

Local Rules of the Superior Court of California, County of Alameda

Title 7. Probate Rules

Chapter 2. Ex parte Applications

Rule 7.116. Emergency rule re notice of available means for filing of oppositions to probate ex parte applications during COVID-19 crisis

During the COVID-19 crisis, notice of an ex parte Probate application must include the following advisement to all persons entitled to notice:

Any opposition to an ex parte application must be fax filed or placed in the Berkeley Courthouse Drop Box.

The declaration of notice required under Local Rule 7.115 must state compliance with this rule.

Rule 7.116 adopted effective April 20, 2020.

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Chapter 3. Pleadings

Rule 7.180. Emergency rule re additional notice requirements for decedent's estate and trust proceedings during COVID-19 crisis

During the COVID-19 crisis, all parties who file a petition, motion, or application in a decedent's estate or trust proceeding that requires a hearing date shall include the following language in ALL CAPITAL LETTERS in the first page of the notice of the petition, motion, or application:

THE COURT REQUIRES ALL PARTIES WHO WISH TO ATTEND THE HEARING ON THE ABOVE DATE AND TIME, INCLUDING THOSE WHO WISH TO STATE OBJECTIONS, TO APPEAR BY AUDIO OR VIDEO TECHNOLOGY. THE PARTIES SHOULD CONSULT THE COURT'S WEBSITE FOR THE SPECIFIC TELEPHONIC AND VIDEO APPLICATIONS AVAILABLE. THE PARTIES MAY ALSO CONTACT THE PROBATE CLERK AT probateclerk2@alameda.courts.ca.gov. PARTIES MUST BE PRESENT AT LEAST FIVE (5) MINUTES BEFORE THE SCHEDULED HEARING TIME.

However, if the notice is required to be given on a mandatory Judicial Council of California form that does not provide adequate space for the above language, the first page of the notice shall state:

MANDATORY REMOTE APPEARANCE. SEE ATTACHMENT FOR FURTHER INSTRUCTIONS

The attachment must include the complete required language.

Rule 7.180 adopted effective April 20, 2020.