

**SANTA BARBARA COUNTY SUPERIOR COURT:
OFFICE OF THE FAMILY LAW FACILITATOR
Anacapa Division (South 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-330 Proof of Personal Service <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	Set the emergency request appointment date and time with the court	<p>a. <input type="checkbox"/> Call the judicial officer's secretary to schedule the emergency hearing. For the Anacapa Division of the court, Dept. 4 or Dept. 9, call (805) 882-4590. For Dept. 3 or Dept. 5, call (805) 882-4570.</p> <p>Do not schedule your emergency hearing until all your legal paperwork is completed! Read below:</p> <p>b. 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>c. 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>d. NOTE: You must be able to file 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>e. Therefore, choose your emergency hearing date and time very carefully.</p> <p>f. <input type="checkbox"/> Write the ex parte hearing date and time in the box on p. 1 of the Request for Order FL-300.</p>

3	<p>Give notice of the date, time, and purpose of the hearing to the other side in your case</p>	<p><input type="checkbox"/> Give notice in person, by telephone, by fax, by voicemail or by overnight mail</p> <p><input type="checkbox"/> Notice must be given by 10:00 a.m. the day BEFORE the emergency hearing</p> <p><input type="checkbox"/> NOTICE given must include:</p> <p>a. Date of hearing</p> <p>b. Time of hearing</p> <p>c. Place of hearing</p> <p>d. Description of the emergency orders you are requesting at the hearing</p>
4	<p>Have 1 copy of your documents served:</p> <ul style="list-style-type: none"> • FL-300 • Declaration • FL-311, if applicable • FL-305 [proposed order] • FL-320 (blank) 	<p><input type="checkbox"/> a. All the documents that will be 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"/> b. Service should be done personally. Another adult, NOT YOU, must serve the documents listed in #1 above.</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 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>
6	<p>File your documents (listed in 4 and 5 above)</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>
7	<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>
8	<p>If the court scheduled an additional future hearing date, have your documents served</p>	<p><input type="checkbox"/> a. A copy of the Request for Order FL-300 and a Responsive Declaration FL-320 (BLANK) must be personally served on the other party by another adult or the Sheriff at least sixteen (16) court days before the upcoming hearing. You cannot serve your own documents. You do not include weekends and holidays when counting the court days.</p> <p><input type="checkbox"/> b. Your server must complete, date and sign the FL-330 Proof of Personal Service. Make one original + 1 copy.</p> <p><input type="checkbox"/> c. File the FL-330 Proof of Personal Service.</p>
9	<p>Go to your court hearing</p>	<p>You may attend in person or 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:</p> <p>https://www.santabarbara.courts.ca.gov/general-information/remote-appearance-zoom-information .</p>