

**SANTA BARBARA COUNTY SUPERIOR COURT:
OFFICE OF THE FAMILY LAW FACILITATOR
Cook Division (North County)**

Instructions for an Ex Parte (Emergency) Request:

General information with step-by-step instructions: <https://selfhelp.courts.ca.gov/ask-emergency-ex-parte-order>

1	Assemble and complete your emergency request forms	<input type="checkbox"/> FL-300 Request for order <input type="checkbox"/> FL-311 Child Custody and Visitation Application Attachment (for custody matters only) <input type="checkbox"/> Declaration <input type="checkbox"/> FL-305 Temporary Emergency (Ex Parte) Orders <input type="checkbox"/> FL-303 Declaration re: Notice and Service of Request for Temporary Emergency Orders <input type="checkbox"/> FL-320 Responsive Declaration (blank) <p>Your declaration (your story where you promise to tell the truth) is very important. It can be a maximum of 10 pages long, typed, font size 11-12, double-spaced. You must explain in detail the nature of the emergency and prove that you need the emergency orders you are requesting. See the handout "How to Write a Declaration."</p> <input type="checkbox"/> Make one original packet + 2 copies.
2	Give notice of the proposed emergency hearing to the other side	<input type="checkbox"/> Serve a copy of the unfiled FL-300 Request for Orders with your declaration on the other side. There is NO date or time for hearing stated on the FL-300. <input type="checkbox"/> Complete the FL-303 Declaration re: Notice and Service of Request for Temporary Emergency Orders , sections 1 and 3.
3	Submit your emergency request documents to get an appointment date and time with the court	<p>a. Submit the following documents for filing at the Clerk's Office:</p> <input type="checkbox"/> FL-300 Request for Order with declaration supporting your request for emergency orders. The date and time of the hearing are left blank. <input type="checkbox"/> FL-303 Declaration re: Notice and Service of Request for Temporary Emergency Orders <input type="checkbox"/> FL-305 Temporary Emergency (Ex Parte) Orders <p>b. NOTE: If your situation only requires the judge to hear your matter more quickly, then you can apply for an "Order Shortening Time" on p. 1 of the FL-300.</p> <p>c. NOTE: The judge will review your documents and decide if you need an ex parte hearing or an order shortening time. The court will assign a hearing date and time and the "Court Order" on the bottom of p. 1 of the FL-300 Request for Order will show, if applicable, the date by which the other side must be served with the FL-300 and the date by which the other side must serve their Responsive Declaration FL-320.</p> <p>d. NOTE: You must be able to give verbal notice to the other side by 10:00 a.m. the day before the ex parte hearing.</p> <p>e. NOTE: You must be able to serve your written documents on the other side at least by 1 p.m. the day before the ex parte hearing.</p> <p>f. NOTE: You must be able to file all your written documents with the Clerk's Office at least by 1 p.m. the day before the ex parte hearing.</p>

		<p>The Clerk's Office is open for service Monday – Friday 9:00 a.m. – 1:30 p.m.</p> <p>g. The Clerk's Office will return to you the fully completed FL-300 with the date, time, and location for hearing.</p>
4	<p>Have 1 copy of your filed documents personal served on the other side:</p> <ul style="list-style-type: none"> • FL-300 (completed by court with date and time of hearing) • Declaration • FL-311, if applicable • FL-305 [proposed order] FL-320 (blank) 	<p><input type="checkbox"/> a. Give notice of the hearing date and time by having a copy of the filed Request for Order FL-300 and other related filed documents personally served on the other side. Another adult, NOT YOU, must serve the documents listed in #1 above.</p> <p><input type="checkbox"/> b. All the documents that have been filed with the court must be served on the other side by 1:00 p.m. the day BEFORE the emergency hearing.</p> <p><input type="checkbox"/> c. Your server must complete, date, and sign the FL-330 Proof of Personal Service. Make one original + 1 copy.</p>
5	<p>Complete all sections of the FL-303 Declaration re: Notice and Service of Request for Temporary Emergency Orders</p>	<p><input type="checkbox"/> a. Complete, date and sign</p> <p><input type="checkbox"/> b. Make original + 1 copy</p> <p><input type="checkbox"/> By 1:00 p.m. the court day BEFORE the emergency hearing, file the completed documents listed in #1 above: Original + 1 copy.</p> <p>The Clerk's Office is open for business Monday – Friday 9:00 a.m. – 1:30 p.m.</p>
6	<p>Attend the hearing. Pick up your Temporary Emergency (Ex Parte) Orders FL-305.</p>	<p><input type="checkbox"/> a. When you scheduled the hearing date and time with the judge's secretary, you were told to appear at the hearing. Follow that instruction.</p> <p><input type="checkbox"/> b. Pick up the Temporary Emergency (Ex Parte) Orders FL-305 from the Clerk's Office.</p> <p>The Clerk's Office is open for business Monday – Friday 9:00 a.m. – 1:30 p.m.</p> <p><input type="checkbox"/> c. Have your server personally serve a copy of the FL-305 on the other side.</p> <p><input type="checkbox"/> d. Your server must complete, date and sign the FL-330 Proof of Personal Service. Make one original + 1 copy.</p> <p><input type="checkbox"/> e. File the FL-330 Proof of Personal Service.</p>
7	<p>Go to your court hearing</p>	<p>The Court will determine if you need to appear in person or may appear by Zoom. Look at the FL-300 Request for Order on page 1, box #2, to see the date, time and location of the hearing. Check this link for more Zoom information: https://www.santabarbara.courts.ca.gov/general-information/remote-appearance-zoom-information .</p>

(02/23/2024)