

- 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 to make the order, or not. Sometimes the judge may 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.
- Leave copies at the places where the restrained person is ordered not to go (your school, work, etc.)
- Give a copy to the security officers in your apartment and office buildings.

Restraining orders get entered into a special computer at the California Department of Justice. That way, police officers across the state can find out about your order. In some counties, the court sends your order to the state computer for you. Ask the clerk if your court will do this. If not, take a copy of the order to your local police. They can enter your order into the computer.

- 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 Protected person's name: _____
 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: _____
 Phone # (optional): (____) _____ Zip: _____
 Protected person's lawyer (if any): (Name, address, phone #, and State Bar #): _____

2 Restrained person's name: _____
 Description of that person: Sex: M F Ht.: _____
 Wt.: _____ 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)**
 Court will fill in box below:
 Hearing Date: _____ Date: _____ Time: _____ Name and address of court if different from above: _____
 Dept.: _____ Rm.: _____

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

This is a Court Order.
Temporary Restraining Order (CLETS)
 (Domestic Violence Prevention)

Judicial Council of California, www.courtinfo.ca.gov
 Rev. January 1, 2003. Mandatory Form
 Family Code, § 6200 et seq. Approved by DCJ

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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**.*

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 it lists the forms served.



Don't serve by mail!

6 File your Proof of Service.

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 **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 like you did in 3. Some courts send the Proof of Service to law enforcement for you. That way, police across the state know that the restrained person knows about the orders. Ask the clerk if they will do this. If not, take a copy of the order and Proof of Service to your local police.

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 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 (DV-125) with the clerk.
- 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.
- Give a “Filed” copy of DV-125 to your local police.
- Bring a copy to your hearing.

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

