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DEERING'S CALIFORNIA CODES ANNOTATED
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*** THIS DOCUMENT IS CURRENT THROUGH 2009-2010 EXTRAORDINARY SESSIONS 1-5, ***
7, AND 8, AND URGENCY LEGISLATION THROUGH CH 713 OF THE 2010 REGULAR SESSION

CODE OF CIVIL PROCEDURE
Part 4. Miscellaneous Provisions
Title 4. Civil Discovery Act
Chapter 8. Time for Completion of Discovery

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Cal Code Civ Proc § 2024.030 (2009)

§ 2024.030. Right of parties to specified time frames for completion of discovery relating to expert witness

Any party shall be entitled as a matter of right to complete discovery proceedings pertaining to a witness identified under Chapter 18 (commencing with Section 2034.010) on or before the 15th day, and to have motions concerning that discovery heard on or before the 10th day, before the date initially set for the trial of the action.

HISTORY:

Added Stats 2004 ch 182 § 23 (AB 3081), operative July 1, 2005.

NOTES:

Historical Derivation:

Former CCP § 2024(d), added Stats 1986 ch 1334 § 2, amended Stats 1987 ch 86 § 7, Stats 1991 ch 1090 § 9.5, Stats 1998 ch 932 § 21, Stats 2000 ch 688 § 11, Stats 2004 ch 171 § 5.

Law Revision Commission Comments:

2004

Section 2024.030 continues former Section 2024(d) (as amended by 2004 Cal. Stat. ch. 171, § 5) without change,

except to conform the cross-reference and delete the second sentence as surplusage. See Section 2016.060 (computation of time when last day falls on Saturday, Sunday, or holiday).

Editor's Notes

For notes of decisions derived from cases decided under former CCP § 2024, see *CCP § 2024.010*.

Collateral References:

Cal. Forms Pleading & Practice (Matthew Bender(R)) ch 190 "Discovery: Scope, Regulation, And Timing".

Cal. Points & Authorities (Matthew Bender(R)) ch 80 "Discovery: Scope Regulation And Timing" § 80.111.

Cal. Points & Authorities (Matthew Bender(R)) ch 83 "Discovery: Depositions" § 83.81.

Cal. Fam. Law Practice & Procedure (Matthew Bender(R)), § 110.11.

Hierarchy Notes:

Pt. 4, Tit. 4 Note

NOTES OF DECISIONS

Stay on all "discovery proceedings" as provided in *CCP § 425.16(g)* of the anti-SLAPP (strategic lawsuit against public participation) statute applies to discovery motions, including those already pending at the time the special motion to strike is filed, even though this term has a more narrow meaning in the California Civil Discovery Act, because such a narrow construction could very well thwart the legislative purposes of the anti-SLAPP statute. Nothing about the stay on discovery proceedings as provided at *CCP § 425.16(g)*, interferes with the core judicial function of the essential power of the judiciary to resolve specific controversies between parties. *Britts v. Superior Court (2006, Cal App 6th Dist) 145 Cal App 4th 1112, 52 Cal Rptr 3d 185, 2006 Cal App LEXIS 1953.*