

Superior Court of California COUNTY OF SAN FRANCISCO

400 McAllister Street, San Francisco, CA 94102

Phone: 415-551-4000 | Website: <https://sfsuperiorcourt.org>



SMALL CLAIMS APPEAL CONTINUANCE INFORMATION

Option #1 – WRITTEN STIPULATION FOR CONTINUANCE: No Cost

You may request a continuance by preparing a stipulation of all parties for a continuance of the Small Claims Appeal Hearing. Small Claims Appeal Hearings are only heard on Wednesday & Thursday at 9:00 AM, Dept. 525. File the **Stipulation** with the Appeals Clerk in Room 103. Bring a copy for the clerk to stamp for your records. If the other party(s) does not agree to a stipulation for a continuance, see Option #2.

Option #2 – EX PARTE MOTION FOR CONTINUANCE: \$60.00 Filing Fee by the Appellant only pursuant to CRC 116.760(b)

Ex Parte motions for continuance are heard in Department 206 at 11:00 AM by the Presiding Judge, **Tuesdays through Fridays**, unless Monday is a holiday then the Ex Parte motions are heard Wednesdays through Fridays. A date for the Ex Parte motion does not have to be secured in advance. Please see the following steps for the Ex Parte Application:

1. Plan to have your Ex Parte hearing heard no later than 5 court days before the Small Claims Appeals Hearing.
2. You must notify the opposing side 2 days in advance by phone or fax. You are required to give notice to the other parties as to the date, time, and location which you will be appearing for the Ex Parte motion. If notifying by mail, must give 7 days of advance notice and file a Proof of Service using Judicial Council SC-112 proof of service form.
3. Prepare an Ex Parte application to continue the Small Claims Appeal Hearing.
4. Prepare a declaration describing the service of the motion on the other party(s) in the case. Include the date, time and manner in which you notified the other parties, for example, by phone or by fax. Provide details of service to include exact phone or fax number. If by mail, please file a Proof of Service with the application and declaration.
5. File your application and declaration at the San Francisco Superior Court Appeals Division, 400 McAllister Street, Room 103, San Francisco, CA 94102. Your application must be filed before your motion is heard, and the required filing fee is \$60.00 by the Appellant only.
6. On the date of your Ex Parte hearing proceed to Dept. 206 with your endorsed-filed motion papers. ***If appearing telephonically, you must deliver a courtesy copy prior to the hearing.***

More Information:
Statewide Civil Fee Schedule Ex Parte Hearing Cost: \$60.00 by the Appellant only (CRC 116.760(b)) For current fee schedule, refer to this website
Appeal Hearings are held on Wednesdays and Thursdays only at 9:00 AM in Dept. 525
Prepare to continue your Small Claims Appeal Hearing <i>as early as possible</i> Do not wait until the day before to reschedule
Reference Rules:
California Rules of Court 3.1200-3.1207 (Ex Parte Applications)* San Francisco Local Rule 9C (Location and Time for Ex Parte Hearings)** Civil Code of Procedure 1005 (Code Section for Noticed Motions)***

**For the most current version of the above-mentioned California Rules of Court, refer to the California Court's website or <https://www.courts.ca.gov/rules.htm>.*

***For the most current version of the above-mentioned San Francisco Superior Court (SFSC) Local Rule, refer to the SFSC website or <https://sfsuperiorcourt.org/general-info/local-rules>.*

****For the most current version of the above-mentioned California Civil Code of Procedure, refer to the California Court's website or <https://leginfo.legislature.ca.gov>.*