result in judicial inefficiency and harm pro per litigants.</b></p> <p>For many of the pro per individuals we see, a severely shortened timeline could prevent them from accessing the limited services available, including assistance completing answers. We routinely see pro per defendants filing late because they cannot get into a self-help clinic within 30 days. As a result, many clinics, self-help resources, and law libraries encourage pro per litigants to request extensions to the answer deadline to increase the chances they have enough time to get help. With this change, Plaintiffs in collection lawsuits would be unable to grant meaningful extensions, making it less likely that cases are decided on the merits and reducing access to justice for low-income pro per litigants. If they needed to file a request with the court to grant an extension many creditors would likely opt for default rather than an extension, which is already at their discretion. As a result, low-income pro per litigants will be disadvantaged as they either must file a answer without assistance, seek leave of the court to file an amended answer, or seek to set aside a default judgment in order to exercise their</p>	

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## SPR25-08

### Civil Practice and Procedure: Amendment of the Collections Case Rule (Amend Cal. Rules of Court, rule 3.740)

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	Commenter	Position	Comment	Committee Response
			rights. Rather than reducing the burden on the court, this will potentially increase it as more parties will be filing motions that require hearings and resources that answers do not.  <b>Thus, we urge the judicial council not to change the service and default timelines for debt collection cases for the reasons stated above.</b>	
2.	Community Legal Aid SoCal by Noha Gabra, Supervising Attorney	A	On behalf of Community Legal Aid SoCal, I am writing to express our strong support for the proposed amendments to Rule 3.740 of the California Rules of Court. These amendments are crucial for ensuring that defendants in collections cases are treated equitably, that service is performed correctly, and that cases are resolved expeditiously while adhering to due process.  CLA SoCal is a nonprofit legal services organization. For over 65 years, CLA SoCal has served Orange County and Southeast Los Angeles County by providing civil legal services to low-income individuals and promoting equal access to the justice system through advocacy, legal counseling, innovative self-help services, in-depth legal representation, economic development, and community education. CLA SoCal's mission is to help our neighbors fight injustice by providing compassionate, high-quality legal aid to low-income people throughout our service area. CLA SoCal provides free legal assistance to Los	Please see the committee's responses below regarding specific elements of the proposal.

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**SPR25-08****Civil Practice and Procedure: Amendment of the Collections Case Rule (Amend Cal. Rules of Court, rule 3.740)**

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	Commenter	Position	Comment	Committee Response
			<p>Angeles and Orange County residents with consumer defense issues.</p> <p>Equity for Defendants</p> <p>The proposal to increase the monetary limit from \$25,000 to \$35,000 is a significant step towards aligning the jurisdictional thresholds for limited civil cases. This change will reduce the disparity between defendant treatment in collections versus general civil cases. The increase acknowledges inflation and the evolving financial context since the rule's original adoption in 2007. This adjustment is essential for maintaining fairness in the judicial process.</p> <p>Correct Service of Process</p> <p>The removal of extended service and default judgment provisions addresses the practical challenges associated with delayed service. By streamlining the timeframes, the proposal enhances the likelihood that service can be completed efficiently and effectively on the correct individual. This modification mitigates the risk of service issues arising from the defendant's potential change of address during prolonged timelines, ensuring that defendants are properly notified and can respond accordingly.</p> <p>Expedition Case Resolution</p> <p>The proposed amendments aim to decrease the duration between filing and resolution of</p>	<p>The committee acknowledges the commenter's support for the recommendation to revise rule 3.740(a) to change the monetary limit to \$35,000.</p> <p>The committee appreciates the response. In light of all the comments received regarding the proposal to amend subdivisions (c)–(f) of rule 3.740, the committee has determined that it should not recommend deleting subdivisions (c)(1), (d), (e), and (f) of rule 3.740 without more information regarding the potential benefits and drawbacks. Several commenters raised significant concerns about the proposed amendments, and it is unclear whether and to what extent the potential benefits to courts and court users might balance against those concerns. The committee plans to seek additional information from courts and other stakeholders before considering whether to proceed with amendments to subdivisions (c)(1), (d), (e), and (f).</p>

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**SPR25-08****Civil Practice and Procedure: Amendment of the Collections Case Rule** (Amend Cal. Rules of Court, rule 3.740)

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	Commenter	Position	Comment	Committee Response
			<p>collections cases. By eliminating protracted service timelines, the proposal encourages more immediate engagement from defendants, allowing for a swifter judicial process. This aligns with the principles of due process by minimizing unnecessary delays while maintaining the ability for defendants to adequately respond to complaints.</p> <p>Conclusion and Recommendations</p> <p>The proposed amendments to Rule 3.740 are well-structured to meet their intended objectives of fairness, accuracy in service, and efficiency in case resolution. However, we advise the committee to undertake thorough public consultation to gauge potential impacts adequately and consider mechanisms to address any arising challenges from these changes. Monitoring the implementation outcomes post-adoption will be crucial for evaluating the success of these amendments in practice In summary, the proposal is aligned with its purpose and represents a proactive step towards enhancing judicial efficiency while upholding the principles of equity and due process for all parties involved in collections cases.</p> <p>For these reasons, Community Legal Aid SoCal respectfully urges your support for SPR25-08.</p>	
3.	Orange County Bar Association by Mei Tsang, President	A	Amendments address stated purpose and ensure that defendants are not disadvantaged as compared to defendants in cases that are not collections matters. The amendments appear to	The committee appreciates the response. In light of all the comments received regarding the proposal to amend subdivisions (c)–(f) of rule 3.740, the committee has determined that it should

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## SPR25-08

### Civil Practice and Procedure: Amendment of the Collections Case Rule (Amend Cal. Rules of Court, rule 3.740)

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	Commenter	Position	Comment	Committee Response
			align with the stated goals of ensuring proper service and efficient and fair disposition. The effectiveness of these changes will need to be further determined once the revisions are implemented.	not recommend deleting subdivisions (c)(1), (d), (e), and (f) of rule 3.740 without more information regarding the potential benefits and drawbacks. Several commenters raised significant concerns about the proposed amendments, and it is unclear whether and to what extent the potential benefits to courts and court users might balance against those concerns. The committee plans to seek additional information from courts and other stakeholders before considering whether to proceed with amendments to subdivisions (c)(1), (d), (e), and (f).
4.	Superior Court of California, County of Los Angeles by Stephanie Kuo	A	In response to the Judicial Council of California's ITC, "Civil Practice and Procedure: Amendment of the Collections Case Rule," the Court agrees with the proposal and has no other comments.	The committee appreciates the response.
5.	Superior Court of California, County of San Bernardino Staff Civil Committee	NI	<p><b>Q:</b> Does the proposal appropriately address the stated purpose?</p> <p><b>A:</b> Yes, the proposal appropriately addresses the stated purpose.</p> <p><b>Q:</b> Do the proposed changes help ensure that:</p> <ul style="list-style-type: none"><li>• defendants in collections cases are not placed at a disadvantage compared to defendants in other case types;</li><li>• service is effected on the right person; and</li><li>• cases are disposed of quickly but within parameters of due process</li></ul> <p><b>A:</b></p> <ul style="list-style-type: none"><li>• Yes</li></ul>	The committee appreciates the response. In light of all the comments received regarding the proposal to amend subdivisions (c)–(f) of rule 3.740, the committee has determined that it should not recommend deleting subdivisions (c)(1), (d), (e), and (f) of rule 3.740 without more information regarding the potential benefits and drawbacks. Several commenters raised significant concerns about the proposed amendments, and it is unclear whether and to what extent the potential benefits to courts and court users might balance against those concerns. The committee plans to seek additional information from courts and other stakeholders before considering whether to proceed with amendments to subdivisions (c)(1), (d), (e), and (f).

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**SPR25-08****Civil Practice and Procedure: Amendment of the Collections Case Rule** (Amend Cal. Rules of Court, rule 3.740)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<ul style="list-style-type: none"> <li>• Yes</li> <li>• Yes</li> </ul> <p><b>Q:</b> Would the proposal provide cost savings? If so, please quantify</p> <p><b>A:</b> No cost savings.</p> <p><b>Q:</b> What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p> <p><b>A:</b> Minimal change will be required. Clerk’s Office, Judicial Assistants, and Judges would need to be informed of the change. This can be done by email. No additional training required.</p> <p>Possibly brief revising needed for clerk’s office procedures manual.</p> <p>No changes in the case management system would be needed.</p> <p><b>Q:</b> Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p><b>A:</b> Yes.</p>	<p>The committee appreciates the information.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**SPR25-08****Civil Practice and Procedure: Amendment of the Collections Case Rule** (Amend Cal. Rules of Court, rule 3.740)

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	Commenter	Position	Comment	Committee Response
			<p><b>Q:</b> How well would this proposal work in courts of different sizes?</p> <p><b>A:</b> This will work well in any size court.</p>	
6.	Superior Court of California, County of San Bernardino Staff Small Claims Landlord Tenant Committee	NI	<p><b>Q:</b> Does the proposal appropriately address the stated purpose?</p> <p><b>A:</b> Yes</p> <p><b>Q:</b> Do the proposed changes help ensure that:</p> <ul style="list-style-type: none"> <li>defendants in collections cases are not placed at a disadvantage compared to defendants in other case types;</li> <li>service is effected on the right person; and</li> <li>cases are disposed of quickly but within parameters of due process</li> </ul> <p><b>A:</b> 1: yes 2: Yes 3: Yes</p> <p>The proposed changes would help ensure that the cases are disposed of quickly and are within the parameters of other civil matters. However, the proposed changes could pose a difficulty in getting the correct defendant served. Therefore, putting the defendants in collection cases at a disadvantage because the cases will be disposed of quickly.</p> <p><b>Q:</b> Would the proposal provide cost savings? If so, please quantify</p>	<p>The committee appreciates the response. In light of all the comments received regarding the proposal to amend subdivisions (c)–(f) of rule 3.740, the committee has determined that it should not recommend deleting subdivisions (c)(1), (d), (e), and (f) of rule 3.740 without more information regarding the potential benefits and drawbacks. Several commenters raised significant concerns about the proposed amendments, and it is unclear whether and to what extent the potential benefits to courts and court users might balance against those concerns. The committee plans to seek additional information from courts and other stakeholders before considering whether to proceed with amendments to subdivisions (c)(1), (d), (e), and (f).</p> <p>The committee appreciates the information.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

**SPR25-08****Civil Practice and Procedure: Amendment of the Collections Case Rule** (Amend Cal. Rules of Court, rule 3.740)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	Committee Response
			<p><b>A:</b> No</p> <p><b>Q:</b> What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p> <p><b>A:</b> Updates to the CMS, testing for the updates made. Manual update, informing JOs of the increase.</p> <p><b>Q:</b> Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p><b>A:</b> yes</p> <p><b>Q:</b> How well would this proposal work in courts of different sizes?</p> <p><b>A:</b> Will not be too impactful</p>	
7.	Superior Court of California, County of San Diego by Mike Roddy, Executive Officer	A	<p><b>Q:</b> Does the proposal appropriately address the stated purpose?</p> <p><b>A: Yes.</b></p> <p><b>Q:</b> Do the proposed changes help ensure that:</p> <ul style="list-style-type: none"> <li>defendants in collections cases are not placed at a disadvantage compared to defendants</li> <li>in other case types;</li> </ul>	The committee appreciates the response. In light of all the comments received regarding the proposal to amend subdivisions (c)–(f) of rule 3.740, the committee has determined that it should not recommend deleting subdivisions (c)(1), (d), (e), and (f) of rule 3.740 without more information regarding the potential benefits and drawbacks. Several commenters raised significant concerns about the proposed amendments, and it is unclear whether and to what extent the potential benefits

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## SPR25-08

### Civil Practice and Procedure: Amendment of the Collections Case Rule (Amend Cal. Rules of Court, rule 3.740)

All comments are verbatim unless indicated by an asterisk (\*).

Commenter	Position	Comment	Committee Response
		<ul style="list-style-type: none"><li>• service is effected on the right person; and</li><li>• cases are disposed of quickly but within parameters of due process?</li></ul> <p><b>A: Yes.</b></p>	to courts and court users might balance against those concerns. The committee plans to seek additional information from courts and other stakeholders before considering whether to proceed with amendments to subdivisions (c)(1), (d), (e), and (f).
		<p>Q: Would the proposal provide cost savings? If so, please quantify.</p> <p><b>A: No.</b></p> <p>Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p> <p><b>A: Updating case clocks in the case management system, updating internal procedures, training staff, and notifying judicial officers.</b></p> <p>Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p><b>A: Yes, provided the final versions of the forms are provided at that time.</b></p> <p>Q: How well would this proposal work in courts of different sizes?</p>	The committee appreciates the information.

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			<b>A: It appears the proposal would work for courts of all sizes.</b>	
8.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) (TCPJAC/CEAC Joint Rules Subcommittee)	AM	<p>The JRS notes that the proposal is required to conform to a change of law.</p> <p>The JRS also notes the following impact to court operations:</p> <ul style="list-style-type: none"> <li>• Requires Development of local rules and/or forms.</li> <li>• Results in additional training, which requires the commitment of staff time and court resources.</li> <li>• Other fiscal or operational impacts</li> </ul>	The committee appreciates the information.
			<p><b><u>Suggested modification(s):</u></b> JRS agrees with proposed amendment to subdivision (a) to change the monetary limit to \$35,000.</p>	The committee acknowledges the commenter's support for the recommendation to revise rule 3.740(a) to change the monetary limit to \$35,000.
			<p>However, Monterey manages its collection case load, which is only increasing, based on the time for service existing currently in Rule 3.740(c)through 3.740(f). Removing the existing rule will cause a significant amount of process re-engineering, training, and configuration.</p> <p>Another issue is that by removing this content from Rule 3.740, this will leave collections cases without rules for time for service/default. See CRC 3.110 which puts a 60-day limit on service or OSC will issue, which specifically states that the rule doesn't apply to collections cases – "This rule applies to the service of pleadings in civil cases except for collections cases under rule 3.740(a), unlawful detainer</p>	The committee appreciates the information. In light of all the comments received regarding the proposal to amend subdivisions (c)–(f) of rule 3.740, the committee has determined that it should not recommend deleting subdivisions (c)(1), (d), (e), and (f) of rule 3.740 without more information regarding the potential benefits and drawbacks. Several commenters raised significant concerns about the proposed amendments, and it is unclear whether and to what extent the potential benefits to courts and court users might balance against those concerns. The committee plans to seek additional information from courts and other stakeholders before considering whether to proceed with amendments to subdivisions (c)(1), (d), (e), and (f).

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			<p>actions, proceedings under the Family Code, and other proceedings for which different service requirements are prescribed by law.” (Rule 3.110(a))</p> <p>Does that mean each court could create their own rules regarding timing with OSC or does it mean no OSCs for failing to take action within the usual rule (since statutes reference 2-3 years for lack of service rather than 60 days or 180 days)? Would it be necessary now to propose a change to Rule 3.110 to remove collections cases exception at the same time?</p> <p>Is there data showing that the current collections rules are prejudicial to either side?</p>	

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