

- 1 **Take your forms to the court clerk.** The clerk will give your forms to the judge. The judge will look at them and decide whether to make the order. Sometimes the judge will want to talk to you. If so, the clerk will tell you.
- 2 **Find out if the judge made the temporary restraining order.** Ask the clerk when to come back to see if the judge signed the order (Form DV-110). The judge must decide by the next business day. Check to see if the judge made any changes.
- 3 **“File” the judge’s order.** If the judge signs the order, the clerk will “file” it. The clerk will keep the original for the court and give you 5 “filed” copies. If you need more, make them yourself.

What to do with your copies:

- Keep 1 copy with you, always. You may need to show it to the police.
- Keep another copy in a safe place.
- Give a copy to anyone else protected by the order.
- Take copies to places where the restrained person is ordered not to go (school, work, daycare, etc.)
- Give a copy to the security officers in your apartment building and workplace.

Restraining orders get entered into CLETS, a statewide computer system that lets police know about your order. The court will send the order to CLETS for you.

4 **Know your hearing date.**

Look at Form DV-110 for the date and time of your hearing.

You **must** go to your hearing to get a permanent order.

The order you have now only lasts for about 3 weeks.



DV-110 Temporary Restraining Order and Notice of Hearing

1 Name of person asking for protection (protected person): _____
Clerk will stamp date here when form is filed.

Protected person's address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):
 City: _____ State: _____ Zip: _____
 Telephone number: _____
 Protected person's lawyer (if any): (Name, address, telephone number, and State Bar number): _____
Fill in court name and street address.
 Superior Court of California, County of _____
Clerk file in case number.
 Case Number: _____

2 Restrained person's name: _____
 Description of that person: Sex: M F Height: _____
 Weight: _____ Race: _____ Hair Color: _____
 Eye Color: _____ Age: _____ Date of Birth: _____

3 List the full names of all family or household members protected by this order: _____

4 **Court Hearing Date (Fecha de la Audiencia)**
Clerk will fill out section below.

Hearing Date: Date: _____ Time: _____ Name and address of court if different from above: _____
 Dept.: _____ Room: _____

To the person in (2): At the hearing, the judge can make restraining orders that last for up to 3 years. The judge can also make other orders about your children, child support, spousal support, money, and property. At the hearing, you can tell the judge that you do not want the orders against you. Even if you do not attend the hearing, these orders still apply to you.

Para la persona nombrada en (2): En esta audiencia el juez puede hacer que la orden de restricción sea válida hasta un máximo de 3 años. El juez puede también hacer otras ordenes acerca de niños, manutención, dinero y propiedad. Si Usted se opone a estas ordenes, vaya a la audiencia y dígaselo al juez. Aunque no vaya a la audiencia, estas ordenes seguirán aplicándose.

To the person in (1): At the hearing, the judge will consider whether denial of any orders will jeopardize your safety and the safety of children for whom you are requesting custody, visitation and child support. Safety concerns related to your financial needs and the children's will also be considered.

5 **Temporary Orders (Ordenes Temporales)**
 Any orders made in this form end at the time of the court hearing in (4), unless a judge extends them. Read this form carefully. All checked boxes and items 10 and 11 are court orders.
 Todas las ordenes hechas en esta formulario terminarán en la fecha y hora de la audiencia en (4), a menos que un juez las extienda. Lea este formulario con cuidado. Todas las casillas marcadas y los artículos 10 y 11 son ordenes de la corte.

This is a Court Order.
 Temporary Restraining Order and Notice of Hearing (CLETS—TRO) (Domestic Violence Prevention)
 DV-110, Page 1 of 2



5 “Serve” the restrained person.

Ask someone you know, a process server, or law enforcement to personally “serve” (give) the restrained person a copy of the order. You **cannot** send it by mail.

The server must:

- Be 18 or over
- Not be protected by the orders

Law enforcement will serve the orders* for **free**, but you have to ask.

Use Form CH-101/DV-290 to ask for free service.

A “process server” is a business you pay to deliver court forms. Look in the Yellow Pages under “Process Serving.”*

*If law enforcement or the process server uses a different *Proof of Service* form, make sure the form lists all the forms served.

6 File your *Proof of Service* (Form DV-200).

The *Proof of Service* shows the judge and police that the restrained person got a copy of the order. Make 5 copies of the completed *Proof of Service*. Take the original and 5 copies to the court clerk as soon as possible **before your hearing**. The clerk will keep the original and give you back the copies stamped “Filed.” Bring a copy to your hearing.

Keep 1 copy with you and another in a safe place in case you need to show it to the police. Give the other copies out as you did in 3. The court will send your completed *Proof of Service* to CLETS, a statewide computer system that lets police know about your order.

- If the sheriff serves your order, he or she will send the *Proof of Service* to the court and to CLETS for you.

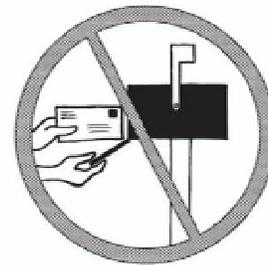
7 If the restrained person wasn’t served . . .

The restrained person **must** be served before the hearing. If the restrained person wasn’t served, fill out Form DV-125 to ask the judge for a new hearing date. Do this **before** or **at** your hearing. (If you wait until after the hearing, you have to start from the beginning.)

If the judge signs this order, the restraining order will last until the new hearing date.

- File the signed order (Form DV-125) with the clerk. The clerk will send it to CLETS for you.
- Attach it to your other court papers and get the restrained person served.
- If you didn’t file the original *Proof of Service*, bring it to your hearing.
- Bring a copy of Form DV-125 to your hearing.

After serving the orders, the server fills out and signs the *Proof of Service* and gives it to you.



Don't serve by mail!

