

## **Ventura County Superior Court Local Rules 2019**

### **10.01.A**

#### **6. COORDINATION OF PENDING CUSTODY PROCEEDINGS IN SUPERIOR COURT OF CALIFORNIA, COUNTY OF VENTURA**

Where a petition for guardianship of the person of a minor is pending, and where it appears to the court that a custody proceeding concerning the same minor is pending in any other department of the Ventura County Superior Court, the Probate Guardianship Court shall coordinate the proceedings to avoid conflicting custody orders. The Supervising Judge of the Family Law Department shall resolve any conflict and determine in which court the combined custody/guardianship proceedings shall be held.

#### **C. EX PARTE HEARING FOR TEMPORARY GUARDIANSHIP OF A MINOR PERSON.**

1. Ex parte hearings for temporary guardianship are not favored. In most cases where there is an objection to the guardianship, the court will consider the request ex parte only if the minor has been living with the proposed guardian. If a person believes a child is at risk of harm and the child is not in that person's physical custody, then she or he should contact the hotline for reporting child abuse operated by the Children and Family Service division of the Ventura County Human Services Agency.

2. The petition for appointment of a temporary guardian of a minor person may be brought ex parte, provided the court finds a good cause exception to the notice otherwise required under Probate Code §2250(e). Any party seeking an ex parte order appointing a temporary guardian must comply with California Rules of Court, rule 7.1012. To comply with California Rules of Court, rule 7.1012 a petitioner (the party seeking the guardianship) must file a Petition for Appointment of Temporary Guardian of the Person (GC-110(P)) or a Petition for Appointment of a Temporary Guardian of the Person and/or Estate (GC-110) and all supporting documents, which are listed in subsection 5 below.

3. If a petitioner is requesting a good cause exception to the notice required under Probate Code §2250(e), and is filing GC-110(P), it is recommended that petitioner submit Local Form VN234 APPLICATION FOR EX PARTE HEARING ON PETITION FOR TEMPORARY GUARDIANSHIP; ORDER. Otherwise, petitioner must include the information required by California Rules of Court, rule 7.1012(e) in the Petition. If a petitioner is requesting a good cause exception to the notice requirements under Probate Code section 2250(e), and is filing form GC-110(P), it is recommended that the petitioner submit Local Form VN234. Otherwise, the petitioner must prepare a separate writing that includes the information required by California Rules of Court, rule 7.1012(e).