

Superior Court of Los Angeles County – Media Relations

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NOTICE TO ATTORNEYS



RELEASE DATE:
January 8, 2020

CHANGES TO THE PROCESS TO CONTINUE PROBATE PETITION HEARING DATES

Effective January 15, 2020, the Probate Division is changing the process for seeking a continuance of petition hearing dates at the Stanley Mosk and Antelope Valley courthouses.

A new form, Form LASC PRO 080, Request to Continue Petition Hearing and Order, must be used to request a continuance of petition hearing dates for contested and uncontested petitions. However, it **may not** be used to request a continuance of an Order to Show Cause hearing, trial, settlement conference, restraining order or motion. More details are available in Form LASC PRO 081-INFO, including these important requirements:

- A separate form is required for each petition hearing sought to be continued.
- The forms and fees must be submitted for filing no less than five court days from the scheduled hearing date.
- Requests for continuance submitted less than five court days from the hearing date must be made by filing an Ex Parte Application or by making the request at the hearing.
- If the petition is uncontested, only the signature of the requesting person is required on the Request to Continue Hearing form.
- If the petition is contested, the signatures of all respondents or persons who have appeared are required. If the signatures of all respondents or persons who have appeared are not obtained, an Ex Parte Application or appearance at the hearing is required to request a continuance of the petition hearing.

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2-2-2-2**

Pursuant to Government Code Section 70617(c)(1) & (2), a \$20 fee is applicable for filing the Request to Continue Petition Hearing and Order form. The fee is less than the fee required to file an Ex Parte Application.

Los Angeles Superior Court Rule 4.14 will be amended to conform to the new guidelines and is superseded by the General Order re: Continuance of Petition Hearing Dates in the Probate Division.

Please note the Court will eliminate the practice of allowing email requests to be submitted to the Probate Attorney or Probate Examiner assigned to prepare the Probate notes on the petition hearing to be continued.

The new forms may be accessed at www.lacourt.org/forms/probate.

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