

1. Ex Parte Application Information:

- Ex Parte Applications are requests for extraordinary and immediate relief that cannot wait for the period of time required for the Court to hear a Request for Order (FL-300) containing a request for that relief, because if the hearing is not held immediately, some damage or harm would occur that cannot be prevented, undone, or remedied by a later court order.
- Ex Parte Applications are requests for relief that are reviewed by the Court and are ruled upon without the formal notice to the other party and opportunity to respond that is ordinarily given to a responding party. For that reason, Ex Parte Applications are generally limited in both the type of relief that may be requested, and the length of time that any orders issued by the Court will remain in place.
- Ex Parte Applications must meet certain requirements, or they may be denied by the Court or set for a hearing on the regular law and motion calendar in the future.

2. Ex Parte Application Required Criteria:

- Ex Parte Applications that are going to be submitted to the Court must meet the following criteria:
 - i. Specific facts must be provided to the Court that would demonstrate that unless the matter is heard as an Ex Parte Application, some “great or irreparable injury” would result to the applicant before the matter could be heard as a Request for Order. [Local Rule 8.07.01](#) of the El Dorado County Superior Court requires that these facts must be set forth in the form of a declaration.
 - ii. The relief requested must be limited in its scope. Even if an Ex parte Application is granted by the Court, its orders will usually be issued for a limited amount of time or until a full hearing on the issues can be held, at which time it will hear evidence from both parties.
 - iii. If the Ex Parte Application you intend to submit to the Court does not meet these requirements, then it should be filed as a Request for Order. These matters generally require the filing of the appropriate forms and supporting information and are set for hearing by the Court on the regular law and motion calendar.
 - iv. A Request for Order generally requires that the documents filed with the Court must be served on the other party at least sixteen (16) court days, plus an additional five (5) calendar days for the mailing of the documents, prior to the date on which the motion or order to show cause is set for hearing.

3. Ex Parte Procedures: South Lake Tahoe

- If an Ex Parte Application is going to be submitted to the Court, you must do the following:
 - i. Complete all required forms. You can obtain the forms online at www.eldorado.courts.ca.gov, or at the Family Law Facilitator's Office.
 - ii. Notify the other party by phone, in person, or electronically that you have filed an Ex Parte Application regarding the issues described herein no later than 10:00 a.m. on the day prior to your requested hearing date. Include this information on page two (2) of the Ex Parte Application and Declaration for Orders and Notice: South Lake Tahoe (Local Form F-28).
 - iii. Have the other party served with copies of all of the paperwork and declarations you have prepared in support of the Ex Parte Application, by personal service or electronically, no later than 2:00 p.m. on the day prior to your Ex Parte Application hearing. Include this

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information on page two (2) of the Ex Parte Application and Declaration for Orders and Notice: South Lake Tahoe (Local Form F-28).

- iv. Submit all of the paperwork and declarations you have prepared in support of the Ex Parte Application together with a check for the filing fee, or fee waiver application, to the Clerk's Office no later than 2:00 p.m. on the day prior to your Ex Parte Application hearing.
- v. If you fail to provide the Court with the necessary documents prior to 2:00 p.m. on the day before the hearing, and/or fail to comply with the foregoing notice and service requirements, your Ex Parte Application will not be heard.
- vi. The Court will notify you when the judge has reviewed your request and made orders, including the scheduling of a hearing. You must comply with the specific service and notice requirements listed on page one (1) of the Request for Order (Judicial Council Form FL-300).