EA-120

Response to Request for Elder or Dependent Adult Abuse Restraining Orders

Clerk stamps date here when form is filed.

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 protection in (1) by mail with a copy of this form and any attached pages. *(Use form EA-250,* Proof of Service of Response by Mail.*)*

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

(1) Elder or Dependent Adult Seeking Protection

Name: _____

☐ Name of person asking for the protection, if different *(This is the person named in item 3 of the request (form EA-100).)*

_____

(2) Person From Whom Protection Is Sought

a. Your Name: _____

Your Lawyer *(if you have one for this case)*

Name: _____ State Bar No.: _____

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 email.)*

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email 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 → Date: _____ Time: _____

Dept.: _____ Room: _____

If you were served with a temporary restraining order, you must obey it until the hearing. At the hearing, the court may make orders against you that last for up to five years.

(3) ☐ Personal Conduct Orders

a. ☐ I agree to the orders requested.

b. ☐ I do not agree to the orders requested. *(Specify why you disagree in (15) on page 5.)*

c. ☐ I agree to the following orders *(specify below or in (15) on page 5):*

_____

_____

(4) ☐ Stay-Away Orders

a. ☐ I agree to the orders requested.

b. ☐ I do not agree to the orders requested. *(Specify why you disagree in (15) on page 5.)*

c. ☐ I agree to the following orders *(specify below or in (15) on page 5):*

_____

_____

5 ☐ Move-Out Orders

a. ☐ I agree to the orders requested.

b. ☐ I do not agree to the orders requested. *(Specify why you disagree in 15 on page 5.)*

c. ☐ I agree to the following orders *(specify below or in 15 on page 5):*

6 ☐ Additional Protected Persons

a. ☐ I agree that the persons listed in item 6 of form EA-100 may be protected by the order requested.

b. ☐ I do not agree that the persons listed in item 6 of form EA-100 may be protected by the order requested.

7 ☐ Order for Counseling or Anger Management Courses

ⓘ This item is only available in instances of alleged physical abuse or deprivation of care, not in cases with only alleged financial abuse.

a. ☐ I agree to the orders requested.

b. ☐ I do not agree to the orders requested. *(Specify why you disagree in 15 on page 5.)*

c. ☐ I agree to the following orders *(specify below or in 15 on page 5):*

8 Firearms (Guns), Firearm Parts, and Ammunition

If you were served with form EA-110, *Temporary Restraining Order,* you cannot own or possess any firearms (guns), firearm parts, or ammunition. This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531). (See item 8 of form EA-110.) You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns), firearm parts, and ammunition in your immediate possession or control within 24 hours of being served with form EA-110. You must file a receipt with the court. You may use form EA-800, *Receipt for Firearms, Firearm Parts, and Ammunition,* for the receipt.

a. ☐ I do not own or control any firearms (guns), firearm parts, or ammunition.

b. ☐ I have turned in my firearms (guns), firearm parts, and ammunition to law enforcement or sold them to or stored them with a licensed gun dealer. A copy of the receipt

(1) ☐ is attached.

(2) ☐ has already been filed with the court.

c. ☐ I ask for an exception to carry a firearm or ammunition for work. *(Complete items (1)–(3) below):*

(1) Are you a sworn peace officer?

☐ No

☐ Yes

8 c. (2) Are there any orders or state or federal laws that prohibit you from having firearms or ammunition?

☐ No

☐ I don't know *(explain):*

_____

_____

_____

☐ Yes *(explain):*

_____

_____

_____

(3) *(Explain what your job is and why you need a firearm or ammunition):*

_____

_____

_____

(Note: You **must** follow any orders to turn in, sell, or store prohibited items until the judge decides whether to grant you an exception. Before an exception can be granted, you will be required to show the judge that (1) carrying a firearm or ammunition is required for your work, and (2) your employer is unable to reassign you to another position where carrying a firearm or ammunition is not necessary. There are other things you will need to prove. For more information on what you need to show the judge to qualify for this exception, go to selfhelp.courts.ca.gov/respond-to-EA-restraining-order/obey-firearms-orders/exception or see Code of Civil Procedure section 527.9(f).)

9 No Body Armor

If you were served with form EA-110, *Temporary Restraining Order*, you are prohibited from owning, possessing, or buying body armor. You must also relinquish any body armor you have in your possession.

(Check all that apply):

a. ☐ I do not own or have any body armor.

b. ☐ I have relinquished all body armor that I have in my possession.

c. ☐ I was granted an exception, or will ask for an exception, to have body armor. Note: This exception is granted by a chief of police or sheriff. See Penal Code section 31360(c). *(Attach a copy of the letter granting permission, if you have one.)*

10 ☐ Debts Caused by Financial Abuse

a. ☐ I agree to the findings requested.

b. ☐ I do not agree to the findings requested. *(Specify why you disagree in 15 on page 5.)*

c. ☐ I agree to the following findings *(specify below or in 15 on page 5):*

_____

_____

11 ☐ Possession and Protection of Animals

a. ☐ I agree to the orders requested.

b. ☐ I do not agree to the orders requested. *(Specify why you disagree in 15 on page 5.)*

c. ☐ I agree to the following orders *(specify below or in 15 on page 5):*

12 ☐ Other Orders

a. ☐ I agree to the orders requested.

b. ☐ I do not agree to the orders requested. *(Specify why you disagree in 15 on page 5.)*

c. ☐ I agree to the following orders *(specify below or in 15 on page 5):*

13 ☐ Denial

I did not do anything described in item 8 of form EA-100. *(Skip to 15.)*

14 ☐ Justification or Excuse

If I did some or all of the things that the person in 1 has accused me of, my actions were justified or excused for the following reasons *(explain):*

☐ *Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 14–Justification or Excuse" as a title. You may use form MC-025,* Attachment.

Case Number:

15 ☐ Reasons I Do Not Agree to the Requests

Explain your answers to each order or finding requested that you do not agree with.

☐ *Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 15—Reasons I Disagree" as a title. You may use form MC-025,* Attachment.

16 ☐ Lawyer's Fees and Costs

a. ☐ I ask the court to order payment of my ☐ lawyer's fees ☐ court costs. The amounts requested are:

Item	Amount	Item	Amount
	$		$
	$		$
	$		$

☐ *Check here if there are more items. Put the items and amounts on an attached sheet of paper and write "Attachment 16—Lawyer's Fees and Costs" for a title. You may use form MC-025,* Attachment.

b. ☐ I ask the court to deny the request of the person asking for protection named in 1 that I pay their lawyer's fees and costs.

17 Number of pages attached to this form, if any: _____

Date: _____

_____ ▶ _____

Lawyer's name (if any) *Lawyer's signature*

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: _____

_____ ▶ _____

Type or print your name *Sign your name*

For your protection and privacy, please press the Clear button after you have printed the form.

Print Save Clear