

~~RULE 2 — PROBATE ORDERS~~

~~A. FORMAT~~

~~All orders in probate matters must be complete and bear the noticed hearing date and department. In addition, the court signature and date lines must not be on a page by themselves; the signature page must contain some text of the order. If a matter is taken off calendar, any order submitted will be returned to the arty and a new order must be submitted for the re-noticed hearing date. All orders signed by a judge during a hearing shall be filed before leaving the courthouse.~~

(Renumbered to B. and B.1. without substantive change)

RULE 2 PRETRIAL MOTIONS AND EX-PARTE PROCEEDINGS

A. LAW AND MOTION AND DISCOVERY MATTERS - TENTATIVE RULINGS

The Court follows CRC 3.1308(a)(1) for those departments that have elected to issue tentative rulings in probate law and motion and discovery matters. Counsel and litigants are responsible for determining whether the department hearing their motion has made this election. Those departments issuing tentative rulings will do so generally by 2:00 p.m. and no later than 3:00 p.m. on the court day preceding the scheduled hearing. If the Court has not directed oral argument, a party contesting a tentative ruling must give notice of the party's intention to appear to the other side and the Court no later than 4:00 p.m. on the court day preceding the scheduled hearing. Appearances may be made by remote (Teams), telephone or in person. The tentative ruling will automatically become the order of the Court on the scheduled hearing date if the Court has not directed oral argument and if the contesting party fails to timely notice an objection to the other side and the Court. Tentative rulings will be posted on the Court's website, www.scscourt.org, where further information may be found. If a party does not have access to the internet, the tentative ruling may be accessed by calling Court Services at (408) 882-2515. Questions about these procedures may be addressed to the specific department where the matter is to be heard.

~~B. DEADLINE FOR SUBMITTING PROPOSED ORDERS IN UNCONTESTED MATTERS~~

~~In all matters where no objections are on file, a petitioning party must submit a proposed order at least four court days in advance of the scheduled hearing date or the matter may be ordered off calendar.~~

(Effective 1/1/2017)

(Renumbered to B.2. without substantive change)

B. PROBATE ORDERS

1. FORMAT

All orders in probate matters must be complete and bear the noticed hearing date and department. In addition, the court signature and date lines must not be on a page by themselves; the signature page must contain some text of the order. If a matter is taken off calendar, any order submitted will be returned to the party and a new order must be submitted for the re-noticed hearing date. All orders signed by a judge that are provided to counsel during a hearing must be filed before leaving the courthouse.

2. DEADLINE FOR SUBMITTING PROPOSED ORDERS IN UNCONTESTED MATTERS

In all matters where no objections are on file, a petitioning party must submit a proposed order at least four court days in advance of the scheduled hearing date or the matter may be ordered off calendar.

(Effective 1/1/2017)

C. EX PARTE ORDERS FOR PROBATE MATTERS

(Renumbered to B. 2. without substantive change)

2. EX PARTE ORDERS FOR PROBATE MATTERS

(Renumbered/Re lettered subparts without substantive change)