### JUDICIAL COUNCIL OF CALIFORNIA

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# INVITATION TO COMMENT

#### **SPR16-22**

#### Title

Protective Orders: Requests for the Possession and Protection of Animals

Proposed Rules, Forms, Standards, or Statutes Revise forms CH-100, CH-110, CH-120, CH-130, EA-100, EA-120, EA-110, EA-130, JV-245, JV 250, and JV-255

#### Proposed by

Civil and Small Claims Advisory Committee Hon. Raymond M. Cadei, Chair

Family and Juvenile Law Advisory
Committee
Hon. Jerilyn L. Borack, Cochair
Hon. Mark A. Juhas, Cochair

#### **Action Requested**

Review and submit comments by June 14, 2016

#### **Proposed Effective Date**

January 1, 2017

#### Contact

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# **Executive Summary and Origin**

To implement the recent statutory changes the Civil and Small Claims Advisory Committee recommends revisions to Judicial Council forms for civil harassment and elder abuse and dependent adult protective orders to include orders regarding the possession and protection of animals and the Family and Juvenile Law Advisory Committee recommends revisions to Judicial Council forms to include such orders in juvenile cases.

### **Background**

In 2008, orders regarding the possession and protection of animals became available in Domestic Violence Prevention Act (DVPA) cases by Senate Bill 353 (Stats. 2007, ch. 205). This specific remedy has not been available in other types of restraining orders until now. Effective January 1, 2016, Assembly Bill 494 amended Code of Civil Procedure 527.6 (civil harassment), Welfare and Institutions Code sections 213.5 (juvenile), and 15657.03 (elder and dependent adult abuse) to permit a court to order, on a showing of good cause in connection with an animal owned,

The proposals have not been approved by the Judicial Council and are not intended to represent the views of the council, its Rules and Projects Committee, or its Policy Coordination and Liaison Committee.

These proposals are circulated for comment purposes only.

possessed, leased, kept, or held by the petitioner or other protected person, or residing in the residence or household of the petitioner or other protected person, either or both of the following:

- The person protected by the order exclusive care, possession, or control of the animal, referred to as "order for possession"
- The restrained person to stay away from the animal and refrain from taking, transferring, encumbering, concealing, molesting, attacking, striking, threatening, harming, or otherwise disposing of the animal, referred to as "order for protection."

### The Proposal

This proposal will benefit the judicial branch, attorneys, and self-represented litigants by providing a simple way for a party to request, and for the court to grant, an animal possession and protection order. Revisions to the following forms are proposed to add a new item to provide for orders for possession and protection of animals:

- 1. CH-100, Request for Civil Harassment Restraining Orders (item 15);
- 2. CH-110, Temporary Restraining Order (civil harassment) (item 8);
- 3. CH-120, Response to Request for Civil Harassment Restraining Orders (item 7);
- 4. CH-130, Civil Harassment Order After Hearing (item 10);
- 5. EA-100, Request for Elder or Dependent Adult Abuse Restraining Orders (item 19);
- 6. EA-110, *Temporary Restraining Order* (elder and dependent adult abuse) (item 10);
- 7. EA-120, Response to Request for Elder or Dependent Adult Abuse Restraining Orders (item 8);
- 8. EA-130, *Elder or Dependent Adult Abuse Restraining Order After Hearing* (elder and dependent adult abuse) (item 11);
- 9. JV-245, Request for Restraining Order—Juvenile; (item 8h);
- 10. JV-250, *Notice of Hearing and Temporary Restraining Order—Juvenile*; (item 10); and
- 11. JV-255, Restraining Order—Juvenile (item 9).

In addition, because of differences in form structure and the law, the Family and Juvenile Law Advisory Committee proposes further revisions to the juvenile forms beyond those proposed to the civil harassment and elder abuse protective order forms.

• Order forms, JV-250 and JV-255, would require the court to indicate the name of the protected person who is granted an order for possession. This name is needed because the

<sup>&</sup>lt;sup>1</sup> Under Welf. and Inst. Code section 213.5, the order can apply to any animal owned, possessed, leased, kept, or held by a person protected or by a person residing in the residence or household of a protected person.

<sup>&</sup>lt;sup>2</sup> Code Civ. Proc., § 527.6(b)(6)(A); Welf. & Inst. Code, §§ 213.5(a), 213.5(b), 15657.03(b)(3)(A).

remedy may be granted to the applicant of the protective order but the order forms include all protected people in a single item; hence, without specifying a name or reorganizing the form it is unclear who has been granted an order of possession.

- Order forms, JV-250 and JV-255, would include language that the order for possession
  could be made for an animal that is in the residence or household of a person protected by
  the order.
- Request form, JV-245, would include a place for the applicant to indicate the reason he or she is requesting possession of the animal. This information would be useful to the court, especially when the applicant is seeking control over an animal that may not belong to him or her.

The proposed forms are attached at pages 5-60.

#### **Alternatives Considered**

The committees considered not revising the forms to include a specific item to provide for orders for possession and protection of animals. All 11 forms currently contain an item for "Other Orders." Orders for possession and protection of animals could be entered currently as an "other order." However, a separate item better informs litigants and the court as to what orders may be granted and the predicate conditions. The committees find this approach preferable in the long term.

As noted above, this remedy has been available in DVPA matters since 2008. The DVPA request form (DV-100) and order forms (DV-110 and DV-130) assume that the applicant is requesting both possession and protection of the animal(s). The Family and Juvenile Law Advisory Committee recommended combining these orders because doing so would result in a clearer order for law enforcement. Even in cases where the petitioner does not think that ownership is disputed the other party might disagree. The committee believed that in most cases, having both orders would be beneficial and in rare instances where both orders would not be appropriate, the court could strike part of the order.

The Protective Order Working Group (POWG), a subcommittee whose function is to ensure consistency across protective order forms when practical, considered revising the forms contained in this proposal in the same manner as the DVPA forms but because of differences in the statute between DVPAs and the laws applicable to this proposal, the POWG recommended that the orders for possession and protection should be separated to allow the applicant to request one or both. The Civil and Small Claims Advisory Committee and the Family and Juvenile Law Advisory Committees approved POWG's recommendation.

Under Welfare and Institutions Code sections 213.5(a)(1) and 213.5(b)(1), the beneficiary of an order for possession of animal(s) is the applicant of the protective order. Currently, forms JV-250 and JV-255 do not reference the applicant. If the applicant is a protected person, he or she is

listed with other protected persons under one item. Only the request form, JV-245, references the applicant at item 3, which asks who the petitioner is. The Family and Juvenile Law Advisory Committee considered restructuring forms JV-250 and JV-255 to include a reference to the applicant or petitioner but decided against restructuring the order forms and instead recommends providing a place for the court to list the name of the person who is granted an order for possession of the animal(s).

# Implementation Requirements, Costs, and Operational Impacts

The committees anticipate that these proposals will result in some small costs incurred by the courts to replace existing forms, and train court staff about the changes to the forms included in this proposal. However, the committees expect that the changes will save court resources by clarifying and simplifying standards and procedures.

# **Request for Specific Comments**

In addition to comments on the proposal as a whole, the advisory committees are interested in comments on:

• Whether the proposal appropriately addresses the stated purpose.

#### **Attachments and Links**

1. Judicial Council forms CH-100, CH-110, CH-120, CH-130, EA-100, EA-110, EA-120, EA-130, JV-245, JV-250 and JV-255, at pages 5-60

#### 2. Assembly Bill 494:

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=201520160AB494

# CH-100

# Request for Civil Harassment Restraining Orders

Read Can a Civil Harassment Restraining Order Help Me? (Form CH-100-INFO) before completing this form. Also fill out Confidential CLETS Information (Form CLETS-001) with as much information as you know.

# 1 Person Seeking Protection

a.	X7 TO 11 X7								
а.	Your Full Name:			Age:					
	Your Lawyer (if you have one Name:	<b>a</b>	ate Bar l	No.:		Fill in court na	me and stree	et address:	
	Firm Name:		ate Bui i			Superior Co	ourt of Cali	fornia, County	/ of
b.	Your Address (If you have a la information. If you do not have home address private, you mainstead. You do not have to gi	e a lawyer and w y give a different	ant to ke mailing	eep your g address					
	Address:					Court fills in ca	ase number v	when form is filed	l
	City:	State:		Zip:		Case Numb	er:		
	Telephone:	Fax:							
	E-Mail Address:				_				
Ρø	erson From Whom Prote	ection Is Sour	ıht						
		otion is coug				Age:			
гu									
	Idraga (if known).								
	ldress (if known):				ate:	Zip:			
Ad Ci	ldress (if known):	ons		St	ate: _	Zip:		If yes, list the	
Ad Ci	ty:  dditional Protected Pers Are you asking for protection	ons	nily or h	Sta	memb	Zip:	How are the	hey related to	you'.
Ad Ci	ty:  dditional Protected Pers Are you asking for protection	ons	nily or h	Sta	memb	Zip:	How are the	hey related to	you'
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Ad Ci	ty:  dditional Protected Pers Are you asking for protection	ons	nily or h	Sta	memb	Zip:Zip:	How are the	hey related to	you

This is not a Court Order.

Clerk stamps date here when form is filed.

**DRAFT** 

**NOT APPROVED BY THE** 

JUDICIAL COUNCIL

) R	elationship of Parties	
/	ow do you know the person in <b>2</b> )? (Explain below	ow):
	Check here if there is not enough space for you paper or Form MC-025 and write "Attachmen	ur answer. Put your complete answer on the attached sheet of at 4—Relationship of Parties" for a title.
' /	Private the person in (2) lives in this county.	apply):
b. c.	☐ I was harassed by the person in ② in this co ☐ Other (specify):	
' /	ther Court Cases  Have you or any of the persons named in 3 bee	en involved in another court case with the person in <b>2</b> ?
	Kind of Case  (1)	ase and indicate where and when each was filed:  Filed in (County/State)  Year Filed Case Number (if known)
Do Ha	person in ②? ☐ No ☐ Yes If yes, attace escription of Harassment arassment means violence or threats of violence aroyed, or harassed you and caused you substanting Tell the court about the last time the person in (	against you, or a course of conduct that seriously alarmed, ial emotional distress. A course of conduct is more than one act.

(3) How did the person in ② harass you? (Explain below):  Check here if there is not enough space for your answer. Put your complete answer on the sheet of paper or Form MC-025 and write "Attachment 7a(3)—Describe Harassment" of paper or Form MC-025 and write "Attachment 7a(3)—Describe Harassment" of Paper or Form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a sheet of paper or Form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a to sheet of paper or Form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a sheet of paper or Form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a sheet of paper or Form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a sheet of paper or Form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a sheet of paper or Form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a sheet of paper or Form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a sheet of paper or Form MC-025 and	
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<ul> <li>Check here if there is not enough space for your answer. Put your complete answer on the sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a tree.</li> <li>(6) Did the police come? ☐ Yes ☐ No  If yes, did they give you or the person in ② an Emergency Protective Order? ☐ Yes ☐  If yes, the order protects (check all that apply):  a. ☐ Me b. ☐ The person in ② c. ☐ The persons in ③  Attach a copy of the order if you have one.</li> <li>Has the person in ② harassed you at other times?</li> <li>☐ Yes ☐ No (If yes, describe prior incidents and provide dates of harassment below):</li> </ul>	
If yes, did they give you or the person in ② an Emergency Protective Order? ☐ Yes ☐ If yes, the order protects (check all that apply):  a. ☐ Me b. ☐ The person in ② c. ☐ The persons in ③  Attach a copy of the order if you have one.  Has the person in ② harassed you at other times?  ☐ Yes ☐ No (If yes, describe prior incidents and provide dates of harassment below):	
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Has the person in ② harassed you at other times?  ☐ Yes ☐ No (If yes, describe prior incidents and provide dates of harassment below):	
☐ Yes ☐ No (If yes, describe prior incidents and provide dates of harassment below):	
Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 7b—Previous Harassment" for a title	

Case Number:	
Check the orders you want.	
☐ Personal Conduct Orders	
I ask the court to order the person in <b>2 not</b> to do any of the following things to me or to any person to be protected listed in <b>3</b> :	
a. $\square$ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.	
b. Contact the person, either directly or indirectly, in <b>any</b> way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or other electronic means.	by
c.   Other specify):  Check here if there is not enough space for your answer. Put your complete answer on the attached	
sheet of paper or Form MC-025 and write "Attachment 8c—Other Personal Conduct Orders," for a title.	
The person in <b>2</b> ) will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.	Эn
<ul> <li>Stay-Away Orders</li> <li>a. I ask the court to order the person in (2) to stay at least yards away from (check all that apply):</li> </ul>	
(1) ☐ Me (8) ☐ My vehicle	
· · · · · ·	_
• • • • • • • • • • • • • • • • • • • •	_
(6) My children's school	_
(7) My children's place of child care	_
b. If the court orders the person in <b>2</b> to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job?    Yes    No (If no, explain below):	_
☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 9b—Stay-Away Orders," for a title.	of.
Guns or Other Firearms and Ammunition	
Does the person in ② own or possess any guns or other firearms?	
If the judge grants a protective order, the person in 2 will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The person in 2 will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any guns or firearms within his or her immediate possession or control	
This is not a Company of Control	
	Check the orders you want.     Personal Conduct Orders

	Immediate Orders			
	Do you want the court to make any of these in ②? ☐ Yes ☐ No (If you answ ☐ Check here if there is not enough space paper or Form MC-025 and write "Atta	vered yes, explain why be for your answer. Put yo	elow): our complete answer on th	•
	☐ Request to Give Less Than Five	e Days' Notice		
	You must have your papers personally serv court orders a shorter time for service. (Fo CH-200, Proof of Personal Service, may be	rm CH-200-INFO expla	ins What Is "Proof of Per	rsonal Service"? Form
	If you want there to be fewer than five days	s between service and th	e hearing, explain why be	elow:
	Check here if there is not enough space paper or Form MC-025 and write "Atta	for your answer. Put yo	our complete answer on th	ne attached sheet of
١	□ No Fee for Filing or Service			
)	<ul> <li>□ No Fee for Filing or Service</li> <li>a. □ There should be no filing fee becaus has stalked me, or has acted or spok</li> </ul>			_
)	a.   There should be no filing fee because	en in some other way th (notify) the person in <b>2</b>	at makes me reasonably f ) about the orders for free	ear violence.
)	<ul> <li>a.   There should be no filing fee because has stalked me, or has acted or spoken.</li> <li>b.   The sheriff or marshal should serve</li> </ul>	en in some other way the (notify) the person in <b>2</b> ence, a credible threat of the sheriff or marshal shows	at makes me reasonably f about the orders for free violence, or stalking. ald serve the person in <b>2</b>	Fear violence.  The because my request of the because I
)	<ul> <li>a.  There should be no filing fee because has stalked me, or has acted or spoke</li> <li>b.  The sheriff or marshal should serve for orders is based on unlawful viole</li> <li>c.  There should be no filing fee and the am entitled to a fee waiver. (You mu</li> </ul>	en in some other way the (notify) the person in <b>2</b> ence, a credible threat of the sheriff or marshal shows	at makes me reasonably f about the orders for free violence, or stalking. ald serve the person in <b>2</b>	Fear violence.  The because my request of the because I
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)	<ul> <li>a.  There should be no filing fee because has stalked me, or has acted or spoke</li> <li>b.  The sheriff or marshal should serve for orders is based on unlawful viole</li> <li>c.  There should be no filing fee and the am entitled to a fee waiver. (You muse Fees and Costs.)</li> <li>Lawyer's Fees and Costs</li> </ul>	en in some other way the (notify) the person in (2) ence, a credible threat of the sheriff or marshal shows as the complete and file For	at makes me reasonably for about the orders for free violence, or stalking. The serve the person in <b>2</b> cm FW-001, Application for the serve the person in <b>2</b> cm FW-001, Application for the serve the person in <b>2</b> cm FW-001, Application for the serve the person in <b>2</b> cm FW-001, Application for the serve the serve the person in <b>2</b> cm FW-001, Application for the serve the s	Fear violence.  The because my request of the because I
)	<ul> <li>a.  There should be no filing fee because has stalked me, or has acted or spoke</li> <li>b.  The sheriff or marshal should serve for orders is based on unlawful viole</li> <li>c.  There should be no filing fee and the am entitled to a fee waiver. (You must Fees and Costs.)</li> <li>Lawyer's Fees and Costs         <ul> <li>I ask the court to order payment of my:</li> </ul> </li> </ul>	en in some other way the (notify) the person in (2) ence, a credible threat of the ence of the sheriff or marshal show that complete and file Formation a.   Lawyer's fees the end of the e	at makes me reasonably for about the orders for free violence, or stalking. The serve the person in <b>2</b> cm FW-001, Application for the serve the person in <b>2</b> cm FW-001, Application for the serve the person in <b>2</b> cm FW-001, Application for the serve the person in <b>2</b> cm FW-001, Application for the serve the serve the person in <b>2</b> cm FW-001, Application for the serve the s	Pear violence.  The because my request of for free because I for Waiver of Court  Amount
)	<ul> <li>a.  There should be no filing fee because has stalked me, or has acted or spoke</li> <li>b.  The sheriff or marshal should serve for orders is based on unlawful viole</li> <li>c.  There should be no filing fee and the am entitled to a fee waiver. (You must Fees and Costs.)</li> <li>Lawyer's Fees and Costs  I ask the court to order payment of my: The amounts requested are:</li> </ul>	en in some other way the (notify) the person in (2) ence, a credible threat of the ence of the sheriff or marshal shows a complete and file Formula.   Lawyer's fees	at makes me reasonably for about the orders for free violence, or stalking. The serve the person in <b>2</b> cm FW-001, Application for the control of the contro	Fear violence.  The because my request  The for free because I  The for Waiver of Court

	Possession and Protection of Animals
	I ask the court to order the following:
	a. That I be given the sole possession, care, and control of the animals listed below, which I own, possess lease, keep, or hold, or which reside in my household.  (Identify animals by, e.g., type, breed, name.)
	b. That the person in 2 must stay at least yards away from, and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the animals listed above.
s) [	Additional Orders Requested
/	I ask the court to make the following additional orders (specify):
	☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 15—Additional Orders Requested," for a title.
) N	umber of pages attached to this form, if any:
D	ate:
$\overline{L}$	awyer's name (if any)  Lawyer's signature
	declare under penalty of perjury under the laws of the State of California that the information above and on all tachments is true and correct.
D	ate:
	ype or print your name  Sign your name

CH-110	Temporary Restraining O	rder	Clerk stamps date here when form is filed.
Person in (1) mu	st complete items (1), (2), and (3) only.		
Protected Pe			DRAFT
a. Your Full Na			NOT APPROVED BY THE
Your Lawyer	(if you have one for this case):		JUDICIAL COUNCIL
Name:	State Bar N	No.:	
Firm Name:			
	s (If you have a lawyer, give your lawyer	· ·	
private, you i	have a lawyer and want to keep your hon may give a different mailing address inste telephone, fax, or e-mail.):		Fill in court name and street address:  Superior Court of California, County
Address:		_	
City:	State:	Zip:	
Telephone:	Fax:		
E-Mail Addr	ess:		Court fills in case number when form is filed.
Restrained Portion Full Name:	erson		Case Number:
Description:			
	F Height: Weight: Eye Color:	Date ofAge:	Race:
Home Address (	(if known):		
	if known):	~	Zip:
Home Address (	· · · · · · · · · · · · · · · · · · ·	~	Zip:
Home Address (City: Relationship to December 1    Additional   In addition to the the temporary or the second control of the second	Protected Person:  Protected Persons  person named in ①, the following family ders indicated below:	State:	nembers of that person are protected  Member? Relation to Protected Per
Home Address (City: Relationship to December 1    Additional   In addition to the the temporary or the second control of the second	Protected Person:  Protected Persons  person named in ①, the following family ders indicated below:	State:  ly or household mage Household I	nembers of that person are protected  Member? Relation to Protected Per
Home Address (City: Relationship to December 1    Additional   In addition to the the temporary or the second control of the second	Protected Person:  Protected Persons  person named in ①, the following family ders indicated below:	ly or household mage Household Mage Yes	nembers of that person are protected  Member? Relation to Protected Per  No
Home Address (City:  Relationship to a Additional In addition to the the temporary or a Check here if	Protected Person:  Protected Persons  person named in ①, the following family ders indicated below:	State:    State:   State:	Members of that person are protected  Member? Relation to Protected Per  No No No No No Ret of paper and write "Attachment is
Home Address (City: Relationship to Define Additional Processing City: Relationship to Define Additional Processing City: Check here if Additional Processing City: Additional Processing City: Check here if Company City: Check here if Compan	Protected Persons  sperson named in ①, the following family ders indicated below:  Full Name  Sex  There are additional persons. List them of rotected Persons" as a title. You may use  The court will complete to	State:    State:   State:	Member? Relation to Protected Per No No No No No Peet of paper and write "Attachment."
Home Address (City: Relationship to Define Additional Processing City: Relationship to Define Additional Processing City: Check here if Additional Processing City: Additional Processing City: Check here if Company City: Check here if Compan	Protected Persons  a person named in 1, the following family ders indicated below:  Full Name  Sex  A  There are additional persons. List them a protected Persons" as a title. You may use the court will complete to the court will be considered to the court w	State:    State:   State:	Member? Relation to Protected Per No No No No No Peet of paper and write "Attachment.

Case Number:		

# To the Person in 2:

The court has granted the temporary orders checked as granted below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

<b>(5</b> )	Personal Conduct Orders
	□ Not Requested □ Denied Until the Hearing □ Granted as Follows:
	<ul> <li>a. You must <b>not</b> do the following things to the person named in </li> <li>and to the other protected persons listed in </li> <li>3 :</li> </ul>
	(1) Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
	(2) Contact the person, either directly or indirectly, in <b>any</b> way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
	(3) Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order.
	<ul><li>(4) ☐ Other (specify):</li><li>☐ Other personal conduct orders are attached at the end of this Order on Attachment 5a(4).</li></ul>
	b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order. However, you may have your papers served by mail on the person in 1.
6	Stay-Away Order  ☐ Not Requested ☐ Denied Until the Hearing ☐ Granted as Follows:
	a. You must stay at least yards away from (check all that apply):
	(1) The person in (7) The place of child care of the children of the person in (3) the person in (1)
	(3) $\square$ The home of the person in $\bigcirc$ (8) $\square$ The vehicle of the person in $\bigcirc$
	(4) $\square$ The job or workplace of the person (9) $\square$ Other (specify): in $(1)$
	(5) The school of the person in 1
	(6) The school of the children of the person in 1
	b. This stay-away order does not prevent you from going to or from your home or place of employment.
<b>(7</b> )	No Guns or Other Firearms and Ammunition
	a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
	b. You must:
	(1) Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.
	This is a Court Order.



n, sold, or stored. (You may use Form CH-800, Proof of Firearms Turned In ipt.)
nation that you own or possess a firearm.
of Animals
nied Until the Hearing  Granted as Follows (specify):
sole possession, care, and control of the animals listed below, which are pt, or held by him or her, or reside in his or her household. <i>i.e.</i> , <i>breed</i> , <i>name</i> .)
t least yards away from, and not take, sell, transfer, encumber, conce
n, harm, or otherwise dispose of the animals listed above.  Specify):
nied Until the Hearing
nied Until the Hearing
nied Until the Hearing
nied Until the Hearing Granted as Follows (specify):  at the end of this Order on Attachment 9.  To the Person in 1:
at the end of this Order on Attachment 9.  To the Person in 1:  nto CARPOS Through CLETS  e California Restraining and Protective Order System (CARPOS) through t
nied Until the Hearing Granted as Follows (specify):  at the end of this Order on Attachment 9.  To the Person in 1:  nto CARPOS Through CLETS  e California Restraining and Protective Order System (CARPOS) through to communications System (CLETS). (Check one):
at the end of this Order on Attachment 9.  To the Person in 1:  Into CARPOS Through CLETS  California Restraining and Protective Order System (CARPOS) through to ommunications System (CLETS). (Check one):  Ider and its proof-of-service form into CARPOS.

	Case Number:
11)	No Fee to Serve (Notify) Restrained Person
	<ul> <li>a.   The Order is based on unlawful violence, a credible threat of violence, or stalking.</li> <li>b.   The person in   is entitled to a fee waiver.</li> </ul>
12	Number of pages attached to this Order, if any:  Date:
	Judicial Officer

O--- N----

# Warnings and Notices to the Restrained Person in 2

#### You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control as stated in item (7) above. The court will require you to prove that you did so.

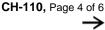
# Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and Form CH-109, *Notice of Court Hearing*, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this Temporary Restraining Order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the address in item( $\hat{\mathbf{2}}$ ).

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

# After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read Form CH-120-INFO, *How Can I Respond to a Request for Civil Harassment Restraining Orders?*, to learn how to respond to this Order.
- If you want to respond, fill out Form CH-120, *Response to Request for Civil Harassment Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response if the Request claims that you inflicted or threatened violence against or stalked the person in 1.
- You must have Form CH-120 served by mail on the person in ① or that person's attorney. You cannot do this yourself. The person who does the mailing should complete and sign Form CH-250, *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use Form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at <a href="https://www.courts.ca.gov/forms">www.courts.ca.gov/forms</a>. If you do not know how to prepare a declaration, you should see a lawyer.



- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to five years. Tell the judge why you disagree with the orders requested.

### Instructions for Law Enforcement

### **Enforcing the Restraining Order**

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

#### Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item **4** on page 1.

### **Arrest Required if Order Is Violated**

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

#### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

Case Number:		

# **Conflicting Orders—Priorities for Enforcement**

If more than one restraining order has been issued, the orders must be enforced according to the following priorities (see Pen. Code, § 136.2;a Fam. Code, §§ 6383(h)(2), 6405(b)):

- 1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. *No Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
- 3. *Criminal Order:* If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- 4. *Family, Juvenile, or Civil Order:* If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Clerk's Certificate	,	Clerk will fill out this part.) -Clerk's Certificate—	
[seal]	I certify that th original on file	is <i>Temporary Restraining Order</i> is a true in the court.	and correct copy of the
	Date:	Clerk by	Denuty

# CH-120

# Response to Request for Civil **Harassment Restraining Orders**

# Use this form to respond to the Request (Form CH-100)

- Read How Can I Respond to a Request for Civil Harassment Restraining Orders? (Form CH-120-INFO), to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—**not you**—serve the person in (1) or his or her lawyer by mail with a copy of this form and any attached pages. (Use Form CH-250, Proof of Service of Response by Mail.)

<b>1</b>	Person	Seeking	Protection
----------	--------	---------	------------

Name of person seeking protection (see Form CH-100, item (1)):

DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL

Clerk stamps date here when form is filed.

Fill in court name and street address:

		Superior Court of California, County of	
Person From Whom Protection Is	Sought		
a. Your Name:	anal.	-	
Your Lawyer (if you have one for this con Name:			
Firm Name:	State Bar 110	-	
Your Address (If you have a lawyer, give	e your lawyer's information.	Court fills in case number when form is filed.	
If you do not have a lawyer and want to private, you may give a different mailing have to give telephone, fax, or e-mail.):	= -	Case Number:	
Address:	Present	your response and any opposition at the	
City: State:	<b>Z</b> 10.	Write your hearing date, time, and place	
Telephone: Fa		orm CH-109 item (3) here:  Time:	
E-Mail Address:	Hearing Date	g <b>-</b>	
☐ Personal Conduct Orders			
a.   I agree to the orders requested.	-	vere served with a Temporary ning Order, you must obey it until the	
b.   I do not agree to the orders reque	ested. hearing	. At the hearing, the court may make	
c. $\square$ I agree to the following orders (s	pecify): orders a	against you that last for up to five years.	
☐ Stay-Away Orders			
a.   I agree to the orders requested.			
b.   I do not agree to the orders reque	ested.		
c.   I agree to the following orders (s	pecify):		

# □ Additional Protected Persons

- a. 

  I agree that the persons listed in item (3) of Form CH-100 may be protected by the order requested.
- b.  $\square$  I do not agree that the persons listed in item (3) of Form CH-100 may be protected by the order requested.



		Case Number:
6	Guns or Other Firearms and Ammunition  If you were served with Form CH-110, Temporary Restraining Order, other firearms, or ammunition. (See item 7 of Form CH-110.) You dealer, or turn in to a law enforcement agency, any guns or other fir control within 24 hours of being served with Form CH-110. You mususe Form CH-800, Proof of Firearms Turned In, Sold or Stored, for that is a law enforcement and law enforcement agency, any guns or other fir control within 24 hours of being served with Form CH-110. You mususe Form CH-800, Proof of Firearms Turned In, Sold or Stored, for that law enforcement agency and guns or firearms.  b.   I have turned in my guns and firearms to the police or sold them to dealer.  A copy of the receipt   is attached.   has already been	must sell to or store with a licensed gun earms in your immediate possession or st file a receipt with the court. You may ne receipt.
7	☐ Possession and Protection of Animals	
	<ul> <li>a.</li></ul>	
8)	a.	
9	☐ <b>Denial</b> I did not do anything described in item (7) of Form CH-100. (Skip to (10))	).)
10)	☐ Justification or Excuse	
	If I did some or all of the things that the person in 1 has accused me of the following reasons ( <i>explain</i> ):	my actions were justified or excused for
	☐ Check here if there is not enough space below for your answer. Put y of paper and write "Attachment 9—Justification or Excuse" as a title	=

		Case Number:	
☐ No Fee for Filing			
a.   I request that I not be required item (13) to be entitled to free factors.		the person in 1 claims	in Form CH-100
b.   I request that I not be required <i>FW-001</i> , Request to Waive Co		_	aiver. (Form
□ Lawyer's Fees and Costs			
<ul> <li>a.</li></ul>		vyer's fees   Court c	costs
<u>Item</u>	<u>Amount</u>	<u>Item</u>	Amount
-	\$		\$
	Ψ		Ф
☐ Check here if there are more			
<ul><li><i>MC-025 and write "Attach</i></li><li>b. ☐ I ask the court to deny the r</li></ul>	request of the person asking	· ·	his or her lawyer's fee
	request of the person asking	· ·	his or her lawyer's fee
b.   I ask the court to deny the rand costs.	request of the person asking and the person asking asking and the person asking asking asking and the person asking asking asking asking asking asking asking and the person asking askin	· ·	his or her lawyer's fee
<ul> <li>b.          I ask the court to deny the rand costs.     </li> <li>Number of pages attached to this form</li> </ul>	request of the person asking and the person asking asking asking asking and the person asking aski	for protection that I pay h	·
<ul> <li>b.          I ask the court to deny the rand costs.     </li> <li>Number of pages attached to this form</li> </ul>	request of the person asking and the person asking asking asking asking and the person asking aski	· ·	·
b.   I ask the court to deny the rand costs.  Number of pages attached to this form  Date:	request of the person asking and the person asking and any:	for protection that I pay h	
b.   I ask the court to deny the rand costs.  Number of pages attached to this form  Date:  Lawyer's name (if any)  I declare under penalty of perjury und	request of the person asking and the person asking and any:	for protection that I pay h	
b.   I ask the court to deny the rand costs.  Number of pages attached to this form  Date:  Lawyer's name (if any)  I declare under penalty of perjury und all attachments is true and correct.	request of the person asking the first and the person asking the first and the first a	for protection that I pay h	

Civil Harassment Restra Order After Hearing	ining	Clerk stamps date here when form is filed.
Person in 1 must complete items 1, 2, and 3 only.		DRAFT
Protected Person  a. Your Full Name:		NOT APPROVED BY THE JUDICIAL COUNCIL
Your Lawyer (if you have one for this case):  Name: State Bar  Firm Name:		
b. Your Address (If you have a lawyer, give your lawye If you do not have a lawyer and want to keep your how private, you may give a different mailing address instahave to give telephone, fax, or e-mail.):  Address:	me address ead. You do not	Fill in court name and street address:  Superior Court of California, County of
City: State:	Zip:	
Telephone: Fax: E-Mail Address:		Court fills in case number when form is filed.
Restrained Person Full Name: Description:		
Sex: M F Height: Weight:	Date	of Birth:
Hair Color: Eye Color: Home Address (if known):		Race:
City: Relationship to Protected Person:	Stat	
Additional Protected Persons In addition to the person named in 1, the following fam the orders indicated below:  Full Name  Sex	ily or household r Age <u>Lives w</u>	

**Expiration Date** 

This Order, except for any award of lawyer's fees, expires at:

Time:	☐ a.m.	p.m. midnight on (date):	

If no expiration date is written here, this Order expires three years from the date of issuance.



	Case Number:
ĵ H	earing
a.	There was a hearing on (date): at (time): in Dept.: Room: (Name of judicial officer): made the orders at the hearing.  These people were at the hearing:  (1) The person in (3) The lawyer for the person in (name): (2) The person in (4) The lawyer for the person in (name):
<u>6</u> □	Personal Conduct Orders
a.	You must <b>not</b> do the following things to the person named in ①  and to the other protected persons listed in ③:  (1) Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.  (2) Contact the person, either directly or indirectly, in <b>any</b> way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.  (3) Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order.  (4) Other (specify):  Other personal conduct orders are attached at the end of this Order on Attachment 6a(4).
b.	Peaceful written contact through a lawyer or process server or other person for service of legal papers related to a court case is allowed and does not violate this Order.
7	Stay-Away Orders
a.	You <b>must</b> stay at least yards away from (check all that apply):  (1)

b.	This stay-away order does	not prevent you from going	to or from your home or p	lace of employment.
) <b>N</b> (	o Guns or Other Firea	irms and Ammunition		
		, have, buy or try to buy, re	eceive or try to receive, or	r in any other way get guns,
b.	If you have not already do	ne so, you must:		
		ng served with this Order, secy, any guns or other firearm		•
	-	court within 48 hours of recent in, sold, or stored. (You receipt.)	2	•
c.	☐ The court has received	l information that you own o	r possess a firearm.	
\	Lawyor's Foos and (	Costs		
) L	] Lawyer's Fees and (		11	
	<del></del>	ay to the person in the f	ollowing amounts for:	
	a.   Lawyer's fees		Τ.	
	<u>Item</u>	Amount	<u>Item</u>	Amount
		\$ \$		<b>\$</b>
	Additional items and a	mounts are attached at the en	nd of this Order on Attachr	ment 9.
. –	D	4 - 41 6 A - 1 1 -		
)	Possession and Pro			
a.		ven the sole possession, care		
		sed, kept, or held by him or h	er, or reside in his or her h	nousehold.
	(Identify animals by, e	.g., type, breed, name.)		
b.	☐ The person in ② must	t stay at least vards ay	yay from and not take sell	, transfer, encumber, conceal
0.		threaten, harm, or otherwise		
	morest, attack, surke,	direction, narm, or other wise	dispose of the difficult fish	ca 400 vc.
) [	Other Orders (specify	) <i>:</i>		
/				
	Additional orders are	attached at the end of this Or	der on Attachment 11.	

Case	Number:		

### To the Person in 1

	To the Person	on in 1):
12)	Mandatory Entry of Order Into CARPOS Thr	ough CLETS
	This Order must be entered into the California Restrainin California Law Enforcement Telecommunications Syste	· ·
	a.   The clerk will enter this Order and its proof-of-se	rvice form into CARPOS.
	b.   The clerk will transmit this Order and its proof-of into CARPOS.	S-service form to a law enforcement agency to be entered
		er is made, the person in ① or his or her lawyer should be form to the law enforcement agency listed below to
	Name of Law Enforcement Agency	Address (City, State, Zip)
	Additional law enforcement agencies are listed	l at the end of this Order on Attachment 12.
13)	Service of Order on Restrained Person  a.   The person in 2 personally attended the hearing  b.   The person in 2 did not attend the hearing.  (1)   Proof of service of Form CH-110, Temporary	
		Form CH-110 except for the expiration date. The person in
		from the temporary restraining orders in Form CH-110. st personally serve a copy of this Order on the person
<b>14</b> )	☐ No Fee to Serve (Notify) Restrained Perso	on
	The sheriff or marshal will serve this Order without charge	ge because:
	a.   The Order is based on unlawful violence, a credib	le threat of violence, or stalking.
	b.   The person in   is entitled to a fee waiver.	
15)	Number of pages attached to this Order, if any:	
Date	e:	
	_	
	$J_i$	udicial Officer

Case Number:	

# Warning and Notice to the Restrained Person in 2:

#### You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control as stated in item (8) above. The court will require you to prove that you did so.

### **Instructions for Law Enforcement**

### **Enforcing the Restraining Order**

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

#### Start Date and End Date of Orders

This Order *starts* on the date next to the judge's signature on page 4 and *ends* on the expiration date in item (4) on page 1.

## **Arrest Required If Order Is Violated**

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed it, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the order and then enforce it.

#### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)



Case Number:		

# **Conflicting Orders—Priorities of Enforcement**

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b).)

- 1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
- 3. *Criminal Order:* If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- 4. *Family, Juvenile, or Civil Order:* If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Clerk's Certificate [seal]		(Clerk will fill out this part.) —Clerk's Certificate—	
	•	his Civil Harassment Restraining Order A of the original on file in the court.	fter Hearing is a true and
]	Date:	Clerk, by	, Deputy

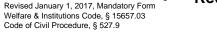
# EA-100

# Request for Elder or Dependent Adult Abuse Restraining Orders

Read *Can an Elder or Dependent Adult Abuse Restraining Order Help Me?* (Form EA-100-INFO) before completing this form. Also fill out *Confidential CLETS Information* (Form CLETS-001), with as much information as you know

cnov				_	JUDICIAL COUNCIL
<b>1</b> )	Elde	r or Dependent Adu	ılt in Need of Pro	tection	
	a. Fu	ıll Name:			_
	Sex:	☐ M ☐ F Age	:		
<b>2</b> )	Pers	on From Whom Pro	tection Is Sough	nt	Fill in court name and street address:
ک	Full N	T			Superior Court of California, County of
		ess (if known):			_
				Zip:	
<b>3</b> )		son Requesting Ord			
<u>ی</u>		is asking the court for pro		<i>or c):</i>	Court fills in case number when form is filed.
	a. 🗌	The elder or dependent	adult named in 1.		Case Number:
	b	Name:			
		conservator of the	<u> </u>	·	
		of the person named in	1, appointed by (no	ime of court):	
		Case No.:			
	c. 🗌	Other (name)			
			•	•	attached sheet of paper. Write "Attachment For a title. You may use Form MC-025,
4	Conf	tact Information			
	Conta	act information for the pe	rson asking the court	for protection:	
	a. Yo	our Lawyer (if you have	one for this case):		
		•	Stat	e Bar No.:	
	Fi	irm Name:			
	ke	, 5 5	rivate, you may give o	a different mailing	n. If you do not have a lawyer and want to address instead. The person in 1 does not
	A	ddress:			
	Ci	ity:	State:	Zip:	_
	Т	elephone:	Fax:		_
		-Mail Address:	<del></del>		
					_

This is not a Court Order.



Judicial Council of California, www.courts.ca.gov



Clerk stamps date here when form is filed.

**DRAFT** 

**NOT APPROVED BY THE** 



) <b>D</b>	escription of Protected Person				
D	escribe the person named in $\bigcirc$ . ( <i>Check a or b</i> ):				
a.	☐ Is age 65 or older and a resident of Californ	nia.			
b.	☐ Is a resident of California and an adult und restrict his or her ability to carry out normal limitations on the attached sheet of paper of	al activiti	es or to	protect his or her ri	ghts. (Briefly describe
	Protected Person" for a title.)				
) <b>A</b>	dditional Protected Persons				
a.					ne conservator of the elder or
	Full Name	<u>Sex</u>	<u>Age</u>	Lives with you?	How are they related to you
				☐ Yes ☐ No	
				☐ Yes ☐ No	
				☐ Yes ☐ No	
b.	Check here if there are more persons. Attach a Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachmen	25, Attack n below) ur answe	hment. : r. Put yo	our complete answe	er on the attached sheet of
b.	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you	25, Attack n below) ur answe	hment. : r. Put yo	nd write "Attachmo	er on the attached sheet of
	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you	25, Attack n below) ur answe	hment. : r. Put yo	nd write "Attachmo	er on the attached sheet of
	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachmen	25, Attaci n below). ur answe t 6b—Wi	hment. : r. Put yo	nd write "Attachma our complete answe is Need Protection'	er on the attached sheet of
	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachmen  elationship of Parties	25, Attaci n below). ur answe t 6b—Wi	hment.  r. Put you hy Other	nd write "Attachmour complete answers Need Protection"	er on the attached sheet of 'for a title.  The state of the attached sheet of the attach
	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachmen  elationship of Parties ow does the person in 1 know the person in 2  Check here if there is not enough space for you	25, Attaci n below). ur answe t 6b—Wi	hment.  r. Put you hy Other	nd write "Attachmour complete answers Need Protection"	er on the attached sheet of 'for a title.  The state of the attached sheet of the attach
	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachmen  elationship of Parties ow does the person in 1 know the person in 2 Check here if there is not enough space for you paper or Form MC-025 and write "Attachmen enue Thy are you filing in this county? (Check all that	25, Attaci n below). ur answe t 6b—Wi o? (Expla ur answe t 7—Rela	hment.  r. Put you hy Other	nd write "Attachmour complete answers Need Protection"	er on the attached sheet of 'for a title.  Per on the attached sheet of
	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachmen  elationship of Parties ow does the person in 1 know the person in 2 Check here if there is not enough space for you paper or Form MC-025 and write "Attachmen  enue Thy are you filing in this county? (Check all that	25, Attack n below) ur answe t 6b—Wi ? (Expla ur answe t 7—Rela	hment. : r. Put you hy Other	nd write "Attachmann with an end write answers Need Protection"  our complete answers of Parties" for a second	er on the attached sheet of 'for a title.  Per on the attached sheet of

_				
9		ther Court Cases		
	a.	Has the person in 1 or any of the persons nam		
		(2)? No Yes (If yes, specify the k Kind of Case	ana of each case ana maicai Filed in (County/State)	te where and when each was filed):  Year Filed Case Number (if known)
			Thed in (County/State)	Teal Flied Case Number (tj known)
		<ul><li>(1)  Elder or Dependent Adult Abuse</li><li>(2)  Civil Harassment</li></ul>		
		(3) Domestic Violence		
		(4) Divorce, Nullity, Legal Separation		
		(5) Paternity, Parentage, Child Custody		<del></del>
		(6) Eviction		
		(7) Guardianship	-	
		(8) Workplace Violence	-	
		(9) Small Claims		
		(10) Criminal		
		(11) $\square$ Other (specify):		
		(11) Guier (speedy)).		
	b.	Are there now any protective or restraining ord	ers in effect relating to the r	person in 1 or any of the persons
		named in $(6)$ and the person in $(2)$ ? $\square$ No		
<b>10</b> )	D	escription of Abuse		
		Abuse means either:		
	٠.	(1) Physical abuse, neglect, financial abuse, at	handonment isolation abdu	ction or other treatment with resulting
		physical harm or pain or mental suffering;		enon, or other treatment with regulating
		(2) The withholding by a caretaker of goods o		to avoid physical harm or mental
		suffering.		
	b.	Tell the court about the last time the person in (		•
		(1) When did it happen? (Provide date or estingular)	mated date):	
		(2) Who else was there?		
		(3) Describe what happened below.		_
		☐ Check here if there is not enough spac	e for your answer. Put your	complete answer on the attached
		sheet of paper or Form MC-025 and w		=
		(4) Was the abuse <b>solely financial abuse</b> unac	companied by force, threat	harassment intimidation or any other
		form of abuse?	companied by force, uncat,	, marassinem, manimumon, or any onici
			e abuse included other forms	s of abuse described above.
		·		
		THIS IS N	ot a Court Order.	

	(5)	<ul> <li>Did the person in ② use or threaten to use a gun or any other weapon?</li> <li>☐ Yes ☐ No (If yes, explain below):</li> <li>☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 10b(5)—Use of Weapons" for a title.</li> </ul>
	(6)	Was the person in 1 harmed or injured as a result of the acts of abuse described above?  Yes No (If yes, explain below):  Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 10b(6)—Harm or Injury" for a title.
	(7)	Did the police come?  \[ \sum \text{Yes} \] No  If yes, did they give the person in \( \bar{1} \) or the person in \( \bar{2} \) an Emergency Protective Order? \[ \sum \text{Yes} \] No  If yes, the order protects (check all that apply):
c.	Is th	a.  The person in 1 b.  The person in 2 c.  The persons in 6  (Attach a copy of the order if you have one.)  The person in 2 a care custodian who deprived the person in 1 of (kept from him or her, did not allow him)
	or h	er to have or receive, or did not provide him or her with) goods or services that the person needed to avoid sical harm or mental suffering?  Yes No (If yes, describe below what the person was deprived of and how that affected him or her):  Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 10c—Deprivation by Care Custodian" for a title.
d.		the person in 2 abused the person in 1 at other times?  Yes No (If yes, describe prior incidents and provide dates below):  Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 10d—Previous Abuse" for a title.

I ask to be	Personal Conduct Orders the court to order the person in ② not to do any of the following things to the person in ① or to any person protected listed in ⑥:  Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy the personal property of, or disturb the peace of the person.  Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or b other electronic means.
I ask to be a.  b.	Personal Conduct Orders  the court to order the person in ② not to do any of the following things to the person in ① or to any person protected listed in ⑥:  Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy the personal property of, or disturb the peace of the person.  Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by
I ask to be a.   b.	the court to order the person in <b>2 not</b> to do any of the following things to the person in <b>1</b> or to any person protected listed in <b>6</b> :  Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy the personal property of, or disturb the peace of the person.  Contact the person, either directly or indirectly, in <b>any</b> way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or b
to be a b	protected listed in <b>6</b> :  Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy the personal property of, or disturb the peace of the person.  Contact the person, either directly or indirectly, in <b>any</b> way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or be
b	otherwise), hit, harass, destroy the personal property of, or disturb the peace of the person.  Contact the person, either directly or indirectly, in <b>any</b> way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or be
	telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or b
c. [	
	Other (specify):
	☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 11c—Other Personal Conduct Orders," for a title.
Th	e person in $(2)$ will be ordered not to take any action to get the addresses or locations of any protected person
	less the court finds good cause not to make the order.
	Stay-Away Orders
a. I	ask the court to order the person in <b>2</b> to stay at least yards away from ( <i>check all that apply</i> ):
(1	The elder or dependent adult in $\bigcirc$
(2	2) $\square$ The persons in <b>6</b>
(3	3) The home of the elder or dependent adult
(4	1) The job or workplace of the elder or dependent adult
(5	5) The vehicle of the elder or dependent adult
(6	5) Other (specify):
	the court orders the person in ② to stay away from all the places listed above, will he or she still be able get to his or her home, school, or job? ☐ Yes ☐ No (If no, explain below):
	Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 12b—Stay-Away Orders," for a title.
_	
_	
_	

Case Number:
Out Order
e court to order the person in <b>2</b> to move out from and not return to the residence at (address):
rson in 1 will suffer physical or emotional harm if the person in 2 does not leave the residence. The in 2 is not named in the title or lease of the residence, either alone or with others beside the person
k for this move-out order right away to last until the hearing, because:
The person in 2 assaulted or threatened the person in 1; and
The person in 1 has the right to live at the above residence. (Explain below):
Check here if there is not enough space for your answer. Put your complete answer on the attached shot of paper or Form MC-025 and write "Attachment 13—My Right to Residence," for a title.
Other Firearms and Ammunition
erson in (2) own or possess any guns or other firearms?  \( \subseteq \text{Yes} \subseteq \text{No} \subseteq \text{I don't know}
abuse is only financial, if the judge grants a protective order, the person in $2$ will be prohibited from ssessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and in while the protective order is in effect. The person in $2$ will also be ordered to turn in to law int, or sell to or store with a gun dealer, any guns or firearms within his or her immediate possession or
te Orders
nt the court to make any of these orders now that will last until the hearing without notice to the person Yes  No (If you answered yes, explain why below): here if there is not enough space for your answer. Put your complete answer on the attached sheet of or Form MC-025 and write "Attachment 15—Immediate Orders" for a title.
est to Give Less Than Five-Days' Notice  ave your papers personally served on the person in ② at least five days before the hearing, unless the  rs a shorter time for service. (Form EA-200-INFO explains What Is "Proof of Personal Service"? Form
oof of Personal Service, may be used to show the court that the papers have been served.)
t there to be fewer than five days between service and the hearing, explain why below:
nere if there is not enough space for your answer. Put your complete answer on the attached sheet of

I ask the c	nts requested are:	f my: a. ☐ Lawyer's fees	_	
	<u>Item</u>	<u>Amount</u> \$	<u>Item</u>	<u>Amount</u> \$
<u></u>		\$		 \$
				\$
MC-02	5 and write "Attachmen			of paper or Form
MC-02  Possess I ask the c	5 and write "Attachmentsion and Protection ourt to order the follow.	nt 18—Lawyer's Fees and Cost n of Animals ing:	ts" for a title.	
MC-02  Possess  I ask the c  a.   The	5 and write "Attachments on and Protection ourt to order the follow at the person in 1 be g	nt 18—Lawyer's Fees and Cost n of Animals ing: given the sole possession, care, ases, keeps, or holds, or which	ts" for a title.  and control of the anim	als listed below, which
MC-02  Possess  I ask the c  a.   The	sion and Protection ourt to order the followat the person in 1 be gother owns, possesses, le	nt 18—Lawyer's Fees and Cost n of Animals ing: given the sole possession, care, ases, keeps, or holds, or which	ts" for a title.  and control of the anim	als listed below, which

This is not a Court Order.



) [	Additional Orders Requested	
	I ask the court to make the following addition	nal orders (specify):
		or your answer. Put your complete answer on the attached sheet on the attached sheet on the attached sheet of himent 20—Additional Orders Requested," for a title.
) N	fumber of pages attached to this form, if any:	
1) N	fumber of pages attached to this form, if any:	
_	fumber of pages attached to this form, if any:	
_	<del>-</del>	
D	ate:	Lawyer's signature
D	<del>-</del>	Lawyer's signature
Do Tal	ate:awyer's name (if any)	Lawyer's signature  of the State of California that the information above and on all
$\overline{La}$ I at	ate:  awyer's name (if any)  declare under penalty of perjury under the laws tachments is true and correct.	of the State of California that the information above and on all
$\overline{La}$ I at	awyer's name (if any)  declare under penalty of perjury under the laws tachments is true and correct.	of the State of California that the information above and on all

_	t complete items (1), (2 Elder or Depende e:	_		DRAFT  NOT APPROVED BY THE  JUDICIAL COUNCIL
differe	n requesting protection is ent (person named in ite	em <b>3</b> of Form EA-	-100):	JODICIAL COUNCIL
Full Name	2:		_	
Lawyer fo	or person named above (			
Name:		State B	ar No.:	Fill in court name and street address:
Firm Nam	ie:			Superior Court of California, County
-	ou may give a different i ve telephone, fax, or e-1	nail.):		Court fills in case number when form is filed.
City:		State:	Zip:	Case Number:
Telephone		Fax:		
E-Mail Ad	ldress:			
Restraine	d Person			
z ) ixeonanie				
Full Name:				
<b>-</b> )		Height:	Weight:	Date of Birth:
Full Name:			Weight:	Date of Birth: Race:
Full Name:	Sex: M F	Height: Eye Color:	Weight:	
Full Name:	Sex: M F F Hair Color:	Height: Eye Color:	Weight: Age:	
Full Name:	Sex: M F F Hair Color: Home Address (if known)	Height: Eye Color:	Weight: Age:	Race:
Full Name: Description:	Sex: M F F Hair Color: Home Address (if known City: Relationship to Protect	Height: Eye Color: own):	Weight: Age:	Race:
Full Name: Description:   Addition to addition to the second seco	Sex: M F F Hair Color: Home Address (if known City: Relationship to Protected Person the elder or dependent	Height: Eye Color: own): eted Person: esons a adult named in (1)	Weight: Age:	Race:  State: Zip:  ily or household members or
Full Name: Description:   Addition to addition to the second seco	Sex: M F Hair Color: Home Address (if known City: Relationship to Protected Person the elder or dependent of that person are protected.	Height:  Eye Color:  own):  cted Person:  adult named in 1 cted by the tempor	Weight: Age: , the following famiary orders indicated by	Race:  State: Zip:  ily or household members or below:
Full Name: Description:  3	Sex: M F F Hair Color: Home Address (if known City: Relationship to Protected Person the elder or dependent	Height: Eye Color: own): eted Person: esons a adult named in (1)	Meight: Age:  Age:  On the following family orders indicated by the second of the seco	Race:  State: Zip:  ily or household members or

This is a Court Order.

Time:

This Order expires at the end of the hearing scheduled for the date and time below:

**Expiration Date** 

☐ a.m. ☐ p.m.



Case Number:	

# To the Person in 2:

The court has issued the temporary orders checked as granted below. If you do not obey these orders, you can be arrested and charged with a crime. You may have to go to jail for up to one year, pay a fine of up to \$1,000, or both.

1.			
P	ersona	al Conduct Orders	
	] Not R	Requested   Denied Until	the Hearing    Granted as Follows:
a.	You m	ust <b>not</b> do the following things to the e	elder or dependent adult named in 1
		nd to the other protected persons listed	
	(1)	· ·	ntimidate, molest, attack, strike, stalk, threaten, assault (sexually on all property of, or disturb the peace of the person.
	(2)		indirectly, in <b>any</b> way, including, but not limited to, in person, by ivate mail, by interoffice mail, by e-mail, by text messages, by fax,
	(3)	Take any action to obtain the person' found good cause not to make this or	s address or location. If this item (3) is not checked, the court has der.
	(4)	Other (specify):  Other personal conduct orders are	e attached at the end of this Order on Attachment 5a(4).
	<b>D</b> 0		
b.	to a cou	·	a process server or other person for service of legal papers related e this order. However, you may have your papers served by mail
	to a cou	urt case is allowed and does not violate	
	to a cou on the p tay-Aw	urt case is allowed and does not violate person in 1.	e this order. However, you may have your papers served by mail
	to a cou on the p tay-Aw Not F	urt case is allowed and does not violate person in 1.  vay Orders  Requested   Denied Until	e this order. However, you may have your papers served by mail
S	to a cou on the p tay-Aw Not F	urt case is allowed and does not violate person in 1.  vay Orders  Requested   Denied Until	the Hearing
S	to a cou on the p tay-Aw Not F	urt case is allowed and does not violate person in 1.  vay Orders  Requested	the Hearing   Granted as Follows:  way from (check all that apply):
S	to a count on the partay-Aw Not F You man (1)	urt case is allowed and does not violate person in 1.  /ay Orders  Requested	the Hearing
S	to a count on the plantay-Aw Not F You man (1)  (2)	urt case is allowed and does not violate person in 1.  vay Orders  Requested Denied Until 1  ust stay at least yards a  The elder or dependent adult in 1  Each person in 3  The home of the elder or	the Hearing
a.	to a count on the partay-Aw Not F You man (1)  (2)  (3)  (4)  (4)	urt case is allowed and does not violate person in 1.  vay Orders  Requested Denied Until 1  ust stay at least yards a  The elder or dependent adult in 1  Each person in 3  The home of the elder or dependent adult  The job or workplace of the elder or dependent adult	the Hearing
a. b.	to a count on the partay-Aw Not F You man (1)  (2)  (3)  (4)  This sta	urt case is allowed and does not violate person in 1.  yay Orders  Requested Denied Until 1  ust stay at least yards a  The elder or dependent adult in 1  Each person in 3  The home of the elder or dependent adult  The job or workplace of the elder or dependent adult  ay-away order does not prevent you free	the Hearing
a. b.	to a count on the partay-Aw Not F You man (1)  (2)  (3)  (4)  This sta	urt case is allowed and does not violate person in 1.  vay Orders  Requested Denied Until 1  ust stay at least yards a  The elder or dependent adult in 1  Each person in 3  The home of the elder or dependent adult  The job or workplace of the elder or dependent adult	the Hearing
b. <b>M</b>	to a country on the plant tay-Aw  Not F  You mu  (1)   (2)   (3)   (4)   This states to a country on the plant tay-Aw  This states to a country on the plant tay and tay are tay and tay are tay and tay are t	urt case is allowed and does not violate person in 1.  yay Orders  Requested Denied Until 1  ust stay at least yards a  The elder or dependent adult in 1  Each person in 3  The home of the elder or dependent adult  The job or workplace of the elder or dependent adult  ay-away order does not prevent you free	the Hearing

8	No Guns or Other Firearms and Ammunition  Not Issued (financial abuse only)  Granted as Follows:				
	This order must be granted unless only financial abuse is alleged.				
	<ul><li>a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.</li><li>b. You must:</li></ul>				
	<ol> <li>Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.</li> <li>File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. (You may use Form EA-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.)</li> </ol>				
	c. $\square$ The court has received information that you own or possess a firearm.				
9)	Financial Abuse				
<b>9</b> )	This case does <b>not</b> does involve <b>solely financial abuse</b> unaccompanied by force, threat, harassment, intimidation, or any other form of abuse.				
10)	Possession and Protection of Animals				
	□ Not Requested □ Denied Until the Hearing □ Granted as Follows (specify):				
	a. The person in is given the sole possession, care, and control of the animals listed below, which are owned, possessed, leased, kept, or held by him or her, or reside in his or her household.  (Identify animals by, e.g., type, breed, name.)				
	b. The person in 2 must stay at least yards away from, and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the animals listed above.				
<b>11</b> )	Other Orders				
	☐ Not Requested ☐ Denied Until the Hearing ☐ Granted as Follows (specify):				
	Additional orders are attached at the end of this Order on Attachment 11.				
	This is a Court Order				

Case Number:	

# To the Person in 1:

<b>12</b> )	Mandatory Entry of Order Into CARPOS Through CLETS
	This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (Check one):
	a.   The clerk will enter this Order and its proof-of-service form into CARPOS.
	b.   The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
	c.   By the close of business on the date that this Order is made, the petitioner or the petitioner's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agencies listed below to enter into CARPOS:
	Name of Law Enforcement Agency Address (City, State, Zip)
	Additional law enforcement agencies are listed at the end of this Order on Attachment 12.
<b>13</b> )	No Fee to Serve (Notify) Restrained Person
	If the sheriff or marshal serves this Order, he or she will do it for free.
14)	Number of pages attached to this Order, if any:
_	Date:
	Judicial Officer

This is a Court Order.

Case Numb	er:		

## Warnings and Notices to the Restrained Person in 2

## **Possession of Guns or Firearms**

If the court grants the orders in item (8), you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control as stated in item (8). The court will require you to prove that you did so.

## Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and Form EA-109, *Notice of Court Hearing*, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that does not differ from this order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the address in item(2).

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

## After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read Form EA-120-INFO, *How Can I Respond to a Request for Elder or Dependent Adult Abuse Retraining Orders?*, to learn how to respond to this Order.
- If you want to respond, fill out Form EA-120, *Response to Request for Elder or Dependent Adult Abuse Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response.
- You must have Form EA-120 served on the person in (1) (the person asking the court for protection of the elder or dependent adult or the elder or dependent adult if no other person is named in that item), or that person's attorney, by mail. You cannot do this yourself. The person who does the mailing should complete and sign Form EA-250, *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served signed by you and other persons who have personal knowledge of the facts. You may use Form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at *www.courts.ca.gov/forms*. If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to five years. Tell the judge why you disagree with the orders requested.

## **Instructions for Law Enforcement**

## **Enforcing the Restraining Order**

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

This is a Court Order.

Case Number:		

#### Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item (4) on page 1.

## **Arrest Required if Order Is Violated**

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

## If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

## **Conflicting Orders—Priorities of Enforcement**

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b).)

- 1. *EPO*: If one of the orders is an *Emergency Protective Order* (Form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
- 3. *Criminal Order:* If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- 4. *Family, Juvenile, or Civil Order:* If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

	(Clerk will fill out this —Clerk's Certific	•	
Clerk's Certificate [seal]	I certify that this <i>Temporary Restraining</i> original on file in the court.	g Order is a true and correct copy of the	
	Date: Clerk, by	, Depu	ty
	This is a Court O	rder.	

**EA-120** 

# Response to Request for Elder or **Dependent Adult Abuse Restraining Orders**

Use this form to respond to the Request (Form EA-100)

- Read How Can I Respond to a Request for Elder or Dependent Adult Abuse Restraining Orders? (Form EA-120-INFO), to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—not you—serve the person requesting

	otection in (1) by mail with a copy of this form and any attached (se Form EA-250, Proof of Service of Response by Mail.)	pages.
1	Elder or Dependent Adult Seeking Protection Name:	Fill in court name and street address:  Superior Court of California, County of
	□ Name of person asking for the protection, if different ( <i>This is person named in item</i> ③ <i>of the request (Form EA-100).):</i>	
2	Person From Whom Protection Is Sought	
	a. Your Lawren (if you know and for this area)	Court fills in case number when form is filed.
	Your Lawyer (if you have one for this case):  Name: State Bar No.:	Case Number:
	Firm Name:	
	b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.):  Address:	Present your response and any opposition at the hearing. Write your hearing date, time, and place from Form EA-109 item 3 here:  Hearing Date: Time: Room:
	City: State: Zip:	^ <del></del>
		If you were served with a Temporary Restraining Order, you must obey it until the
	Telephone: Fax: E-Mail Address:	hearing. At the hearing, the court may make
<b>3</b>	☐ Personal Conduct Orders	orders against you that last for up to five years.
	a.   I agree to the orders requested.	
	b.   I do not agree to the orders requested.	
	c.   I agree to the following orders (specify):	
	-	
<b>(4</b> )	☐ Stay-Away Orders	
	a. I agree to the orders requested.	
	<ul><li>b.  I do not agree to the orders requested.</li><li>c.  I agree to the following orders (<i>specify</i>):</li></ul>	
	c.   I agree to the following orders (specify):	

Clerk stamps date here when form is filed.

**NOT APPROVED BY THE** 

JUDICIAL COUNCIL

DRAFT



	Case Number:
5	
a.   I agree to the orders requested.	
b.   I do not agree to the orders requested.	
c.   I agree to the following orders (specify):	
6 ☐ Additional Protected Persons	
a.   I agree that the persons listed in item <b>6</b> of Form	EA-100 may be protected by the order requested.
b.   I do not agree that the persons listed in item 6 or requested.	f Form EA-100 may be protected by the order
Guns or Other Firearms and Ammunition If you were served with Form EA-110, Temporary Restration other firearms, or ammunition. (See item 8 of Form Edealer, or turn in to a law enforcement agency, any guns control within 24 hours of being served with Form EA-1 use Form EA-800, Proof of Firearms Turned In, Sold, or	A-110.) You must sell to or store with a licensed gun or other firearms in your immediate possession or 10. You must file a receipt with the court. You may
dealer.	ce or sold them to or stored them with a licensed gun s already been filed with the court.
8  Possession and Protection of Animals	anoug occurred with the court.
<ul><li>a.</li></ul>	
c.  I agree to the following orders (specify):	
Other Orders	
a.   I agree to the orders requested.	
b.   I do not agree to the orders requested.	
c.   I agree to the following orders (specify):	
10 Denial	
I did not do anything described in item (7) of Form EA-100	. (Skip to <b>12</b> ).)

11 🗆	Justification or Excuse  If I did some or all of the things that the for the following reasons (explain):	person in 1 has accused	me of, my actions were	e justified or excused
	Check here if there is not enough space to of paper and write "Attachment 10–Just		-	
<b>12</b> □	Lawyer's Fees and Costs  a.   I ask the court to order payment of the court to order payment or order payment or order payment or order payment or order pay	of my  \tauyer's fe	es   Court costs	
	The amounts requested are: <u>Item</u>	<u>Amount</u> \$	<u>Item</u>	<u>Amount</u> \$
		\$		\$
		\$		\$\$
(13) N	<ul> <li>☐ Check here if there are more iten MC-025 and write "Attachment I.</li> <li>b. ☐ I ask the court to deny the reques lawyer's fees and costs.</li> </ul>	11—Lawyer's Fees and Cost of the person asking for	osts" for a title.	
Da	nte:			
$\overline{La}$	wyer's name (if any)	 Lawye	r's signature	
	leclare under penalty of perjury under the attachments is true and correct.	laws of the State of Califo	ornia that the informatio	on above and on
	nte:			
$\overline{T}$ y	pe or print your name	Sign yo	our name	

EA-130	-	pendent Adult Abuse Order After Hearing	Clerk stamps date here when form is filed.
_	st complete items 1		DRAFT
☐ Name of p		e protection, if different (This is the he request (Form EA-100).):	NOT APPROVED BY THE JUDICIAL COUNCIL
Name:	,	if any for this case): State Bar No.:	
Firm Name:			Fill in court name and street address:  Superior Court of California, County
If you do not le private, you me have to give to	have a lawyer and w nay give a different t elephone, fax, or e-n	ver, give your lawyer's information. vant to keep your home address mailing address instead. You do not mail.):	, o a posta o como o
		State: Zip:	Court fills in case number when form is filed.
Telephone:		Fax:	
Restrained Per Full Name:		Weight: Date	of Right
Restrained Per Full Name:  Description:  Sex: M [ Hair Color:	☐ F Height:Ey	Weight: Date    Ve Color: Age:	Race:
Restrained Pe Full Name:  Description:  Sex:  M [ Hair Color: Home Address	☐ F Height: Ey (if known):	Weight: Date  ve Color: Age:	Race:
Restrained Per Full Name: Description: Sex: M Hair Color: Home Address City:	☐ F Height: Ey (if known):	Weight: Date  ye Color: Age:  Sta	Race: Zip:
Restrained Per Full Name: Description: Sex: M Hair Color: Home Address City: Relationship to	☐ F Height: Ey Ey (if known):	Weight: Date  ve Color: Age:  Sta	zip:
Restrained Per Full Name: Description: M [     Hair Color: Home Address       City: Relationship to Additional In addition to the	F Height:Ey (if known):  Protected Person:  Protected Person:	Weight: Date  The Color: Age:  Standard  Ons  adult named in 1, the following fare adult named in 1 are protected by the standard p	Race: Zip:
Restrained Per Full Name: Description: Hair Color: Home Address City: Relationship to Additional In addition to the conservator of the Check here if	F Height:Ey (if known):  Protected Person:  Protected Person elder or dependent elder or dependent full Name  There are additional	Weight: Date  The Color: Age:  Standard  Ons  adult named in 1, the following fare adult named in 1 are protected by the standard p	Race: Zip:  mily or household members or the orders indicated below: with you? Relation to Protected Pers   s
Restrained Per Full Name: Description: M	F Height:  Ey (if known):  Protected Person: elder or dependent elder or dependent Full Name  there are additional 3—Additional Protected	Weight: Date  The Color: Age:  Standard I are protected by the color adult named in 1 are protected by the color adult named in 1 are protected by the color and the co	Race: Zip:  mily or household members or the orders indicated below: with you? Relation to Protected Pers   s





		C	ase Number:
<u>5</u> )	Не	Hearing	
	a.		Dept.:Room: e the orders at the hearing.
	b.	b. These people were at the hearing:  (1)	
	c.		
		To the Person in <b>2</b> :	
		The court has granted the orders checked below. If you do not arrested and charged with a crime. You may be sent to jail for u to \$1,000, or both.	
<b>6</b> )		□ Personal Conduct Orders	
	a.	a. You must <b>not</b> do the following things to the elder or dependent adult name	d in 1
		and to the other protected persons listed in 3:	
		<ol> <li>Physically abuse, financially abuse, intimidate, molest, attack, strik or otherwise), hit, harass, destroy personal property of, or disturb to Contact the person, either directly or indirectly, in any way, include telephone, in writing, by public or private mail, by interoffice mail or by other electronic means.</li> </ol>	the peace of the person. ling, but not limited to, in person, by
		<ul> <li>(3)  Take any action to obtain the person's address or location. If this it found good cause not to make this order.</li> <li>(4)  Other (specify):</li> </ul>	tem (3) is not checked, the court has
		Other personal conduct orders are attached at the end of this Or	rder on Attachment 6a(4).
	b.	b. Peaceful written contact through a lawyer or a process server or other person to a court case is allowed and does not violate this order.	on for service of legal papers related
7		☐ Stay-Away Orders	
	a.	4. You <b>must</b> stay at least yards away from (check all that apply	
		<ul> <li>(1) ☐ The elder or dependent adult in (1)</li> <li>(5) ☐ The vehicle of the</li> <li>(2) ☐ Each person in (3)</li> <li>(6) ☐ Other (specify):</li> </ul>	elder or dependent adult
		(3) The home of the elder or dependent adult	
		(4) The job or workplace of the elder or dependent adult	
		This is a Court Order.	

**Elder or Dependent Adult Abuse Restraining** (Elder or Dependent Adult Abuse Prevention)

7)	b.	This stay-away order does not prevent you from going to or from your home or place of employment.
8		Move-Out Order You must immediately move out from and not return to (address):
_		and must take only the personal clothing and belongings you need.
9	Th	No Guns or Other Firearms and Ammunition also Order must be granted unless the abuse is financial only.
	a.	You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
	b.	If you have not already done so, you must:
		• Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.
		• File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. ( <i>You may use Form EA-800</i> , Proof of Firearms Turned In, Sold, or Stored, <i>for the receipt</i> .)
	c.	☐ The court has received information that you own or possess a firearm.
10)	Fi	nancial Abuse
		is case does <b>not</b> does involve <b>solely financial abuse</b> unaccompanied by force, threat, harassment, imidation, or any other form of abuse.
11)		Possession and Protection of Animals
	a.	The person in 1 is given the sole possession, care, and control of the animals listed below, which are owned, possessed, leased, kept, or held by him or her, or reside in his or her household. ( <i>Identify animals by, e.g., type, breed, name.</i> )
	b.	The person in 2 must stay at least yards away from, and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the animals listed above.

Revised January 1, 2017

	You must pay to the person in	n (1) the following amo	ounts for: a.	☐ Lawyer's fees	b. Costs
	<u>Item</u>	Amount		<u>Item</u>	Amount
_					\$
_	Additional amounts are at	\$s	Ondon on Att	a ahmant 12	\$
L	_	trached at the end of this	s Order on Au	achment 12.	
	Other Orders (specify):				
_					
_					
_					
_					
_					
_					
_					
	Additional orders are atta	ached at the end of this	Order on Atta	chment 13.	
	Additional orders are atta			chment 13.	
[	_	To the Pers	son in 1 :		
_ [ Mar	☐ Additional orders are attandatory Entry of Order	To the Pers	son in 1 :		
This	ndatory Entry of Order Order must be entered into t	To the Personal Into CARPOS Through the California Restraining	son in 1 :  ough CLET  ng and Protect	'S ive Order System (C	CARPOS) through the
This	ndatory Entry of Order	To the Personal Into CARPOS Through the California Restraining	son in 1 :  ough CLET  ng and Protect	'S ive Order System (C	CARPOS) through the
This	ndatory Entry of Order Order must be entered into t	To the Personal Into CARPOS Throthe California Restraining ecommunications Systems	son in (1):  ough CLET  ng and Protect  m (CLETS). (6)	Sive Order System (C Check one):	CARPOS) through the
This Calif	ndatory Entry of Order Order must be entered into to Fornia Law Enforcement Tele	To the Person Into CARPOS Through California Restraining ecommunications System Order and its proof-of-second	ough CLET  ng and Protect  m (CLETS). (ervice form interest)	Sive Order System (C Check one): to CARPOS.	
This Calif	Order must be entered into the fornia Law Enforcement Telescornia The clerk will enter this Community The clerk will transmit the	To the Person Into CARPOS Through the California Restraining ecommunications System Order and its proof-of-section on the date that this Order and the California Restraining ecommunications are supported by the California Restraining ecommunicati	ough CLET  ng and Protect  m (CLETS). (extrice form inter- f-service form  er is made, you	ive Order System (Control of Check one):  o CARPOS.  to a law enforcement	nt agency to be entero
This Calif	Order must be entered into the fornia Law Enforcement Telestonia Law Enforc	To the Person Into CARPOS Through the California Restraining ecommunications System order and its proof-of-second on the date that this Order-service form to the law	ough CLET  ng and Protect  m (CLETS). (extrice form inter- f-service form  er is made, you	ive Order System (Control of Check one):  o CARPOS.  to a law enforcement	nt agency to be enterould deliver a copy of to enter into
This Calif	Order must be entered into the fornia Law Enforcement Telestonia Law Enforcement Telestonia Law Enforcement The Clerk will enter this Company of the Clerk will transmit the into CARPOS.  By the close of business of the Order and its proof-of CARPOS:	To the Person Into CARPOS Through the California Restraining ecommunications System order and its proof-of-second on the date that this Order-service form to the law	ough CLET  ng and Protect  m (CLETS). (extrice form inter- f-service form  er is made, you	ive Order System (Contect one):  o CARPOS.  to a law enforcement or your lawyer should agency listed below	nt agency to be entero buld deliver a copy of to enter into

<b>15</b> )	Service of Order on Restrained Person
	a.   The person in 2 personally attended the hearing. No other proof of service is needed.
	b. The person in 1 was at the hearing. The person in 2 was not.
	(1) Proof of service of Form EA-110, <i>Temporary Restraining Order</i> , was presented to the court. The judge's orders in this form are the same as in Form EA-110 except for the end date. The person in <b>2</b> must be served with this Order. Service may be by mail.
	(2) Proof of service of Form EA-110, <i>Temporary Restraining Order</i> , was presented to the court. The judge's orders in this form are different from the orders in Form EA-110. Someone—but not anyone in ① or ③—must personally serve a copy of this Order on the person in ②.
<b>16</b> )	No Fee to Serve (Notify) Restrained Person
	If the sheriff or marshal serves this Order, he or she will do so for free.
<b>17</b> )	Number of pages attached to this Order, if any:
	Date:
	Judicial Officer

# Warning and Notice to the Restrained Person in 2:

#### You Cannot Have Guns or Firearms

If the court grants the orders in item **9** on page 3, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control as stated in item **9**. The court will require you to prove that you did so.

## **Instructions for Law Enforcement**

## **Enforcing the Restraining Order**

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

## Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 5. The order *ends* on the expiration date in item **4** on page 1.

This is a Court Order.

Case Number:

## **Arrest Required if Order Is Violated**

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

## If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

## **Conflicting Orders—Priorities of Enforcement**

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b).)

- 1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
- 3. *Criminal Order*: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- 4. *Family, Juvenile, or Civil Order:* If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Clerk's Certificate [seal]		(Clerk will fill out this part.) —Clerk's Certificate—			
	I certify that this <i>Elder or Dependent Adult Abuse Restraining Order After Hearing</i> is a true and correct copy of the original on file in the court.				
	Date:	Clerk, by	, Deputy		
		This is a Court Order.			

_							0 4-2-3
АТ	TTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NO:			FOR	COURT USE ONLY	
NA	AME:						
FII	RM NAME:						
ST	TREET ADDRESS:						
	TY:	STATE:	ZIP CODE:				
TE	ELEPHONE NO.:	FAX NO.:					
E-	MAIL ADDRESS:						
-	ITORNEY FOR (name):						
	UPERIOR COURT OF CALIFORNIA, COUNT	Y OF					
	STREET ADDRESS:						
	MAILING ADDRESS:						
Ci	TY AND ZIP CODE:  BRANCH NAME:						
1	CHILD'S NAME:			JUVE	NUMBER:		
				FAMIL			
_					ΓED CASES (if any	<b>/</b> ):	
	REQUEST FOR RESTR	AINING ORDER—	-JUVENILE	11221	(,, a.,,	<i>,</i> -	
1	Person or persons needing protection	n					
٠.	-	_	_				
	Full Name	<u>Age</u>	<u> </u>	Relationship to	<u>child</u>		
2.	a. Person to be restrained (full nam	e):					
г	·	<u>,                                      </u>					
	b. <b>DESCRIPTION:</b>						
	Sex: M F Ht.: Wt.:	Hair color:	Eye color:	Race:	Age:	Date of birth:	
L							
3.	The child is						
	a. a dependent of the court under	er Welfare and Institu	tions Code section	on 300; or			
	b the subject of a petition that h				ons Code sec	ction 300; or	
	c. a ward of the court under Wel						
	d. a ward of the court under Wel						
	e the subject of a petition that h						
	f. the subject of a petition that h	as been filed in this c	ourt under Welfa	re and Institution	ons Code sec	ction 602.	
4.	Petitioner is the						
••			_				
	a mother	g.	present caregi				
	b father	h		d special advoc			
	c. child	i		of Indian child's			
	d. guardian	j	other (state int	erest or relatior	ship to child	):	
	e. social worker						
	f. probation officer						

CI	HILD'S NAME:	CASE NUMBER:
5.	The person to be restrained has <i>(check at least one box)</i> a assaulted or attempted to assault one or more of the persons to be protected b caused, threatened, or attempted bodily injury on one or more of the persons c caused one or more of the persons to be protected to fear physical or emotio d sexually assaulted or attempted to sexually assault one or more of the person e stalked one or more of the persons to be protected.  f other <i>(specify)</i> :	to be protected. nal harm.
6.	Description of conduct (describe in detail the most recent incidents supporting this apenforcement officers):	oplication, or attach copies of reports of law
	Check here if there is not enough space for your answer. Put your complete descand write "Attachment 6" as a title. Number of pages attached:	cription on an attached piece of paper
7.	A criminal protective order on form CR-160 is in effect against the person sought  a. Case number: expiration date:  b. County (if known):  c. Person protected by order:  d. Person restrained by order:	to be restrained:

CHILD'S NAME:		IE:	CASE NUMBER:					
_								
3. <b>R</b>	equest	ed orders						
a.		Restrained person must not harass, molest, attack, strike, stalk, threaten, sex property of, or disturb the peace of any person or persons named in item 1.	cually assault, batter, destroy the personal					
b.		Restrained person must not contact (either directly or indirectly), by mail or of	herwise, any person named in item 1.					
		(1) except for brief and peaceful contact as required for court-ordered protective order says otherwise	visitation of children, unless a criminal					
		(2) except for peaceful written contact through a process server or and a court case	ther person to serve legal papers related to					
C.		Restrained person must move immediately from (address):						
		and take only personal clothing and effects.						
d.		Restrained person must stay at least (specify): yards away from the (the addresses of these places are optional and may be kept confidential):	following persons and places					
		(1) Protected persons named in item 1.						
		(2) The residence of the person or people listed in item 1 (address option)	ional):					
		(3) The workplace of the person or people listed in item 1 (address option)	tional):					
		(4) Child's school or place of child care (address optional):						
		(5) The vehicle of the person or people listed in item 1 (description option)	ional):					
		(6) Other (specify): (address optional):						
e.		Restrained person must not take any action to get the address or location of addresses or locations of the family members, caregivers, or guardians of ar not checked, the court has found good cause not to make this order.) Peacef through a process server or another person in order to serve legal papers is	ny persons named in item 1. (If this box is ul written contact through a lawyer or					
f.	restra	ained person must sell or give up any firearms that he or she has or controls fining order. Describe in item 6 any use of or threat regarding use of firearms. Ilowing firearms (specify):						
g.		The child is a ward or the subject of a petition under Welfare and Institutions contact, threaten, stalk, or disturb the peace of <i>(list names):</i>	Code section 601 or 602 and must not					
h.		Possession and protection of animals						
	(1) Protected person (name): is given sole possession, care, and control of the following animals (identify animals by, e.g., type, breed, name):							
		I ask for the animals to be with the person listed above because (sp	pecify):					
		(2) Restrained person must stay at least yards away from, and n molest, attack, strike, threaten, harm, or otherwise dispose of the a	not take, sell, transfer, encumber, conceal, nimals listed above.					

JV-245

CHILD'S NAME:	CASE NUMBER:
i. Other requested orders:	
I declare under penalty of perjury under the laws of the State of California that the foregoin	g and all attachments are true and correct.
Date:	
<b>•</b>	
(TYPE OR PRINT NAME)	(SIGNATURE OF PETITIONER)

STOREY OF RARTY WITHOUT ATTORNEY:  SWAME.  **RAN NAME: **PRAN NAME: **	TTODAYS OF BARTY WITHOUT ATTORNEY			I
TREAT NAME: TREET ADDRESS: CITY: STREET ADDRESS: MAINER AD		STATE BAR NO:		
STATE ZIP CODE:  ELEPHONE NO: FAX NO:  FAX NO:				
ELEPHONE NO: FAX NO.:  #MAIL ADDRESS  #MAILNA ADDRESS  #M				
DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL  BUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS CITY MAD JOP CODE BRANCH NAME:  CASE NAME:  NOTICE OF HEARING AND TEMPORARY RESTRAINING ORDER—JUVENILE  Protected person or persons Full Name: Sex: Age: Relationship to Child:  2. Restrained person  Full Name: Sex: Age: Date of Birth: Address (if known): City: State: Zip:  1. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Name and address of court if different from above:  Name and address of court if different from above:  Name and address of court if different from above:  Name and address of court if different from above:				
DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL  NOTICE OF HEARING AND TEMPORARY RESTRAINING ORDER—JUVENILE  NOTICE OF HEARING ORDER—JUVENILE  NAME:  NOTICE OF HEARING ORDER—JUVENILE  NOTICE OF HEARING NOTICE ORDER NOTICE OF HEARING NOTICE OF HEARIN	CITY:	STATE:	ZIP CODE:	
DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL  SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: GITY AND JP CODE: BRANCH NAME:  CASE NAME:  NOTICE OF HEARING AND TEMPORARY RESTRAINING ORDER—JUVENILE  NOTICE depreson or persons Full Name: Sex: Age: Relationship to Child:  2. Restrained person  Full Name: Sex: Age: Date of Birth: Address (if known): City: State: Zip:  3. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Name and address of court if different from above:  Name and address of court if different from above:  Name and address of court if different from above:	ELEPHONE NO.:	FAX NO.:		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS MAILING ADDRESS  NOTICE OF HEARING AND TEMPORARY RESTRAINING ORDER—JUVENILE  Protected person or persons Full Name:  Sex: Age: Relationship to Child:  2. Restrained person  Full Name: Sex: M F Height: Weight: Hair Color: Eye Color: Age: Date of Birth: Address (if known): City: State: Zip:  3. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Name and address of court if different from above:  Name and address of court if different from above:	-MAIL ADDRESS:			DDAET
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND JIP CODE: BRANCH NAME:  CASE NAME:  NOTICE OF HEARING ADDREATY RESTRAINING ORDER—JUVENILE  NOTICE OF HEARING TO AND TEMPORARY RESTRAINING ORDER—JUVENILE  Protected person or persons Full Name:  Sex: Age: Relationship to Child:  2. Restrained person  Full Name:  Sex: Age: Date of Birth: Address (if known): City: State: Zip:  3. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Name and address of court if different from above:  Name and address of court if different from above:	TTORNEY FOR (name):			
NOTICE OF HEARING ORDER—JUVENILE    Protected person or persons	STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	NTY OF		I
2. Restrained person  Full Name:  Sex: Age: Relationship to Child:  Pull Name:  Sex: M   F Height: Weight: Hair Color: Eye Color:  Race: Age: Date of Birth:  Address (if known):  City: State: Zip:  8. Expiration date/Notice of court hearing  A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Hearing Date & Time: Time:			_	JUVENILE:
2. Restrained person  Full Name:  Sex: Age: Relationship to Child:  Pull Name:  Sex: M   F Height: Weight: Hair Color: Eye Color:  Race: Age: Date of Birth:  Address (if known):  City: State: Zip:  8. Expiration date/Notice of court hearing  A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Hearing Date & Time: Time:				
2. Restrained person  Full Name: Sex: M F Height: Weight: Hair Color: Eye Color: Race: Age: Date of Birth: Address (if known): City: State: Zip:  8. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Hearing Date & Date: Time:	. Protected person or persons			
2. Restrained person  Full Name: Sex: M F Height: Weight: Hair Color: Eye Color: Race: Age: Date of Birth: Address (if known): City: State: Zip:  8. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Hearing Date & Date: Time:	Full Name:		Sex: Age	e: Relationship to Child:
Sex: M F Height: Weight: Hair Color: Eye Color: Race: Age: Date of Birth:  Address (if known): City: State: Zip:  8. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Hearing Date & Date: Time:				
Race: Age: Date of Birth:  Address (if known):  City: State: Zip:  8. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Hearing Date & Time:	. Restrained person			
Race: Age: Date of Birth:  Address (if known):  City: State: Zip:  8. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Hearing Date & Time:				
Address (if known): City:  State: Zip:  8. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Hearing Date & Time:	Full Name:	Weight:	Hair Color:	Eve Color:
City: State: Zip:  8. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.    Name and address of court if different from above:	Full Name: Sex:  M F Height:	Weight:		•
B. Expiration date/Notice of court hearing A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Hearing Date & Time:	Full Name:  Sex: M F Height:  Race:	Weight:		•
A court hearing is scheduled on the request for restraining orders against the person in item 2. Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.  Name and address of court if different from above:  Hearing Date & Time:	Full Name:  Sex:  M F Height:  Race:  Address (if known):	Weight:	Age:	Date of Birth:
Date & → Date: Time:	Full Name:  Sex:  M F Height:  Race:  Address (if known):	Weight:	Age:	Date of Birth:
Time	Full Name:  Sex: M F Height:  Race:  Address (if known):  City:   Expiration date/Notice of court head A court hearing is scheduled on the granted will expire at the end of the hearing, the judge may make res	aring ne request for restra nearing scheduled for	Age: State: sining orders against to the date and time show ould last up to three year.	Date of Birth:  Zip:  Che person in item 2. Any temporary orders wn in the box below unless otherwise ordered. A ars.
Dept.: Room:	Full Name:  Sex: M F Height:  Race:  Address (if known):  City:   Expiration date/Notice of court hea A court hearing is scheduled on the granted will expire at the end of the hearing, the judge may make res	aring ne request for restra nearing scheduled for straining orders that c	Age: State: sining orders against to the date and time show ould last up to three year.	Date of Birth:  Zip:  Che person in item 2. Any temporary orders wn in the box below unless otherwise ordered. A ars.
	Full Name:  Sex: M F Height:  Race:  Address (if known):  City:   Expiration date/Notice of court hea A court hearing is scheduled on the granted will expire at the end of the hearing, the judge may make res  Hearing Date & Date:	aring ne request for restra nearing scheduled for straining orders that c	Age: State: sining orders against to the date and time show ould last up to three year.	Date of Birth:  Zip:  Che person in item 2. Any temporary orders wn in the box below unless otherwise ordered. A ars.
	Full Name:  Sex: M F Height:  Race:  Address (if known):  City:   Expiration date/Notice of court head A court hearing is scheduled on the granted will expire at the end of the hearing, the judge may make resemble.  Hearing Date & Date:  Time	aring ne request for restra nearing scheduled for straining orders that co	Age: State: sining orders against to the date and time show ould last up to three year.	Date of Birth:  Zip:  Che person in item 2. Any temporary orders wn in the box below unless otherwise ordered. A ars.

Page 1 of 4

	CASE	NAMI	<b>:</b> !			CASE NU	MBER:
4.		Hea	ring on this	temporary restraining or	der		
		a.	Date hearin	ng held:	Time:	Dept.:	Room:
		b.	Judicial offi	icer (name):			
		c.	Persons an	nd attorneys present (nan	nes):		
_		Ton	an a ran card	ore (enlast and)			
5.				ers (select one)	ad the temperary orders t	hat are shooked holow	
		a. L			ed the temporary orders t		itom 2
		b.	NOU	granted. No temporary of	rders are granted pending	the scheduled fleating if	riterii 3.
Tŀ	HE COL	JRT	FINDS AND	D ORDERS			
6.		Res	trained per	son (child in delinquency	proceedings) (Complete	either 6 or 7, not both.)	
		a.			t of a petition under Welfa he peace of anyone in ite		section 601 or 602 and must not
		b.			•		fe exchange of children for court-
					the attached family, juve		
				ed on <i>(date):</i>			et" provision in item 6a of this order.
		C.					fe exchange of children for ate this order is signed, as an
					provision in item 6a of th		a.oo o.aoo o.goa, ao a
7.				·	elinquency proceeding) (C	Complete either 6 or 7, no	ot both.)
		a.		do the following things	-		
				est, attack, strike, stalk, th beace.	reaten, sexually assault, i	patter, harass, destroy the	e personal property of, or disturb
			(2)	Contact, either directly			, in person, by telephone, in sage, by fax, or by other electronic
				means	on an indicated in a halow		
		b.	mus	-	on as indicated in c below.		
		υ.	(1)	st stay away at least (sperance in item 1.	except for visitation as in	(check all that apply).  dicated in item c below.	
			(2)	home of anyone i	•		
			(3)	<del></del>	of anyone in item 1.		
			(4)	vehicle of anyone	-		
			(5)	school of anyone			
			(6)	the child(ren)'s sc	hool or child care.		
			(7)	Other (specify):			
				except for v	visitation as indicated in ite	em c below.	
		c.	has	the right to visit the child(	(ren) named in item 1 as f	ollows:	
			(1)	None	•		
			(2)	Visitation according	ng to the attached schedul	e (Form JV-205 must be	attached if any visitation is ordered.)
		d.	mus	st move immediately from	n (address):		
			and	take only personal clathi	ng and belongings		
		_		take only personal clothi		,	
		e.	of th		ivers, or guardians of any		m 1 or the addresses or locations his box is not checked, the court

(	CASE NAME:	CASE NUMBER:
8.	No guns or other firearms or ammunition (applies only if box 5a is checked on this a. The restrained person cannot own, possess, have, buy or try to buy, receive or try other firearms, or ammunition.	•
	<ul> <li>b. The restrained person must</li> <li>within 24 hours of receiving this order sell to, or store with, a licensed gun dealer guns or other firearms within his or her immediate possession or control.</li> </ul>	er or turn in to a law enforcement agency any
	<ul> <li>within 48 hours of receiving this order file with the court a receipt that proves gu (Proof of Firearms Turned In, Sold, or Stored (form DV-800/JV-252) may be use</li> </ul>	
	• bring a copy of the receipt or Proof of Firearms Turned In, Sold, or Stored (form	DV-800/JV-252) to the hearing listed in item 3
	c The court has received information that the restrained person owns or posse	esses a firearm.
9.	The protected person(s) have the right to record communications made by the orders.	restrained person that violate the court's
10.	Possession and protection of animals	
	a. Protected person (name):  listed below, which are owned, possessed, leased, kept, or held by a person residence or household of a person protected by this order. (Identify anima)	
	b The restrained person must stay at least yards away from, and not ta attack, strike, threaten, harm, or otherwise dispose of the animals listed about	
12.	A criminal protective order on form CR-160 is in effect as follows:	
12.		County (if known):
13.	Transmittal order. The data in this order must be transmitted within one business date This order must be entered into the California Restraining and Protective Order System Enforcement Telecommunications System (CLETS).  a The court will enter the order into CARPOS through CLETS directly.  b The court or its designee will transmit a copy of the order to a local law enforcement of Justice to enter orders into CARPOS through CLETS.  If designee, insert name:	rm (CARPOS) through the California Law
14.	Service of temporary order	
	a The restrained person was present at the time the order was made. No furt b The restrained person was not present at the time the order was made. The restrained person was not present at the time the order was made. The restrained person was not present at the time the order was made.	
15.	Service of this notice of hearing must be at least five or (specify	days before the hearing.
Da	ate:	
		JUDICIAL OFFICER

CASE NAME:	CASE NUMBER:

## Warnings to the Restrained Person

If you do not obey these orders, you can be arrested and charged with a crime. You may have to go to jail or prison, pay a fine of up to \$1,000, or both. Taking or hiding a child in violation of this order is subject to state and federal criminal penalties.

You cannot have guns, firearms, or ammunition. If the box in item 5a is checked, the court issued a temporary restraining order, which means you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to, or store with, a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

**Service of order by mail.** If the judge makes a restraining order at the hearing that has the same orders as in this form, you will get a copy of that order by mail at your last known address, which is written in item 2. If this address is not correct, or to find out if the orders were made permanent, contact the court.

#### **Instruction for Law Enforcement**

Applicable only if the box in item 5a is checked.

**Enforcing the restraining order.** This order is effective when made. It is enforceable in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it.

Conflicting orders—Priorities for Enforcement.

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following order (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b).):

- 1. *EPO:* If one of the orders is an *Emergency Protective Order* (Form EPO-001) and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. *No-Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
- 3. Criminal Order: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- 4. Family, Juvenile, or Civil Order: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

#### **Certificate of Compliance With VAWA for Temporary Orders**

This temporary protective order meets all full faith and credit requirements of the Violence Against Women Act, 18 U.S.C. § 2265, (1994) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. This order is valid and entitled to enforcement in all jurisdictions throughout the 50 United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.

#### **CLERK'S CERTIFICATE**

[SEAL]	I certify that the foregoing <i>Tempo</i> the original on file in the court.	orary Restraining Order—Juvenile is a true and correct	copy of
	Date:	Clerk, by	, Deputy

ATTORNEY OR PARTY WITHOUT ATTORNEY:	STATE BAR NO:		
NAME:			
FIRM NAME:			
STREET ADDRESS:			
CITY:	STATE: ZIP CODE:		
TELEPHONE NO.:	FAX NO.:		
E-MAIL ADDRESS: ATTORNEY FOR (name):			DRAFT
SUPERIOR COURT OF CALIFORNIA, COUNTY STREET ADDRESS:	OF		NOT APPROVED BY THE
MAILING ADDRESS:			JUDICIAL COUNCIL
CITY AND ZIP CODE:			
BRANCH NAME:			_
CASE NAME:			
	RDER—JUVENILE er Hearing		CASE NUMBER: JUVENILE: FAMILY:
Protected person or persons			
Full Name	<u>Sex</u>	<u>Age</u>	Relationship to Child
2. Restrained person			
Full Name:			
Sex: M F Height:	Weight: Hair	Color:	Eye Color:
Race:	-		Date of Birth:
	Age		Date of Birtin.
Address (if known): City:		State:	Zip:
• If no time is written, the restraining	restraining order ends three order ends at midnight on th	e expiration date	
b. Date hearing held:	Time:	Dept.:	Room:
c. Judicial officer (name):			
d. Persons and attorneys present (nam	es):		
	present. This order must be orm are the same as in the p	served. rior temporary re	straining order except for the expiration date,
person can be serve	ed by mail.		rved on the restrained person. The restrained
			orary restraining order. An adult 18 years or Ily serve a copy of this order on the restrained
			Page 1 of 4

	CASE NAME:	CASE NUMBER:				
TH	E COURT FINDS AND ORDERS	I				
4.	Restrained person (child in delinquency proceedings) (Complete either 4 or 5, not both.)  is a ward of the court or the subject of a petition under Welfare and Institutions Code section 601 or 602 and must not contact, threaten, stalk, or disturb the peace of anyone in item 1.  may have peaceful contact with the protected person(s) in item 1 only for the safe exchange of children for court-ordered visitation as stated in the attached family, juvenile, or probate court order in Case No. issued on (date):  , as an exception to the "no-contact" provision in item 4a of this order.					
	c. may have peaceful contact with the protected person(s) in item 1 only for the stated in a family, juvenile, or probate court order issued after the date this contact" provision in item 4a of this order.					
5.	Restrained person (other than child in delinquency proceedings) (Complete either a. must not do the following things to anyone in item 1:	er 4 or 5, not both.)				
	peace.  (2) Contact, either directly or indirectly in <b>any</b> way, including but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means					
	except for visitation as indicated in c below.					
	b. must stay away at least (specify): yards from (check all that apply)  (1) anyone in item 1, except for visitation as indicated in item c below.  (2) home of anyone in item 1.  (3) job or workplace of anyone in item 1.  (4) vehicle of anyone in item 1.  (5) school of anyone in item 1.  (6) the children's school or child care.  (7) Other (specify):  except for visitation as indicated in c below					
	c. has the right to visit the child(ren) named in item 1 as follows:  (1) None					
	be attached if any visitation is ordered.)					
(	d must move immediately from (address):					
	and take only personal clothing and belongings.					
	must NOT take any action to get the address or location of anyone named in item 1 or the addresses or locations of the family members, caregivers, or guardians of anyone named in item 1. If this box is not checked, the court has found good cause not to make this order.					
6.	No guns or other firearms or ammunition					
	. The restrained person cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.					
b	<ul> <li>The restrained person must</li> <li>within 24 hours of receiving this order sell to, or store with, a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms within his or her immediate possession or control.</li> </ul>					
	• within 48 hours of receiving this order file with the court a receipt that proves guns have been turned in, sold, or stored. (Proof of Firearms Turned In, Sold, or Stored (form DV-800/JV-252) may be used for the receipt.)					
	c. The court has received information that the restrained person owns or posse	esses a tirearm.				
7.	A criminal protective order on form CR-160 is in effect as follows:  Case number: Expiration date: C	ounty (if known):				
8.	The protected persons have the right to record communications made by the res	strained person that violate the judge's orders.				

CASE NAME: CASE NUMBER:		CASE NUMBER:			
9. Possession and protection of animals					
a. Protected person (name):  listed below, which are owned, possessed, leased, kept, or held by a person protected by this order or residing in the residence or household of a person protected by this order. (Identify animals by, e.g. name, type, breed.)					
b. The restrained person must stay at least attack, strike, threaten, harm, or otherwise		e, sell, transfer, encumber, conceal, molest, re.			
10. Other orders (specify):	Other orders (specify):				
<ol> <li>Transmittal order. The data in this order must be transmitted within one business day to law enforcement personnel. This order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS).</li> </ol>					
a The court will enter the order into CARPO	*				
b. The court or its designee will transmit a copy of the order to a local law enforcement agency authorized by the Department of Justice to enter orders into CARPOS through CLETS.					
If designee, insert name:					
Date:					
Date.					
		JUDICIAL OFFICER			

#### **Warnings to the Restrained Person**

**If you do not obey these orders, you can be arrested and charged with a crime.** You may have to go to jail or prison, pay a fine of up to \$1,000, or both. Taking or hiding a child in violation of this order is subject to state and federal criminal penalties.

You cannot have guns, firearms, or ammunition. You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

	JV-255				
CASE NAME:	CASE NUMBER:				
Instruction for Law Enforcement					
<b>Enforcing the restraining order.</b> This order is effective when made. It is enforceable in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it.					
Conflicting orders—Priorities for Enforcement.					
If more than one restraining order has been issued protecting the protected person must be enforced in the following order (see Pen. Code, § 136.2 and Fam. Code, §§ 1. EPO: If one of the orders is an Emergency Protective Order (Form EPO-001) and it is protective orders, it has precedence in enforcement over all other orders.  2. No-Contact Order: If there is no EPO, a no-contact order that is included in a restraining enforcement over any other restraining or protective order.  3. Criminal Order: If none of the orders includes a no-contact order, a domestic violence takes precedence in enforcement over any conflicting civil court order. Any nonconflicting effect and enforceable.  4. Family, Juvenile, or Civil Order: If more than one family, juvenile, or other civil restraining one that was issued last must be enforced.	a 6383(h)(2), 6405(b).): more restrictive than other restraining or and or protective order has precedence in protective order issued in a criminal case g terms of the civil restraining order remain in				
Certificate of Compliance With VAWA for Orders A	After Hearing				
This protective order meets all full faith and credit requirements of the Violence Against V (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties person has been afforded reasonable notice and an opportunity to be heard as provided valid and entitled to enforcement in all jurisdictions throughout the 50 United State lands, and all U.S. territories, commonwealths, and possessions and shall be enforjurisdiction.	Vomen Act, 18 U.S.C. § 2265 (1994) and the subject matter; the restrained by the laws of this jurisdiction. This order is es, the District of Columbia, all tribal				

## **CLERK'S CERTIFICATE**

[SEAL]

I certify that the foregoing Restraining Order—Juvenile is a true and correct copy of the original on file in the court.

Date:	Clerk, by	, Deputy