

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, State Bar number, and address):</i>  _____  TELEPHONE NO.: _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
TEMPORARY CONSERVATORSHIP OF _____ <i>(Name):</i> _____ CONSERVATEE	
<b>EX PARTE APPLICATION FOR GOOD CAUSE EXCEPTION TO NOTICE OF HEARING ON PETITION FOR APPOINTMENT OF TEMPORARY CONSERVATOR of the <input type="checkbox"/> Person <input type="checkbox"/> Estate</b>	CASE NUMBER: _____
<b>Note to Applicant: Please review the instructions in item 6 on page 3 and at the bottom of that page for completing this form and supporting documents.</b>	

1. Applicant *(name)*: \_\_\_\_\_ is

- a. A petitioner for appointment of a temporary conservator of the  person  estate of the proposed conservatee.  
 b.  A proposed temporary conservator.

2.  Immediate and substantial harm would be caused to the proposed conservatee, or his or her estate, during the notice period required by Probate Code section 2250(e) because of the following *(check all that apply)*:

- a.  A medical emergency *(give a brief description)*:

*(A medical emergency must be immediate and substantial; treatment must be reasonably unavailable unless a temporary conservator is appointed and cannot wait for the notice period because of the proposed conservatee's pain or extreme discomfort or a significant risk of harm.)*

- b.  A financial emergency *(give a brief description)*:

*(A financial emergency must be immediate and substantial. Means other than an exception to notice of hearing on the appointment of a temporary conservator must be shown likely to be ineffective to prevent loss or further loss to the proposed conservatee's estate during the notice period.)*

- c.  Other immediate and substantial emergency *(give a brief description)*:

*(An emergency must be immediate and likely to cause substantial harm to the proposed conservatee during the notice period.)*

TEMPORARY CONSERVATORSHIP OF (Name):   CONSERVATEE	CASE NUMBER:
--	--------------

3.  Instead of an exception to giving notice to the persons named in item 3c, Applicant requests that *(check all that apply)*:
- a.  The time period of notice to the person or persons named in item 3c be changed as follows *(specify number of days of notice or number of hours if less than one day)*:
- b.  The method of giving notice to the person or persons named in item 3c be changed as follows *(specify method of service; for example, personal delivery, fax, or e-mail)*:
- c. The person or persons, and his, her, or their relationship to the proposed conservatee are as follows *(specify)*:

NameRelationship to proposed conservatee

Additional persons and relationships are listed on attachment 3c.

4.  An exception to giving notice to the person or persons named below should be made because of the potential harm to the proposed conservatee, or his or her estate, if notice is given *(include in this category persons who might not cause harm themselves, but to whom notice should not be given because the notice is likely to bring harm to the proposed conservatee through the actions of another person. State the names and relationships to the proposed conservatee of all persons who should not be given notice)*:

NameRelationship to proposed conservatee

Additional persons and relationships are listed on attachment 4.

5.  An exception to giving notice to the person or persons named below should be made because Applicant cannot find him, her, or them, despite the exercise of due diligence to search for him, her, or them *(state names and relationships to the proposed conservatee of all persons who could not be found)*:

NameRelationship to proposed conservatee

Additional person(s) and relationship(s) are listed on attachment 5.

TEMPORARY CONSERVATORSHIP OF <i>(Name):</i>  CONSERVATEE	CASE NUMBER:
---	--------------

6. The following documents are presented with this application in support:

- a. Applicant's *Petition for Appointment of Temporary Conservator* (form GC-111);
- b. Supporting declaration of *(name)*;
- c.  Supporting declaration of *(name)*;
- d.  Supporting declaration of *(name)*;
- e.  Supporting declaration of *(name)*;

*(At least one declaration supporting the grounds for a good cause exception to notice stated in items 2–5 of this application, showing facts within the personal knowledge of the person signing the declaration (or the declaration of an expert witness) is required. See rule 7.1062(e)(2) of the California Rules of Court and Evidence Code sections 800–805. You may use forms GC-112(A-1) and GC-112(A-2) for all supporting declarations.)*

- f. Declaration regarding notice of ex parte application of *(name)*:  
*(This declaration is required with this application. See rules 3.1204(b) and 7.1062(e)(3).)*
- g.  Other *(describe)*:

- h. Proposed order. *(A proposed order must be submitted with this application. You may use the Order on Ex Parte Application For Good Cause Exception to Notice of Hearing on Petition For Appointment of Temporary Conservator (form GC-115) for the order.)*

Date:



(TYPE OR PRINT NAME OF APPLICANT OR ATTORNEY FOR APPLICANT)

(SIGNATURE OF APPLICANT OR ATTORNEY FOR APPLICANT)

## INSTRUCTIONS

### 1. Who must be given notice of a hearing on a petition for appointment of a temporary conservator?

At least five days' advance notice must be given (1) by **personal delivery** to the proposed conservatee and (2) by **mail or personal delivery** to the proposed conservatee's spouse or registered domestic partner and the proposed conservatee's brothers and sisters, parents, grandparents, and children and grandchildren at least 12 years old or the parents, guardians or legal custodians of children or grandchildren under that age. If the proposed conservatee has no spouse or registered domestic partner and none of the relatives listed above, certain other persons must receive notice by mail or personal delivery. If the proposed temporary conservator has no prior relationship with the proposed conservatee, the public guardian of the county where the petition is filed must also be given notice by mail or personal delivery. See Probate Code sections 2250(e) and 1821(b). Written notice is given by delivery, in person or by mail, of a filled-out *Notice of Hearing—Guardianship or Conservatorship* (form GC-020) showing the time and place of the hearing and the nature of the relief to be requested, together with a copy of the *Petition for Appointment of a Temporary Conservator* (form GC-111).

### 2. Good cause exception to notice

The court for good cause may order an exception to the notice requirements described above for some or all of the persons entitled to notice, either by waiving or dispensing with notice to them entirely or by changing the time and manner of giving notice to them. This form and the other forms or documents that support it listed in item 6 above may be used to request an exception to the notice of hearing on a temporary conservatorship petition. See rule 7.1062 of the California Rules of Court for the standards for good cause exceptions to the notice requirements on a petition for appointment of a temporary conservator and for the required contents of a request for a good cause exception.