

## Checklist: Ex Parte Application

1. You must have an open case in the family court in order to file an ex parte application. If you do not have an open case and you are self-represented, you can contact the Family Law Facilitator's Office for more information about this step. Current information on how to reach the Facilitator's Office can be found here: <https://www.cc-courts.org/family/flf.aspx>
  
2. Complete the ex parte application. You need to include the following forms.
  - ▶ All Ex Parte Applications:
    - FL-305 Temporary Emergency (Ex Parte) Orders
      - *Exception:* Do not include if you are only requesting an Order Shortening Time
    - FL-300 Request for Order
    - Declaration to Support Request for Order Shortening Time for Service and Hearing (local form FamLaw-007b)
    - Declaration Re Notice Upon Ex Parte Application For Orders (local form FamLaw-107)
    - If you are requesting the court modify an order, attach a copy of the current order
    - \$60 ex parte fee plus  \$60 or  \$85 Request for Order fee OR  Fee Waiver
  - Optional:
    - Exhibits
    - Memorandum of Points and Authorities
  - ▶ If you are requesting emergency (ex parte) orders re: child custody & visitation, also include:
    - FL-105 Declaration Under UCCJEA
      - *Note:* If an FL-105 has already been filed in the case, you may submit a copy of the previously filed FL-105 as long as it remains accurate and is less than 6 months old.
  - Optional:
    - Child Custody & Visitation Application (form FL-311)
    - Request for Child Abduction Prevention Orders (form FL-312) and Child Abduction Prevention Order Attachment (form FL-341(b))
    - Note:* If you are requesting supervised visitation, include the information as to the supervisor and allocation of costs on the form FL-305.
  - ▶ If you are requesting emergency (ex parte) orders regarding financial relief such as child support, spousal support, attorney's fees and costs, payment of expenses, etc., also include the Income and Expense Declaration (FL-150). The Income and Expense Declaration (FL-150) is available at the court's website at [www.cc-courts.org/forms](http://www.cc-courts.org/forms). Click on the "All Forms" tab. Enter the name or form number into the search bar or scroll

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down the page.

- Income and Expense Declaration (form FL-150)

### ▶ **Rescheduling a hearing:**

If you are requesting to continue or advance a court date or emergency (ex parte) orders do not use the forms listed above. Instead, use the “Reschedule a Hearing” packet, which is available on the court’s website at [www.cc-courts.org/forms](http://www.cc-courts.org/forms). Go to the “Forms Packet” tab and click on “Family Law Packets & Forms.”

2. If you are self-represented, ask the clerk at the Ex Parte Window to review your forms before you give notice to the other side.
3.  Deliver a copy of the document(s) to the other side along with a “Notice Upon Ex-Parte Application for Orders” (local form FamLaw-206). If DCSS is a party to your case and you are requesting emergency orders regarding child support, you must also give a copy to DCSS. This step is called *notice*, not service, so you can do this yourself. For more information about notice, please see FamLaw-310-INFO, “Information Regarding Notice.”  
 Complete the “Declaration Re Notice Upon Ex Parte Application for Orders.” You must include the method, time, date, and place of notice and sign the bottom of the page.
4.  Bring your original forms to the Ex Parte Window after you have provided notice to the other side.

The court will hold your papers for the notice period to give the other party time to submit a response to the court. The notice period can be anywhere from 24 hours to 6 days, depending on how you gave notice to the other party.

The court will call you when your paperwork is ready to be picked up. *Note – court staff cannot tell you over the phone whether your request was granted or denied.*

5.  Pick up your forms. The clerk at the Ex Parte Window will file your forms.
6.  Your forms will now have been filed by the court and you must personally serve the other party. **You cannot serve your own documents.**  
 File the proof of service before your hearing.