

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

| | |
|--|-----------------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, Address) TELEPHONE NO: _____ FAX NO.(Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____ | Reserved for Clerk's Office Stamp |
| <input type="checkbox"/> Southern Division, 400 County Center, Redwood City, CA 94063 <input type="checkbox"/> Northern Division, 1050 Mission Road So. San Francisco, CA 94080 | |
| PETITIONER: RESPONDENT: | |
| DECLARATION RE: NOTICE OF EX PARTE APPLICATION FOR ORDERS | CASE NUMBER: |

I, the undersigned declare:

1. I am in this case the (choose one):

| | | |
|---|---|---|
| A. <input type="checkbox"/> attorney for Petitioner | A. <input type="checkbox"/> attorney for respondent | A. <input type="checkbox"/> attorney for child(ren) |
| B. <input type="checkbox"/> self-represented Petitioner | B. <input type="checkbox"/> self-represented Respondent | |
| C. <input type="checkbox"/> other (explain): _____ | | |

2. The opposing party is represented by an attorney: Yes No
 The minor child(ren) is/are represented by an attorney: Yes No
 [If you checked "Yes", fill in the attorney's name, address, and telephone number. If you checked "No", fill in the other party's name, address and telephone number.]
 Party/Attorney Name: _____
 Address and Telephone number: _____

 Child(ren)'s attorney name: _____
 Address and Telephone number: _____

3. **NOTICE TO OPPOSING PARTY REQUIREMENT**
 - A. **I gave reasonable notice of my Ex Parte Application for Orders (see CRC 5.151) to the opposing party and/or their attorney of record on Date: _____ Time: _____ in the following manner:**

| | | | |
|--|---|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Personal delivery | <input type="checkbox"/> Fax (by prior agreement) | <input type="checkbox"/> In person | <input type="checkbox"/> By telephone |
| Other: _____ | | | |

 - B. **I served copies of the Ex Parte Application and supporting papers to the opposing party and/or their attorney of record on Date: _____ Time: _____ in the following manner:**

| | | | |
|--|---|------------------------------------|---------------------------------------|
| <input type="checkbox"/> Personal delivery | <input type="checkbox"/> Fax (by prior agreement) | <input type="checkbox"/> In person | <input type="checkbox"/> By telephone |
| Other: _____ | | | |

 - C. **I have been informed that the opposing party has received my Application and supporting papers and will be opposing my request for Ex Parte Orders. (describe):** _____

D. I HAVE NOT given notice of the ex parte request for orders because (Check all that apply. You must explain below):

- This is an application for Domestic Violence Prevention Act (DVPA) restraining orders.
- Great or irreparable injury will result to me before the matter can be heard on notice (explain below).
- A good faith effort was made to notify the opposing party but notice was unable to be given (explain below).

- The other party agrees to the orders requested.
- No significant direct burden or inconvenience to the adverse party will be likely to result from the orders sought herein(explain below.)
- I fear for my physical safety (and that of my children, if applicable).
- Other:

Explanation:

E. A hearing between the parties is already set on _____, 20____ at _____AM PM and I am asking that this motion be heard at the same time.

4. There are the following (temporary) (permanent) orders currently in effect (list orders and dates issued):

5. The parties have have not been to Family Court Services for mediation. If yes, mediation was held on _____, 20____, and the mediator was _____. The recommendation of the mediator was:

I declare under penalty of perjury that the foregoing is true and correct.

Date: _____

[Type or Print Name]

[Signature]