



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO
WWW.SACCOURT.CA.GOV

Effective April 1, 2020

Implementation of Court Closure Mitigation Plan from April 1, 2020 through April 16, 2020

Probate Proceedings

The Coronavirus (COVID-19) continues to pose an unprecedented health and safety threat to the public. Due to the increasing risks presented by the COVID-19 pandemic, all court operations shall be closed to the public as provided for in the General Order of the Presiding Judge, dated March 30, 2020. (<https://www.saccourt.ca.gov/general/docs/extension-court-closure-order-april-1-to-april-16-2020.pdf>). Pursuant to that Order, all courtrooms of the Sacramento Superior Court will be subject to the Emergency Relief Plan for judicial business commencing April 1, 2020 and continuing through April 16, 2020 except for certain time-sensitive, critical matters. During this period of the court closure, for Probate, only *ex parte* emergency petitions for temporary Conservatorship and Guardianship will be adjudicated. The services provided will be with minimal support staff. All hearings will be telephonic. To avoid delay in processing your *ex parte* application, you must follow the procedural directives for notice, provision of telephone contact information for all parties, and submission of a proof of service.

Ex Parte Emergency Petitions for Temporary Conservatorship and Guardianship

In the event of an emergency requiring the immediate appointment of a temporary conservatorship or guardianship, the moving party may present an *ex parte* application for immediate relief upon proper notice to any opposing party via the court drop-box (located at the Family Court @ 3341 Power Inn Road, Sacramento, CA 95826) or by emailing to Dept129@saccourt.ca.gov. Parties must submit their *ex parte* application via drop-box or email at least 24 hours in advance of their desired *ex parte* hearing, date and time. For example, if your *ex parte* is noticed for Wednesday, March 25, 2020, at 8:30 am, you should have submitted your *ex parte* application to the court by Tuesday, March 24, 2020, at 8:30 am.

The moving party must not only provide the opposing party(ies) with the noticed date and time (Monday through Friday; 8:30 am for conservatorship and 10:00 am for guardianship) of the *ex parte* application, but also a (hard or electronic) copy of the application. Both components shall be included in the completed proof of service which must be filed with the court via drop-box or email at least 24 hours in advance of their *ex parte* hearing date.

A Responding party to a noticed ex parte hearing may submit a written response for consideration. The response shall be submitted by email to Dept129@saccourt.ca.gov by 8:30 am on the day of the ex parte hearing with a copy to the moving party.

Additionally, the moving party must provide current telephone numbers for all parties, in the event the ex parte application requires a telephonic appearance and/or hearing to be scheduled. If a telephonic appearance is needed, the court will contact the parties and provide instructions. Once the Probate Judicial Officer rules, based on the pleadings and/or after the telephonic ex parte appearance, a court representative will make the orders and documents available either by pick-up from the drop-box or electronically (if email address provided).

Parties are required to comply with any service requirements post the ex parte hearing and to submit to the court a proof of service prior the return hearing.

Counsel and parties are reminded that ex parte relief may only be granted upon a showing of irreparable harm or immediate danger as set forth in CRC 3.1202(c).

Any future hearings set as a result of an ex parte application during the court closure period will only be set for telephonic return hearings and appearances may be subject to later change, as a result of additional efforts to mitigate the spread of COVID-19. The Court Department will not accommodate personal attendance of attorneys or the public.

All other Probate, Conservatorship and Guardianship matters normally handled in Department 129 will be processed as follows:

Probate Matters

The hearing dates for Probate matters currently set on the 8:30 am, 9:00 am, 11:00 am law and motion calendars during the court closure period will be continued to a new hearing date in approximately sixty to ninety (60-90) days.

Conservatorship Matters

The hearing dates for Conservatorship matters currently set on the 9:00 am, and 11:00 am law and motion calendars during the court closure period will be continued to a new hearing date in approximately sixty to ninety (60-90) days. The minute order setting forth the continued hearing date will provide that all temporary orders shall remain in place. However, the affected Conservator must prepare and deposit new letters in the Court drop-box for execution by the Court.

Guardianship Matters

The hearing dates for Guardianship matters currently set on Fridays at 9:00 am during the court closure period will be continued to a new hearing date in approximately sixty to ninety (60-90) days. The minute order setting forth the continued hearing date will provide that all temporary orders shall remain in place. However, the affected guardian must prepare and deposit new letters in the Court drop-box for execution by the Court.

LPS Matters

The hearing dates for LPS matters currently set on Tuesdays at 8:30 am, during the court closure period will be continued to the first available date as a priority setting. The minute order setting forth the continued hearing date will ordinarily provide that all temporary orders shall remain in place.

Miscellaneous Matters

All trials, settlement conferences, and other matters currently set to occur during the court closure period will be continued to new dates following the expiration of the court closure period.

Courtroom

Department 129 will be closed for all court business, except for the limited purpose of telephonic appearances to handle ex parte emergency petitions for temporary conservatorship or guardianship, as the court deems appropriate.

- Emergency Petitions for Temporary Conservatorship (Monday to Friday at 8:30 am)
- Emergency Petitions for Temporary Guardianships (Monday to Friday at 10:00 am)

Court Filings

- During the court closure, all filings can still be submitted to the Court via US Mail, but will not be processed until after the court closure.

Self Help Center

- All services for Probate matters will be suspended during the court closure.

Probate Court Investigations

- All Probate Investigations will be suspended during the court closure period.

Court Department Contact

- The Court Department will be closed to the public during the court closure period.
- After the court closure period, if you have issues with your assigned and/or continued court date, or extension order that was not received, please contact the court department. If you contact the court using email, please be sure to courtesy copy the opposing party.
- Email: Dept129@saccourt.ca.gov or by phone at (916) 875-2529
- A court representative will make contact within 72 hours of the inquiry.

Please continue to frequently check the Probate section of the Sacramento Superior Court Webpage at <https://www.saccourt.ca.gov/probate/probate.aspx> for any new information and advisements. Thank you for your patience during this time.