Probate

Rule 601.13 ~~Petitions~~ Requests for Ex Parte Orders

The procedures for ~~petitions~~ requests for ex parte orders are posted at www.occourts.org~~, .~~ ~~click~~ Click on probate and then click on ex parte procedures.

All ex parte ~~petitions~~ requests must be verified and accompanied by a separate proposed order that is complete in itself (except for forms approved by the Judicial Council). A~~n~~ proposed order is ~~insufficient~~ incomplete if it merely ~~provides~~ states that the ~~petition~~ request has been granted. The moving party must submit a Probate Ex Parte Coversheet (L-~~000~~3033) to provide preliminary information to the Court and to verify that the party has complied with rules applying to ex parte ~~s~~requests.

~~Since~~ Because no testimony is taken in connection with ex parte ~~petitions~~requests, the ~~petition~~ request must contain sufficient evidentiary facts to justify granting the ~~prayer~~requested relief. Conclusions or statements of ultimate facts are not sufficient. A foundation should be set forth establishing the affiant's personal knowledge.

~~In cases where pleadings are presented ex parte without attorney service buckslips, attorneys should provide self-addressed envelopes with sufficient postage to have all copies returned to them.~~

(Revised effective July 1, 2025; Adopted effective July 1, 1992; revised effective July 1, 2008)