



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

Hall of Justice and Records
400 County Center
Redwood City, California 94063

NOTICE OF REVISED LOCAL COURT RULE AND PROBATE FEE SCHEDULE

The following revisions to the Local Court Rules for Family Law and the Court Fee Schedule have been approved by the Court and will become effective July 1, 2008.

DIVISION 5 – FAMILY LAW RULES

Rule 5.6 Ex Parte Orders

Sections A. to D. Unchanged.

E. Notice Requirements-Generally. Ordinarily, an ex parte *application will not be considered nor an* order issued without the following:

1. ***Give*** reasonable notice of the filing ***of the ex parte application to*** the opposing party so that the party might oppose the application. Reasonable notice is defined according to the California Rules of Court, Rules 3.1203- 3.1204 as notifying all parties no later than 10:00 a.m. the court day before the ex parte is ***considered by*** the court. ***The court may waive this notice requirement in extraordinary circumstances if good cause is shown that imminent harm is likely if notice is provided to the other party.***
2. ***Absent good cause, the Ex Parte application and all documents in support of the application must be delivered to all of the other parties at the same time when Notice is given, as specified in paragraph E.1 above. Delivery of the documents can be achieved by either*** personal delivery or facsimile transmission. ***Delivery of the documents*** cannot be made by facsimile alone unless there is prior agreement between the parties, which is set forth in the moving party's declaration. If served by facsimile transmission, the moving party shall include in their declaration evidence that the opposing party or their counsel actually received said transmission during normal business hours.
3. The moving party shall notify the opposing party of the specific date, time and location the ex parte application will be submitted to the court.
4. Responding/opposing attorneys or self-represented parties shall submit ***and serve*** their ***written response*** to the party ***seeking the*** ex-parte relief and to the court within 24 hours of receiving notice of the Ex Parte Application. The Court will notify the parties if it requests an expedited response, which may occur in some instances.
5. ***Notwithstanding the failure of an applicant to comply with the requirements as set forth in this Rule, the clerk must not reject an ex parte application for filing and must promptly present the application to the appropriate judicial officer for consideration.***

Sections F. to M. unchanged.

(Adopted, effective January 1, 2000) (Renumbered *(formerly 5.5)* and Amended, effective January 1, 2004) (Amended, effective January 1, 2008) (Amended, effective July 1, 2008)

[*Changes are highlighted and in bold for your convenience*]

NEW PROBATE FILING FEES, EFFECTIVE JULY 1, 2008

Description of Service	FORMER FEE	NEW REVISED FEE
1. Exparte/5-day temporary conservatorship petition investigations. The Court Investigator visits the proposed conservatee and contacts relatives to the second degree and other collaterals within 2 days.	\$0	\$0
2. General conservatorship and relative guardianship petitions. Visits to the proposed conservatee or minor, contacts collaterals within 30 days.	\$636	\$ 850
3. 6-Month Reviews investigations. The CI visits the conservatee and contacts collaterals within 30 days. The report is a shortened format.	\$318	\$ 425
4. Annual Review with or without an accounting: The Court Investigator visits the conservatee, contacts collateral persons within 30 days, reviews the accounting and this fee amount is assessed.	\$636	\$ 850
5. Status Review (This new review becomes effective July 1, 2008): All conservatorships are reviewed every two years with an intervening status review calendared. The report is a shortened format.	\$318	\$ 425
6. Reviews with or without an accounting: The CI visits the conservatee, contacts collaterals within 30 days, reviews.	\$636	\$ 850