

**CHAPTER 3  
EMERGENCY ORDERS  
(EX PARTE ORDERS)**

**Rule 5.3.1**

**Emergency Orders (Ex Parte Orders).**

**A.** Parties must obtain an emergency order hearing date either by calling the court or by appearing in person at the court's business office no later than 10:00 a.m. the day before the requested hearing date.

**B.** Moving papers must be filed with the court no later than 12:00 p.m. and served on all parties by 4:00 p.m. the court day before the hearing. The moving papers must include a completed form *Emergency Order (Ex Parte) Application and Order – Family Law* (form SDSC D-046).

**C.** Consideration of late filed and/or late served papers is at the court's discretion.

(Adopted 1/1/2005; Renum. 1/1/2006; Rev. 1/1/2007; Rev. 1/1/2008; Rev. 1/1/2012; Rev. 1/1/2013; Rev. 1/1/2014; Rev. 1/1/2015; Rev. 1/1/2016)

**Rule 5.3.2**

**Non-Emergency Orders Not Requiring Notice.** The business office at each division has a drop box where a request for a non-emergency order may be deposited for processing. An attorney service slip or stamped self-addressed envelope must be included if conformed copies are requested.

(Adopted 1/1/2013; Rev. 1/1/2014; Rev. 1/1/2015)