

**PROPOSED AMENDMENTS TO LOCAL RULES
SUPERIOR COURT, COUNTY OF HUMBOLDT
EFFECTIVE JULY 1, 2025**

CHAPTER 2 – CIVIL SECTION LOCAL RULES

For revision in Chapter 2 as ~~stricken~~ and/or underlined (*as amended*):

2.9 Applications for Ex Parte Orders and Emergency Stays

- (a) This rule applies to ex parte applications in civil matters. It does not apply to family law matters, civil proceedings under the Lanterman-Petris-Short Act (Welfare and Institutions Code §§5000-5550, including hearings under Welfare and Institutions Code §5332 to determine a person’s capacity or incapacity to refuse treatment with antipsychotic medication (“*Riese* hearings”)), or to ex parte civil or workplace harassment temporary restraining order requests under Code of Civil Procedure §§527.6 and 527.8.
- (b) Ex parte applications must be made in compliance with the California Rules of Court, including Rules 3.1201 through 3.1207 (Ex Parte applications) and Rule 3.670 (Telephonic appearances).
- (c) The Court will not issue any orders on ex parte requests unless the order requested is necessary to prevent injustice, irreparable harm, immediate danger, or states a proper statutory basis for granting ex parte relief, and due to time constraints, a noticed motion cannot be made. Failure to timely request a noticed motion must not have been due to any failure or lack of diligence on the part of the requesting attorney or party.
- (d) Except for applications for emergency stays and other emergency matters, all ex parte requests shall be made as follows:
 - (1) Civil ex parte matters will be placed on the court calendar and heard according to the schedule that is available on the Court’s website.
 - (2) All pleadings from the party making the ex parte request must be received by the Court prior to 12:00 p.m. (noon) in order for an ex parte matter to appear on the next court day’s calendar. If the pleadings are received after 12:00 p.m. (noon), the matter will not be placed on the court calendar before the date that is two (2) court days from the date of receipt of the pleadings.
 - (3) Any opposition or responsive pleadings must be filed no later than two (2) hours prior to the ex parte hearing.
 - (4) If any party wishes to have a court reporter for any hearing that proceeds, that party will be required to pay a court reporter fee in addition to any filing fees.

- (e) Applications for emergency stays or other emergency matters should be submitted with the words “EMERGENCY STAY REQUESTED” in the caption of the document, ~~and with a red cover sheet with the words “EMERGENCY STAY REQUESTED.”~~ In the application, a party must state facts that demonstrate that the application is an emergency application and that the party cannot comply with the other time requirements of Local Rule 2.9 [and the California Rules of Court 3-1200 through 3-1207.](#)

(Eff. 07/01/2014; as amended eff. 07/01/2017; as amended eff. 01/01/2018; as amended eff. 07/01/2021); [as amended eff. 07/01/2025](#)