



STATE OF DELAWARE STATUTE OF LIMITATIONS (during COVID-19 pandemic)

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**EXTENDED STATUTES OF LIMITATIONS AND SERVICE OF PROCESS RULES
DURING THIS TIME OF COVID-19**

As of July 1, 2020, the tolling period in Delaware expired and was not extended. The following information explains Delaware's tolling period.

On March 12, 2020, Delaware Governor John C. Carney declared a State of Emergency which has been extended from time to time, most recently on November 25, 2020. Pursuant to 10 Del. C. § 2004, the Chief Justice for the Supreme Court of the State of Delaware likewise declared a judicial emergency. The judicial emergency has been extended as recently as December 2, 2020 when the Delaware Supreme Court issued its Administrative Order No. 14 Extension of Judicial Emergency.

Regarding the suspension of Statutes of Limitations/Repose and Filing Deadlines, the Supreme Court issued Administrative Order No. 3 on March 22, 2020 extending temporarily the expiration dates of statutes of limitations and statutes of repose as well as any expiration of deadlines in the rules of the various courts, including service of process. This extension was extended from time to time until the Administrative Order No. 7 on June 5, 2020. Administrative Order No. 7 extended the various deadlines through July 1, 2020. Any deadlines after June 30, 2020 were not tolled and no further extensions have been granted.

Pursuant to Administrative Order No. 14, the courts shall continue to operate under "Phase 2" of the Reopening Plan as set forth in Administrative Order No. 7 and Administrative Order No. 13. Currently, the following requirements continue to be suspended: Administrative Order No. 3 regarding the suspension of any requirements for sworn declarations, verifications, certificates, statements, oaths, or affidavits in filings with the various courts remain in effect.

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