

VENTURA SUPERIOR COURT
PROBATE STIPULATIONS & ORDERS
PROCEDURE DURING COVID-19 COURT CLOSURE

By order of the Presiding Judge, effective May 13, 2020 and until further notice, the Probate Division of the Court will accept several types of stipulations and proposed orders in probate, trust, conservatorship and guardianship matters, as noted below.

Until further notice, the Court will not accept any proposed stipulations and orders other than those described below without the express prior approval of the probate judge.

The following procedures will apply:

WALK-THROUGH STIPULATED PETITIONS. Walk-Through Stipulated Petitions will be allowed for appropriate probate, trust and conservatorship cases. Most cases will be routine petitions confirming assets of a trust, eliminating the B trust in AB trusts, appointing successor trustees, executors or conservators, and other relatively routine 17200 petitions. The purpose of this procedure is to provide an expedited manner to resolve the many probate, trust and conservatorship petitions that are consented to by all parties entitled to notice and otherwise do not require a hearing. A petition for probate, for example, would NOT be an appropriate stipulated petition because of the publication and hearing requirements. Be sure the public defender or appointed counsel executes the consent/waiver of notice in cases in which they are appointed. These stipulated cases will never be placed on the court's calendar.

PROCEDURE. Each Friday morning between 9:00 a.m. and 10:00 a.m., a party can drop off the following documents in a box located inside the Juvenile & Probate Courthouse near the security guard posted at the front entrance. The package should include a petition, a copy of just the pages of the petition containing the people entitled to notice (to be used by the Court as a worksheet), consents/waivers of notice by all parties entitled to notice, an order, a check for the filing fee and any certified copies of the order requested, and a copy of the petition and any other documents you want to be conformed. You must also include a postage pre-paid self-addressed return envelope. You should place these documents directly in the box. The Court will review the petition to see that all people entitled to notice have in fact waived notice and consent to the petition, and to see that nothing outrageous or inappropriate is requested in the petition. Once those items are verified and if the Court approves the petition, the order will be signed by the Court and forwarded to court staff for processing. Once processed, conformed copies will be returned by mail to the submitting party. The following instruction should be helpful to you:

FOR *EXISTING* STIPULATED PETITION CASES ALREADY FILED:

If you already have a case filed and are waiting for your hearing date (that has been suspended), and you want to take advantage of this expedited procedure, please use this time to collect consents/waivers of notice, prepare the worksheet noted above, and prepare an order, and the return envelope, which you can bring in now that this process is authorized. Once they are

processed, they will be taken off calendar and will NOT be re-calendared when the suspension is lifted.

FOR *NEW* STIPULATED PETITION CASES TO BE FILED:

Please prepare the petition and consents as one document, with the consents/waivers of notice labeled with tabs at the bottom, and an extra copy only of the pages of the petition listing the people entitled to notice for the Court to use as a checklist/worksheet when going through the consents/waivers. Please also submit a proposed order as a separate document, as well as a check for the filing fee. The Court will review the petition as described above.

FOR *ALL* WALK-THROUGH STIPULATED PETITIONS:

Counsel will be required to give notice of the order to all parties entitled to notice once you receive a conformed copy of the order and shall file proof of service with the court once we resume operations. If the petition is rejected for any reason, it will be returned to counsel to file as a regularly noticed motion after the court resumes operations. If a person with standing files for a set-aside, it will liberally be granted if filed within the statutory limits and contains statutory grounds for the set aside.

The following may also be submitted each Friday morning as indicated above:

- (1) Settlements from private mediation executed by all parties
- (2) Stipulation for entry of judgment
- (3) Stipulated dismissals

PLEASE DO NOT MAIL ANY OF THESE DOCUMENTS TO THE COURT. THIS PROCEDURE WILL BE WALK-THROUGH ONLY UNTIL FURTHER NOTICE.