

# CLIENT NEWS BRIEF

## Deadline to Present Claims against Public Entities Extended

In a series of executive orders addressing impacts of the COVID-19 pandemic, Governor Gavin Newsom has extended a statutorily-imposed timeline significant to public entities. The first 60-day extension, which applies to the deadline to file tort claims against public agencies, was published on March 21, 2020, under [Executive Order N-35-20](#). Then, on May 19th, 2020, the Governor issued [Executive Order N-65-20](#) which extended the deadline an additional 60 days. Finally, the language in the May 19 [Executive Order N-65-20](#) was modified on June 30, 2020, by [Executive Order N-71-20](#). This change did not create a new additional 60-day extension, but rather clarified how the May 19 60-day extension was to be counted in relation to the original March 21 60-day extension. Accordingly, evaluating the timeliness of claims will require particular attention in the coming months.

These extended deadlines apply to the timeline for presenting a claim against a public entity pursuant to the Government Claims Act found in Government Code section 911, *et seq.* The Government Claims Act allows a claimant to sue a public entity, including local government agencies, public school districts, and community college districts, after meeting certain procedural requirements. Generally, a claimant must file his or her claim with the governmental entity within six months or one year, depending on the claim, of the “accrual” (the date of the injury or in some instances the date the claimant learned of the alleged wrongdoing that caused injury to the claimant) of the injury. Due to the multiple extensions and wording outlined by the Executive Orders, the deadline for when a Government Claim is required to be filed is likely unique to the factual situation of the claim. If you receive a claim that could be affected by these Orders, we recommend that you consult with legal counsel immediately in order to preserve your agency’s arguments or defenses.

It should also be noted that none of the Executive Orders modifies the timeframe for a local agency’s response, which must typically occur within 45 days of the submission of the claim. However, the orders do extend the deadlines for the Department of General Services to act on government claims.

If you have any questions regarding responding to a government claim submitted under the extended timeframe, or for more information on issues arising from COVID-19 generally, please contact one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#), [Twitter](#) and [LinkedIn](#) or download our [mobile app](#).

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