

Unlawful Detainer Summary Procedures Chart

- **Appear and respond:** Defendants have 5 days after service of summons and complaint to appear and plead. CCP §1167. Defendants may only answer, demurrer, or move to quash service of the summons. CCP §§418.10(a), 1170.
- **Precedence:** UD proceedings have legal precedence over other civil actions. CCP §1179a.
- **No cross-complaint or counterclaim:** Defendants may not file a cross-complaint or counterclaim because UD proceedings are summary and defendants cannot raise issues irrelevant to possession. *Vella v Hudgins* (1977) 20 C3d 251, 255; *Glendale Fed. Bank v Hadden* (1999) 73 CA4th 1150, 1153.
- **Motions:** Motions to quash must be heard 3 to 7 days after notice. CCP §1167.4. Summary judgment motions must be heard after 5 days' notice. CCP §1170.7.
- **Trial setting:** UD trials must be set no later than 20 days after trial is requested. CCP §1170.5(a).
- **Extending time:** Unless good cause is shown, no extension of time may exceed 10 days without the adverse party's consent. CCP §1167.5.
- **No judicial arbitration:** UD proceedings are exempt from judicial arbitration. Cal Rules of Ct 3.811(b)(4).
- **No economic litigation procedures:** Economic litigation procedures do not apply to UD actions. CCP §91(b).
- **Stay on appeal:** The court may issue a stay on appeal. CCP §1176.