

PROBATE NOTES – E-MAIL PARAMETERS

Below are the e-mail parameters for responding to probate notes and requesting continuances. While clearing of notes is usually done by supplement or other pleadings, the e-mail response allows the party to request continuances, bring matters to the attention of the Examiner and to clarify probate notes.

Two separate e-mail addresses have been set up, one for addressing Central probate notes and one for North probate notes:

The e-mail addresses are as follows:

CentralProbateExaminerNotes@sdcourt.ca.gov

NorthProbateExaminerNotes@sdcourt.ca.gov

San Diego Superior Court,
Probate Department
Interactive E-mail Parameters

- Purposes:
 - To alert the Examiner, who prepared the notes, that a document or documents were filed to clear the notes for matters in Probate Court if the hearing is within five court days and a defect remains uncleared;
 - To ask a question as to specific defects or issues;
 - To request a continuance (see guidelines below);
 - E-mail is not a substitute for a supplement or other document for purposes of clearing probate notes.
- E-mail messages requesting a continuance shall conform to the following:
 - Requesting party is the petitioner, no opposition – may be continued with no appearance required;
 - There is an objector or multiple petitions and petitioners – continuance requires the agreement of all parties; petitioner must make this representation via email, prior to continuance being granted;
 - Requests for a continuance shall contain “**continuance**” and the date of hearing in the subject line.
- E-mail messages addressing probate notes shall conform to the following:
 - May be sent only within two weeks of the hearing;
 - Five lines as to each defect or issue;
 - Limited to five defects;
 - Limited to one e-mail message per calendar matter per hearing date;
 - No attachments.
- E-mail inquiries can be made after reviewing the calendar notes and shall include the following information:

- E-mail is to be directed to the following addresses:
CentralProbateExaminerNotes@sdcourt.ca.gov
NorthProbateExaminerNotes@sdcourt.ca.gov
 - The “subject line” of the e-mail must reference the Examiner’s name and the hearing date only and if you are requesting a continuance indicate **Continuance** in the subject line.
 - General identifying information within the email message:
 - Department;
 - Case Number;
 - Case Name;
 - A reply telephone number for additional follow up.
 - Information to address defects or issues: Specific reference to defect or issue;
 - If the hearing is within five court days and a defect remains uncleared, information intended to advise the Examiner documents were filed that should clear probate notes. That message should include title of document(s) and date(s) of filing.
- Any e-mail communication with court shall be simultaneously copied to all counsel and self-represented litigants. If e-mail address is unavailable, a copy of the e-mail must be delivered by facsimile transmission. If facsimile transmission is also unavailable, then the e-mail may be sent the same day by U.S. Mail. The method of service on all counsel and pro pers shall be disclosed to the Examiners in the original e-mail.
 - E-mail that does not comply with above may not be reviewed.
 - All e-mail correspondence must be received three days prior to the hearing date and will be addressed on a priority basis according to hearing date. Probate Staff will make every effort to respond within 48 hours.

Sample E-mail Message

TO: _____@sdcourt.ca.gov
 SUBJECT: Examiner’s Name, Hearing date 5/26/09 *If continuance requested indicate “Continuance”

MESSAGE:

FROM: _____
 ATTORNEY FOR/SELF-REPRESENTED: _____
 TELEPHONE #: (xxx) xxx-xxxx
 DEPARTMENT: _____
 CASE NUMBER: _____
 CASE NAME: Estate of _____

1. Notice of Hearing was filed 5/19/09.
2. Can you clarify defect # 2? I believe page 2, line 6 of petition addresses this issue.

CC: Attorney John Doe via e-mail (____@____.com)
Attorney No. 2 via facsimile ((xxx) xxx-xxxx)
Jane Doe (in pro per) via U.S. Mail (physical address)

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