

Rule 4.1.08 Ex Parte Matters – Probate

- (a) Ex parte matters are heard Monday - Friday at 1:00 p.m. Petitions appropriate for ex parte hearing include, but are not limited to, petitions for special administration, petitions for appointment of temporary conservators/guardians and orders shortening time.
- (b) **For all ex parte petitions and motions other than petitions for appointment of temporary conservators/guardians:** Counsel or the self-represented petitioner shall call the Court's Probate Attorney to schedule the ex parte and submit the paperwork by 10 a.m. the court day before the intended ex parte.
- (c) **For ex parte petitions for appointment of temporary conservators/guardians:** Counsel or the self-represented petitioner seeking to file an ex parte petition for appointment of temporary conservator/guardian shall contact the Court's Probate Attorney to schedule the ex parte hearing, which date will be based on notice and any court investigation required for the ex parte. Once a date is scheduled, the paperwork shall be presented to the clerk's office as soon as possible but no later than 10:00 a.m. five (5) court days before the ex parte date.
- (d) A request to expedite the matter may be made if a time urgency exists.
- (e) ~~Telephone appearances at ex parte are governed by California Rule of Court 3.670~~ Ex parte petitions must set forth the justification for such urgent action as required under California Rule of Court 3.1202.

(Rev. 7/1/03) (Renumbered 7/1/07) (Rev. 1/1/09)
(Rev. 7/1/14) (Rev. 1/1/18) (Rev. 1/1/19)
(Rev. 7/1/20) (Rev. 1/1/22)