

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF PLACER
FAMILY LAW DIVISION**

No. 09-001

**STANDING ORDER OF THE
FAMILY LAW COURT**

**FAMILY LAW CASE
MANAGEMENT**

Effective January 12, 2009, the following provisions replace the existing Local Rule 30.11:

30.11.1 Ex Parte Orders.

(A) Filing the Application: A party may seek affirmative relief by ex parte application. Applications for ex parte orders in family law matters shall be presented by the moving party to the filing clerk at the family law filing window at the Santucci Justice Center between the hours of 8:30 a.m. and 1:30 p.m. The matter will then be referred to the appropriate department.

(B) Contents of Application: An ex parte order will be issued only if the application is accompanied by an affidavit or declaration adequate to support its issuance. Counsel or pro per party will not be permitted to orally augment affidavits or declarations. An ex parte application for affirmative relief will not be granted absent a showing that immediate, significant and irreparable injury will occur unless the relief is granted.

(C) Notice Requirements to the Adverse Party for Affirmative Relief: The party seeking ex parte relief is required to provide reasonable notice to the adverse party. Reasonable notice is presumed to be not less than 24 hours. The moving party shall deliver his or her moving papers to the adverse party at the earliest reasonable opportunity in advance of the ex parte appearance, using the most expeditious means available, including, but not limited to personal delivery or facsimile transmission. Reasonable notice means that the other party is informed of the relief being requested by the moving party.

(D) Notice Requirements to the Court for Affirmative Relief: The party seeking ex parte relief is required to provide at least 24 hours notice to the Court that an ex parte application will be filed. The party shall complete the Local Form entitled "Notice of Ex Parte Hearing." At least 24 hours before the ex parte hearing, the completed form shall be faxed to the Court at (916) 408-6285 or presented to the filing clerk at the family law window at the Santucci Justice Center.

(E) Exception to Notice Requirements to the Adverse Party for Affirmative Relief: The 24-hour notice to the adverse party referenced above can be waived by the Court if the affidavit or declaration clearly shows that giving notice would frustrate the purpose of the proposed order.

(F) Hearings on Ex Parte Matters: The moving party is directed to file the application for ex parte orders and the supporting documents at the family law filing window at the Santucci Justice Center. The adverse party is directed to appear in Department 41. In the event the matter is not referred to Dept. 41, the adverse party will be directed to the appropriate department by the courtroom clerk in Dept. 41. If after 15 minutes of the noticed time to appear, the moving party does not appear, the courtroom clerk in Dept. 41 may release the responding party. The court may impose sanctions for a moving party's failure to appear at or cancellation of an ex parte hearing without good cause after the moving party notices the ex parte hearing.

30.11.2 Orders Shortening Time.

(A) An order shortening time for a hearing will not be granted absent a showing of good cause. The failure of moving party to handle legal matters in a timely fashion is insufficient basis for granting an order shortening time.

(B) Stipulation for Orders Shortening Time for Hearing and/or Service of a Notice of Motion or Order to Show Cause: If both parties and/or attorneys stipulate to an order shortening time for hearing or service of a notice of motion or order to show cause, then the moving party shall submit the following documents to the clerk at the family law filing window at the Santucci Justice Center: (1) a stipulation signed by both parties and/or attorneys demonstrating that the order shortening time is agreed upon; (2) a list of at least three proposed agreed upon dates for the hearing; (3) a written affidavit or declaration demonstrating good cause for the order shortening time; (4) the Notice of Motion or Order to Show Cause and all supporting documents. Such documents shall be reviewed by the Court without a hearing.

(C) No Stipulation for Orders Shortening Time for Hearing and/or Service of a Notice of Motion or Order to Show Cause: If the parties and/or attorneys do not stipulate to an order shortening time for hearing or service of a notice of motion or order to show cause, then the following provisions apply:

- (1) Notice to Adverse Party: The moving party must give notice to the adverse party at least 24 hours prior to presenting the proposed order shortening time and moving papers to the court.
- (2) Service of Documents on Adverse Party: The moving party shall deliver his or her moving papers to the adverse party at the earliest reasonable opportunity in advance of presenting the moving papers to the court, using the most expeditious means available, including, but not limited to, personal delivery or facsimile transmission.

- (3) Filing the Application: The moving party shall submit the following documents to the clerk at the family law filing window at the Santucci Justice Center: (a) a written affidavit or declaration demonstrating good cause for the order shortening time; (b) a written affidavit or declaration stating the date, time and method in which the adverse party was given notice that the application for an order shortening time would be filed; (c) the Notice of Motion or Order to Show Cause and all supporting documents.
- (4) Opposing the Application: If the adverse party opposes the granting of the order shortening time, the adverse party may file a declaration stating the basis for such opposition. Such declaration must be filed with the court and served on the moving party within 24 hours of having been given notice by the moving party that the proposed order shortening time would be presented to the court.
- (5) Determination by the Court: The application for order shortening time and the opposition, if any, shall be reviewed by the Court without a hearing.

Dated:

SIGNATURE ON ORIGINAL
FRANCES KEARNEY,
Supervising Family Law Judge