

## Civil and Family Law *Ex Parte* Request Information

Case Name & Number: \_\_\_\_\_

Pursuant to [Local Rule](#) and the [California Rules of Court](#), a party seeking *ex parte* orders must, no later than **10:00 a.m. one court day before the *ex parte* request is to be reviewed by the court, notify and deliver to all parties or attorneys** the application for *ex parte*/emergency orders, including all declarations, attachments or other documents intended for judicial review. Notice and delivery must be in person, by fax, email, or text message which must include a clear picture of the moving papers.

- **All *ex parte* request paperwork, including the Declaration re. Notice, must be filed with the Clerk's Office in person no later than 10:00 a.m.** the day the *ex parte* request is scheduled to be reviewed by the court. Do NOT turn in papers by email or direct fax.
- The judge will consider the *ex parte* request based on the information provided in the documents that were filed and will issue a ruling by 1:30 p.m. the day the *ex parte* has been set for judicial review.

If the judge needs more information, parties will be notified by a clerk, by e-mail (preferred) or by phone, to appear in court at 4 p.m. that day or another date and time as specified by the clerk.

- The facts stated in the *ex parte* request must be based on the personal observations of the person who signs the declaration. Except in limited circumstances, the court cannot consider a statement by a witness or victim unless that person makes their statement in a written declaration under penalty of perjury.

**Opposition:** Any opposition to the *ex parte* request must be hand-delivered to the clerk's office, by 10:00 a.m. on the date scheduled for judicial consideration of the *ex parte* request.

Opposition to a request for restraining order only may be emailed to [exparte@mendocino.courts.ca.gov](mailto:exparte@mendocino.courts.ca.gov)

**Your request for an *Ex Parte*/Emergency Order has been set for judicial review on:**

**Monday:** \_\_\_\_\_

**Tuesday:** \_\_\_\_\_

**Wednesday:** \_\_\_\_\_

**Thursday:** \_\_\_\_\_

**Friday:** \_\_\_\_\_

**Check the ruling on the court's website under [Ex Parte Decisions](#) or return to the clerk's office at 1:30 p.m. on the day of your of *ex parte* to find out the judge's ruling and get your paperwork.**

You can notify the other party (unless ordered not to have contact) or you may have someone at least 18 years old, and not a party to the case, give notice for you. The person who gives notice must complete local form [MMC-121 Declaration re: Notice upon Ex Parte Application for Orders](#), or, if applicable, [Form FL-303, Declaration Regarding Notice and Service of Request for Temporary Emergency \(Ex Parte\) Orders](#).

If immediate harm could result if notice were given or if giving notice is impossible, you must indicate why notice was not given on your *Declaration re. Notice* form and explain your reasons. A judicial officer reviewing the request may find the reason for not giving notice insufficient and could deny your request.

<b>Hand Deliver to:</b>	<b>UKIAH BRANCH:</b>	<b>TEN MILE BRANCH:</b>
	100 North State Street, Room 107, Ukiah	700 South Franklin Street, Fort Bragg