

Los Angeles Superior Court – Public Information Office

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# NOTICE TO ATTORNEYS



May 26, 2017

## PROBATE EFILING: INSTRUCTION FOR ELECTRONIC FILING OF EX PARTES, DROP OFF EX PARTES AND PROPOSED ORDERS AFTER HEARING

**Effective June 5, 2017**, Los Angeles Superior Court requires attorneys to efile most documents filed with the Probate Division, except the following:

- Peremptory challenges or challenges for cause of a judicial officer
- Testamentary instruments (wills and codicils), letters, original trust documents, bond/undertaking documents
- Trial and hearing exhibits
- Documents filed in civil or family law cases that are related for handling in the probate division
- Lodged documents

The Court is issuing clarifying instructions for ex partes, drop off ex partes, and proposed orders after hearing:

**EX PARTES** for next day ruling now require that ex parte applications be efiled (if by counsel) by 10:00 a.m. the day before the ex parte. The proposed order for the ex parte shall be submitted as part of the same transaction or envelope where the application was submitted for efileing. The proposed order shall be a separate document in the envelope.

**DROP OFF EX PARTES** where the applicant intends for the ex parte to be a drop-off review only does not require appearance, but will require that the filer indicate as part of the caption "DROP OFF EX PARTE." The proposed order for the drop off ex parte may be submitted as part of the same transaction or envelope where the drop off ex parte was submitted for efileing. The proposed order shall be a separate document in the envelope. As is the existing practice, drop off ex partes do not require an appearance.

Examples of drop-off, review only, ex partes include applications to increase bond, requests to continue hearing or trial, stipulations with order, etc., consistent with the existing practice.

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**PROPOSED ORDERS AFTER HEARING** are to be submitted after the ruling on a petition or motion, except as specified for ex partes and drop off ex partes above. Once processed, proposed orders after hearing will be returned electronically to the email used for efilings. Attorneys should not submit proposed orders before the hearing. Pre-submitted orders will be rejected.

When the proposed order is efiled, it should include documents that previously would have been attached to the proposed order (e.g., the Duties and Liabilities of Personal Representative forms in a decedent's estate, or the list of documents that must be filed by a party prior to receiving conservatorship orders, or letters). For original documents included as exceptions to efilings above, including bonds and letters, the original must follow and be delivered to the Probate Clerk's Office.

Requests and payment for certified copies of proposed orders cannot be made through the efilings system at this time. Instead, certified copies can be ordered in person or by mail after entry of an order.

Filings received after midnight are deemed filed as of the next business day.

On Feb. 16, a public meeting to provide information regarding electronic filing was held. The PowerPoint from the presentation, along with information from each electronic filing service provider, is posted on the Court's website at:

<http://www.lacourt.org/newsmedia/announcements/probate/1>.

For further information about the efilings process, please refer to the FAQs:

[http://www.lacourt.org/division/efiling/pdf/Efiling\\_FAQ.pdf](http://www.lacourt.org/division/efiling/pdf/Efiling_FAQ.pdf).

Or contact any of the Electronic Filing Service Providers (EFSPs):

<http://www.lacourt.org/division/efiling/providers.aspx>.

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