

FILED
Superior Court of California
County of Los Angeles

JAN 27 2020

Sherri R. Carter, Executive Officer/Clerk
By *D. Arellano* Deputy
D. Arellano

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

IN RE AMENDMENT TO LOS ANGELES) GENERAL ORDER
SUPERIOR COURT LOCAL RULE 4.14 RE)
REQUEST TO CONTINUE PROBATE)
PETITION HEARINGS)

Pursuant to the authority set forth in Rule 10.603 of the California Rules of Court, effective January 15, 2020, it is hereby ordered as follows:

Any Local Rule inconsistent with the matters set forth below remains suspended.

Form LASC PRO 080, Request to Continue Petition Hearing and Order, is adopted for mandatory use when requesting to continue Petition hearing dates. The form may not be used to request a continuance of an Order to Show Cause hearing, trial, settlement conference, restraining order or motion.

Parties are required to file a separate form for each Petition hearing sought to be continued.

As provided in Government Code 70617(c)(1) & (2), a \$20 fee is applicable for filing the Request to Continue Petition Hearing and Order form.

The forms and fees must be submitted for filing no less than five court days from the scheduled hearing date.

Requests submitted less than five court days from the hearing date must be made by filing an Ex Parte Application or by appearing and making the request at the hearing.

The signature of the requesting person is required on the Request to Continue Hearing form. The signatures of all respondents or persons who have appeared are required for contested Petitions.

1 Effective January 15, 2020, the court eliminates the practice of allowing requests for continuance
2 to be submitted to Probate Examiners and Probate Attorneys by electronic mail.

3 Pursuant to the Delegation of Authority issued by the Supervising Judge of the Probate Division
4 the court delegates to the Clerk of Court the authority to grant requests to continue Petition hearing dates
5 if no previous requests have been submitted and the requests meet the standards of eligibility. The clerk
6 approving a request pursuant to the Delegation of Authority shall check the appropriate box and insert
7 the applicable information on page 4 on form LASC PRO 080.

8 The Delegation of Authority to the Clerk is limited and does not include processing of
9 subsequent Petitions. Requests to Continue Petition Hearing and Order forms submitted after the first
10 request has been granted or denied are to be transmitted to the judicial officer assigned to the case.

11 Local Rule 4.14 is hereby repealed and amended in its entirety by order of the Presiding Judge
12 as follows:

13 Effective January 15, 2020, the court amends and adopts the following Local Rule 4.14 for
14 submitting requests to continue Petition hearings:

15 CONTINUANCE OF PETITION HEARINGS

16 a) LASC Forms for Mandatory Use.

17 (1) Request to Continue Petition Hearing and Order, form LASC PRO 080, is to be used by the
18 parties for contested and uncontested Petition hearings.

19 i. Exclusions. The request form may not be used to request a continuance of an Order
20 Show Cause (OSC), trial, settlement conference, restraining order, or motion.

21 ii. Signatures. The signatures of all parties who have filed documents including requests
22 for special notice, or who have made an appearance on the Petition are required.

23 iii. Contested. A Petition is contested if an objection, opposition, will contest, competing
24 Petition, or other filing requesting that the court deny or alter the relief requested in
25 the initial Petition has been filed.

1 (2) Initial and Subsequent Requests for Continuance

2 i. Initial Request. The first request for continuance submitted to the court is to be
3 submitted using the mandatory form.

4 ii. Subsequent Requests. In addition to the items required in section 2(i), a declaration
5 showing good cause is required if the subject hearing has been previously
6 continued.

7 b) Time for Filing Request to Continue Petition Hearing Form.

8 No later than 5 court days prior to the scheduled hearing that the parties are requesting to
9 continue, the parties shall file the request for continuance using the LASC form adopted for
10 mandatory use.

11 c) Notice and Service.

12 (1) A copy of the Request to Continue Petition Hearing and Order form shall be provided to all
13 parties that received notice of the underlying Petition, have filed documents, requested
14 special notice or have made an appearance.

15 (2) Notice of the court's ruling is to be served on all parties who were given notice of the
16 underlying Petition within one calendar day of receipt of the ruling.

17 (3) A Proof of Service must be filed with the court within two court days of giving notice.

18 Effective immediately, this General Order is to remain in effect until otherwise ordered by the
19 Presiding Judge.

20 GOOD CAUSE APPEARING THEREFOR, IT IS SO ORDERED.

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24 DATED: January 27, 2020

25 
26 KEVIN C. BRAZILE
27 Presiding Judge
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