

SCHEDULING A HEARING:

- The mere filing of a petition with the E-Filing portal or the Clerk of Court's Office does not place the matter before the Court. The Court is not notified of new filings, and therefore it is the obligation of the parties to place the matter before the Court. Hearing requests should be made by email and should include the county name, full case number, style of the case, type of motion(s) being heard, the attorneys and/or pro se parties involved, and the amount of time requested.
- Hearings should not be requested until all required documents have been filed, and notice has been effected in accordance with the Rules, or waivers filed by all parties entitled to notice.
- Petitions for approval of settlement require a hearing. A hearing will not be set until all documentation required has been filed.

PROPOSED ORDERS:

- **Prior to submitting your proposed order, and to make sure there are no unnecessary delays, Along with the proposed order, an e-filed cover letter must be attached. Please include any appropriate information in the cover letter that will assist the court in understanding why the order is ready for entry.**
- **All proposed orders should be submitted in Word format to the address above or through the e-portal.** All motions, along with supporting documentation, should be e-filed or, for pro se parties, delivered to the Clerk's office. Except for emergency pleadings, please do not provide the Court with a copy of the motion or any supporting documentation. The Court will review the case filing system and review any supporting documentation electronically. You should not send any paper orders or motions to the court. All orders shall include a certificate of service at the bottom of the order indicating the name of the party who is to receive the order, as well as that party's e-service address OR mailing address, if a hard copy is required. Comply with the [Tenth Circuit Administrative order 1-61.1](#)
- **Orders will not be entered until the motion and all supporting documentation has been docketed and imaged by the Clerk.** Please note in some counties this can take 7-10 days after your filing. **Please allow at least 14 days after submitting your proposed orders for review before following up with the case manager.** Please do not submit your proposed order until all applicable time and notice periods have expired and all interested parties have been properly served as required by applicable law.
- **The Court cannot hold orders** waiting for timeframes to run or corrections of deficiencies. If an order cannot be entered at the time it is submitted, you will need to resubmit the order once appropriate. **If you have been advised your order cannot be entered due to a deficiency and you disagree the appropriate remedy is to request a hearing and submit a brief memorandum of law to the court.**

STATUS CONFERENCE/CASE MANAGEMENT CONFERENCE:

- Counsel and unrepresented parties must attend all status and Case Management Conferences unless excused by the court.
- To request a continuance or excusal the party or their attorney must file a status report along with a Motion for Continuance **not less 10 days prior** to the Case Management Conference requesting a continuance. Continuances are at the discretion of the court and parties must appear unless a continuance is granted. Sanctions may be imposed for failure to appear. If a Final Order of Administration or a Discharge has been entered the case is closed and your Status or Case Management Conference is automatically canceled.

TELEPHONIC/REMOTE APPEARANCES:

- Many probate hearings that are 15 minutes or less are being conducted remotely, with no in-person appearances. **Please do not come to the courthouse for a hearing if your event is noticed to occur by Teams** . You must file a notice of hearing that will advise if your event is in person or remote.
- For hearings that are scheduled to occur in-person, you must file a Motion with the court not less than 10 days in advance of your hearing date if you wish to attend by electronic means. Your motion must state good cause for the remote appearance along with steps necessary to ensure that no party will be prejudiced by the remote appearance.
- The court is not allowing telephonic appearances at this time. If a remote appearance is requested and approved, it will occur via Teams . Please note that audio and video appearance is preferred and required if the court is taking testimony.

ORIGINAL WILLS AND OTHER PAPER DOCUMENTS

- All original documents, including wills, should be deposited directly with the Clerk of Court. Do not send any original documents to the judicial officer or case manager.
- If the original will has been docketed in a separately numbered case (i.e., when a suggestion of death is filed in advance of the opening of an estate and generates separate CP or WL case number), you must specify that additional case number in the email submission of the proposed orders, as well as in the text of the proposed order admitting the will to probate.
- All documents must be either electronically filed through the E-Filing portal or filed with the Clerk of Court's office. **Unless specifically requested, do not send paper documents to the Court, chambers, staff attorneys, or other court staff for filing.**

EMERGENCY MOTIONS:

If you believe the matter you have submitted for review is eligible for emergency relief or must be reviewed on an expedited basis, please state that it is an "Emergency" in the subject line of your email and include a courtesy copy of your motion and all attachments. The Court will determine if the matter should be expedited and inform the parties of the determination via written order.

CONTINUANCES:

Continuances are not routinely granted and are evaluated on a case-by-case basis. All requests must be made in writing with specificity and show good cause.

EX PARTE EMAILS OR CORRESPONDENCE:

- The Code of Judicial Conduct precludes judges, magistrates, judicial assistants, case managers, staff attorneys, and other court staff from speaking to parties about substantive matters in any case. Furthermore, the judicial assistant, case manager, and other court personnel are not legally qualified or authorized to provide legal advice to anyone.
- In addition, the Code of Judicial Conduct prohibits judicial officers from considering *ex parte* As a result, any issue to be considered by the Court should be in the form of a pleading or petition filed with the Court and copies provided to all parties of record. The judicial officer is not allowed to discuss pending cases with the public. Please do not call or email the Court expecting to speak with the Judge or Magistrate about any case. The Court is only allowed to consider arguments made in court and documents filed by parties to the case.