

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name &amp; Address</i> ):  TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR ( <i>Name</i> ): _____ BAR NO.: _____	FOR COURT USE ONLY           CASE NUMBER: _____
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE</b> JUSTICE CENTER: <input type="checkbox"/> Central – 700 Civic Center Dr. West, Santa Ana, CA 92701-4045 <input type="checkbox"/> Lamoreaux – 341 The City Drive South, Orange, CA 92868-3205	
PETITIONER/PROTECTED PARTY:  RESPONDENT/RESTRAINED PARTY:	
<b>DECLARATION RE: NOTICE OF EX-PARTE APPLICATION (FAMILY LAW)</b>	

1. **What is the emergency?** \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

2. **What orders are you requesting?** \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

3.  **I informed the other party** in this action, (*list party*): \_\_\_\_\_

on (*date*) \_\_\_\_\_ at (*time*) \_\_\_\_\_ that I would be seeking  a domestic violence temporary restraining order or  ex-parte specified above. I informed the other party that I would file the ex-parte application on (*date*) \_\_\_\_\_ at (*time*) \_\_\_\_\_ at the Lamoreaux Justice Center.

How informed:

- (1) By telephone (*name*): \_\_\_\_\_
- (2) By telephone to the attorney (*name*): \_\_\_\_\_
- (3) By personally informing (*name*): \_\_\_\_\_
- (4) Other: \_\_\_\_\_

4.  **I have not given notice to the other party** in this action for the following reason (Include any attempts made, if you were unable to serve): \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_  
 \_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

## INFORMATION SHEET—EX-PARTE MATTERS

### NOTICE REQUIREMENTS

#### **ALL NON-DOMESTIC VIOLENCE RESTRAINING ORDER EX-PARTE APPLICATIONS.**

Notice must be given by telephone or in writing to the self-represented party or to the opposing attorney so that it is received not later than **10:00 a.m.** on **the court day before the ex-parte matter will be presented to the judicial officer.** A party may request the notice be waived by writing a declaration signed under penalty of perjury which explains facts showing good cause not to give the notice. A judicial officer may approve a waiver of notice for good cause.

Ex-parte requests that are filed by **10:00 a.m.** on a court day will be reviewed by the court on the same day. Ex-partes that are filed after **10:00 a.m.** will be reviewed by the court on the next court day.

The court will rule on requests that are timely submitted no later than **5:00 p.m.** on the day of the submission. If an email address is provided, the court will send the ruling by email to all parties. Otherwise, rulings will be mailed to the parties.

#### **EX-PARTE APPLICATIONS FOR A DOMESTIC VIOLENCE TEMPORARY RESTRAINING ORDER**

Notice must be given by telephone or in writing to the self-represented party or to the opposing attorney so that it is received not later than **four (4) hours** before the time **the ex-parte matter will be presented to the judicial officer.** A party may request the notice be waived by writing a declaration signed under penalty of perjury which explains facts showing good cause not to give the notice. A judicial officer may approve a waiver of notice for good cause.

Ex-parte requests that are filed by **3:00 p.m.** on a court day will be reviewed by the court on the same day. Ex-partes that are filed after **3:00 p.m.** will be reviewed by the court on the next court day.

#### **ALL EX-PARTE APPLICATIONS**

1. Per Local Rule 700.7, ex-parte requests filed by represented parties must be filed electronically using the court's electronic service providers, unless the court excuses parties from doing so. Self-represented parties may file electronically or in person at the Family Law Clerk's Office located at Lamoreaux Justice Center, 341 The City Drive South, 7th Floor, Orange, CA 92868.
2. Notice of the Ex-parte Application must include:
  - a. A statement of the relief being requested from the court (example: a request to continue the trial; a restraining order is requested)
  - b. A statement that the opposing party is entitled to file an opposition and should appear in court at the time for which notice was provided to file the opposition.

Ex-parte family law discovery motions are governed by Rule 3.1203(a) of the California Rules of Court.