

# JUDICIAL COUNCIL OF CALIFORNIA

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## INVITATION TO COMMENT SPR19-37

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<b>Title</b> Protective Orders: Revisions to Continuance Forms	<b>Action Requested</b> Review and submit comments by June, 10, 2019
<b>Proposed Rules, Forms, Standards, or Statutes</b> Revise forms CH-115, CH-116, DV-115, DV-116, EA-115, EA-116, GV-115, GV-116, SV-115, SV-116, WV-115, and WV-116	<b>Proposed Effective Date</b> January 1, 2020
<b>Proposed by</b> Family and Juvenile Law Advisory Committee Hon. Jerilyn L. Borack, Cochair Hon. Mark A. Juhas, Cochair  Civil and Small Claims Advisory Committee Hon. Ann I. Jones, Chair	<b>Contact</b> Frances Ho, (415) 865-7662 <a href="mailto:frances.ho@jud.ca.gov">frances.ho@jud.ca.gov</a>  Kristi Morioka, (916) 643-7056 <a href="mailto:kristi.morioka@jud.ca.gov">kristi.morioka@jud.ca.gov</a>

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### Executive Summary and Origin

The Family and Juvenile Law Advisory Committee and Civil and Small Claims Advisory Committee jointly recommend revising twelve protective order forms (the request and order on continuance for each of the CH, DV, EA, GV, SV, and WV series forms). Changes are needed to the order forms to ensure that these protective orders are properly entered into the California Law Enforcement Telecommunication System (CLETS), a California protective order database. Revisions are also needed to the domestic violence and gun violence series to implement recent changes in the law, [Assembly Bill 2694](#) (Stats. 2018, ch. 219) and [Senate Bill 1200](#) (Stats. 2018, ch. 898).

### Background

The current versions of the *Order on Request to Continue Hearing* (the forms numbered “116” in each series) are creating some confusion for individuals responsible for entering protective order information into CLETS. Specifically, each protective order entry requires information regarding the status of service (i.e., whether the restrained party has notice of the protective order or does

*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 These proposals are circulated for comment purposes only.*

not have notice and therefore needs to be served). This information is provided to law enforcement in the field so they know whether a restraining order has been served for enforcement purposes.<sup>1</sup> The proposed revisions would make it clear when a temporary restraining order, issued as part of a continuance, needs to be served for enforcement purposes.

In 2016, the forms were revised to implement the provisions in AB 1081 (Stats. 2015, ch. 411), which allows either party in a case to request a continuance. The order forms were revised to include the possibility of either side being served with the order. As a result, the Service of Order section was expanded to include when the restrained person would have to serve the protected person.<sup>2</sup> While this addition made sense from the court's perspective, it did not give the exact information needed for CLETS, specifically that service is not required for enforcement purposes when the restrained party is the requesting party or when a restrained party agreed to the continuance. The committees recommend revising the forms to ensure that information regarding service for enforcement purposes is included.

Additional revisions to the forms numbered "115" and "116" in each series are also needed to implement the new laws. SB 1200 requires the court to set a hearing within 21 days after a *Gun Violence Emergency Protective Order* (form EPO-002) has been issued. In these matters, courts may need to continue the initial hearing if there is good cause. Additional revisions to existing forms GV-115 and GV-116 are recommended so that these forms may be used to continue a hearing on the extension of a gun violence emergency protective order.

AB 2694 gives the court discretion to allow for an alternative method of service in a domestic violence restraining order proceeding when the moving party (the person seeking protection), after diligent efforts, is unable to personally serve the person to be restrained, and there is reason to believe that the person to be restrained is evading service.<sup>3</sup> The court may make this order at the time of hearing. If the request for alternative service is granted, the court would need to continue the matter to give the moving party time to serve by an alternative method allowed by the court. The order form that the court would use in this situation is *Order on Request to Continue Hearing* (form DV-116). The Family and Juvenile Law committee recommends revising form DV-116 to include options for alternative service.

## **The Proposal**

### **Order on request to continue hearing (forms numbered "116")**

In CLETS, each protective order must indicate whether service is needed or has been fulfilled for enforcement purposes. This information informs law enforcement of whether a violation of a restraining order has occurred. The revisions to the Service of Order section should make it clear

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<sup>1</sup> Oral notification of the terms of a restraining order are sufficient for enforcement purposes under Penal Code sections 136.2(g) and 273.6.

<sup>2</sup> See item 9(c) on current version of form DV-116 at [www.courts.ca.gov/documents/dv116.pdf](http://www.courts.ca.gov/documents/dv116.pdf).

<sup>3</sup> Fam. Code, § 6340(a)(2)(A).

whether service on the restrained person is required for enforcement purposes and would facilitate accurate entry into CLETS.

The committees also recommend additional revisions to improve all of the existing protective order forms numbered “116”:

- Remove item 3<sup>4</sup>, “Party Seeking Continuance,”<sup>5</sup> as this information seems unnecessary on an order form. Eliminating this section would save time for individuals completing this form and reduce the chances of private contact information being unintentionally provided;
- Revise the “Order on Request for Continuance” and “Order For Continuance and Notice of New Hearing” sections to simplify the language and design and to use consistent language across all 116-numbered forms;
- Move the “Warning and Notice to the Party in 2” (concerning the extension of the restraining order) to the first page where it is more visible;
- Revise the “Extension of Temporary Restraining Order” section to simplify language to make it easier to understand and to allow the court to fill in an expiration date for the temporary restraining order. In some cases, matters have more than one court date before the trial/long-cause hearing and courts would like to extend the temporary restraining orders to the day of trial/long-cause hearing rather than the date of the next hearing;
- In the “Service of Order” section, allow the court to fill in the deadline for service. This gives courts more flexibility and also provides better information to the litigant;
- Revise the “No Fee to Serve” section to make it clear that service by the sheriff or marshal is free but that the litigant needs to take the papers to the sheriff or marshal (i.e., service by sheriff or marshal will not occur without action by the litigant); and
- Move the information related to CLETS entry<sup>6</sup> to the end of the form as “Instructions to Clerk.” The information contained under this section is required by law and therefore does not need to be ordered by the court; however, it should be included on the form to ensure that CLETS is properly updated.

The gun violence restraining order (GVRO) forms generally parallel the other protective order forms, but differ in two regards. First, the GVRO statutes do not automatically allow the restrained person to request and obtain a first continuance. Therefore, this is not a reason for continuance listed under item 5 of form GV-116. Second, unlike other protective orders, in GVRO proceedings a continuance may be granted on a hearing initiated by the issuance of an

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<sup>4</sup> This is item 1 on the current version of GV 116.

<sup>5</sup> The committees are seeking specific comment on whether the forms should include the contact information of the requesting party.

<sup>6</sup> See item 11 on the current version of forms [DV-116](#) and [EA-116](#) and item 10 on the current version of forms [CH-116](#), [SV-116](#), and [WV-116](#).

emergency protective order (form EPO-002). Revisions to forms GV-115 and GV-116 are needed so that these forms may be used in proceedings initiated by emergency protective orders.

**Request to continue hearing (forms numbered “115”)**

The committees also recommend revising the 115-numbered forms so that the reasons for continuance parallel those listed on the 116-numbered forms. Other changes are recommended to improve usability for self-represented litigants and the courts, including:

- Moving the lawyer’s information to the last item under “My Information”;
- Giving examples of mailing addresses that could be used (post office box, a third party’s address);
- Providing space for the person requesting a continuance to explain their reason for making a request, giving the court information needed to determine whether good cause exists;<sup>7</sup> and
- Stating each item in the first person.

Committee members are considering additional revisions due to concern that a request for continuance could be made by one party without notice to the other party. The committees acknowledge that court practices on ex parte requests for continuances vary and that ex parte notice must also comply with a “no-contact” order, if being made by the restrained party. The committees are seeking comment about whether to include an additional item that queries whether notice has been provided to the other party:<sup>8</sup>

Does the other party know that you are asking to reschedule the hearing?

Yes, a copy of this request (before I filed it) was served on the other party. *File form DV-200 or DV-250 with the court.*

No.

*Explain:*

\_\_\_\_\_  
\_\_\_\_\_

**Additional changes needed to implement new laws**

Revisions are needed to forms DV-115 and DV-116 to include items regarding alternative service. Form DV-115 would include an option in item 4 to allow the moving party to request a continuance based on lack of service and for permission to use an alternative method of service.

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<sup>7</sup> For domestic violence restraining order proceedings, see Family Code section 245; for civil harassment proceedings, see Code of Civil Procedure section 527.6(p); for elder abuse restraining order proceedings, see Welfare and Institutions Code section 15657.03(n); for gun violence restraining order proceedings, see Penal Code section 18195; for school violence proceedings, see Code of Civil Procedure section 527.85(p); and for workplace violence proceedings, see Code of Civil Procedure section 527.8(p).

<sup>8</sup> The potential item refers to the DV proofs of service, but, if implemented, would go on all of the forms numbered 115.

As noted above, revisions to forms GV-115 and GV-116 are also needed to implement provisions of SB 1200, which requires the court to set a hearing within 21 days upon the issuance of a temporary emergency gun violence restraining order (form EPO-002). The revisions are as follows:

- Form GV-115 would be further modified to include at item 4 a check box to indicate whether a temporary restraining order or an emergency protective order (EPO) is in effect, pending the hearing, and warn that pending the continuance the temporary restraining order or EPO will remain in effect until the new hearing;
- Form GV-116, at item 3, would include “emergency protective order” as an order that would remain in effect if previously issued by the court; and
- Form GV-116, at item 4, would include “emergency protective order” as an order that could be extended, modified, or terminated upon a continuance.

The Civil and Small Claims Advisory Committee is seeking specific comment on whether law enforcement agencies should have the ability to request a continuance on an EPO if the EPO has not been served on the restrained party. If continuances may be granted for this reason, then the committee would recommend that a note be included at item 3a on form GV-115 and item 6d on form GV-116 that these sub-items only apply to temporary restraining orders.

### **Alternatives Considered**

The committees considered not revising the forms but rejected that alternative because of the need to clarify the service requirements for CLETS entry and the need to implement the new statutory provisions.

Additionally, the Family and Juvenile Law Advisory Committee considered including an item on the *Request to Continue Hearing* (form DV-115) to allow the moving party to request permission to serve by alternative means. The committee rejected this alternative because form DV-115 is typically used with the goal of having the hearing rescheduled without having to make an appearance at the scheduled hearing. For a request on alternative service, the court would need to make the determination as to whether the person qualifies for alternative service and would likely make this determination at the scheduled hearing. There are also other forms that could be used to make a request for alternative service (e.g., *Application for Order for Publication or Posting* (form FL-980) could be used to show due diligence).

### **Fiscal and Operational Impacts**

The committees anticipate that this proposal will result in some costs incurred by courts to incorporate new forms into their paper or electronic processes and to train court staff.

### Request for Specific Comments

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

- Does the proposal appropriately address the stated purpose?
- Should the forms include the contact information for the requesting party? If so, please explain.
- Should an additional item be added to the *Request to Continue Hearing* (115-numbered forms) to ask whether the other party received notice of the request for continuance?
- For gun violence restraining orders, should law enforcement agencies have the ability to request a continuance on an emergency protective order if the emergency protective order has not been served?
- Are the forms easy for users to understand?
- Do you have any suggestions for improving their usability or readability?

The advisory committee seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so please quantify.
- What would the implementation requirements be for courts? For example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems.
- Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

### Attachments and Links

1. Forms CH-115, CH-116, DV-115, DV-116, EA-115, EA-116, GV-115, GV-116, SV-115, SV-116, WV-115, and WV-116, at pages 7-36
2. AB 2694,  
[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180AB2694](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2694)
3. SB 1200,  
[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180SB1200](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB1200)

Clerk stamps date here when form is filed.

**DRAFT**

**03-27-19**

**Not approved by  
the Judicial Council**

**Instructions:** Use this form to ask the court to change the hearing date listed on form CH-109, *Notice of Court Hearing*. Read CH-115-INFO, *How to Ask for a New Hearing Date*, for more information.

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**

**1 My Information**

a. My name is: \_\_\_\_\_

- I am the  party seeking protection.
- restrained party.

b. Address where I can receive mail:

*If you have a lawyer, give your lawyer's address and contact information. This address will be used by the court and other party to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address if you have their permission.*

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_ Zip: \_\_\_\_\_

c. My contact information (optional):

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

d. Lawyer's information (skip if you do not have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

**2 Information About My Case**

a. The other party in this case is (full name): \_\_\_\_\_

b. I have a court hearing currently scheduled for (date): \_\_\_\_\_

**3 Is There a Temporary Restraining Order in Effect?**

Yes. Date the order was made, if known: \_\_\_\_\_

*Please attach a copy of the order if you have one.*

No.

I don't know.

**Notice:** If the hearing date is rescheduled, the *Temporary Restraining Order* (form CH-110) will remain in effect until the end of the new hearing unless otherwise ordered by the court.

**This is not a Court Order.**

**4 Why Does the Court Hearing Need to be Rescheduled?**

- a.  I need more time to have the restrained party personally served.
- b.  I am the restrained party and this is my first request to reschedule the hearing.
- c.  I have a pending criminal case that is based on the same allegations in this case.  
*Give any information you have about your criminal case (for example, the next court date, charges, case number, arrest date).*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d.  I need more time to hire a lawyer or prepare for the hearing or trial.  
*Explain:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e.  Other reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print name of*  
 Lawyer     Party Without Lawyer

\_\_\_\_\_  
*Sign your name*

Clerk stamps date here when form is filed.

DRAFT 3/27/2019

Complete items ① and ② only.

① **Protected Party:** \_\_\_\_\_

② **Restrained Party:** \_\_\_\_\_

③ **Court Order**

a.  The hearing is NOT rescheduled. The court hearing will be on (date): \_\_\_\_\_

(1) Any Temporary Restraining Orders (form CH-110) previously issued remain in full force and effect.

(2) The hearing is not rescheduled because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

See Attachment 3a(2).

b.  The hearing is rescheduled for the day and time listed below. See additional orders in ④-⑧.

**New Hearing Date** →

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
\_\_\_\_\_

Name and address of court, if different from above:

Fill in court name and street address:

Superior Court of California, County of \_\_\_\_\_

Fill in case number:

Case Number: \_\_\_\_\_

④ **Extension of Temporary Restraining Order**

a.  No Temporary Restraining Order was issued in this case.

b.  The Temporary Restraining Order (form CH-110) is EXTENDED.

The orders listed in form CH-110, issued on (date): \_\_\_\_\_, expire at the end of the hearing on (date): \_\_\_\_\_.

c.  The Temporary Restraining Order is MODIFIED. The court signed a new Temporary Restraining Order (form CH-110). The new orders expire at the end of the hearing on (date): \_\_\_\_\_.

d.  The Temporary Restraining Order is TERMINATED for the reasons stated  below  on Attachment 4d.

\_\_\_\_\_

e.  Other (specify): \_\_\_\_\_

**Warning and Notice to the Restrained Party**

If ④b or c is checked, a Civil Harassment Restraining Order has been issued against you. You must follow the orders until they expire.

**This is a Court Order.**



**5 Reason to Reschedule Hearing**

- a.  The restrained party has not been served.
- b.  The restrained party asked for a first continuance of the hearing.
- c.  The restrained party has a pending criminal case related to this case.
- d.  The party wanting a continuance needs more time to hire a lawyer or prepare for the hearing or trial.
- e.  The court finds good cause and orders a continuance of its own discretion.
- f.  Other good cause:

\_\_\_\_\_  
\_\_\_\_\_

See Attachment 5f.

**6 Service of Order**

*(Check at least one.)*

- a.  Restrained party was at the court hearing. Further service of this order is not required for enforcement purposes.
- b.  Restrained party agreed (stipulated) to this order. Further service of this order is not required for enforcement purposes.
- c.  The request to continue hearing is being made by the restrained party.
  - (1) Further service of this order is not required for enforcement purposes.
  - (2)  Restrained party must have the protected party served with a copy of this order no later than (date): \_\_\_\_\_.
- d.  The restrained party MUST be personally served with a copy of this order and a copy of all the documents indicated on form CH-109, *Notice of Court Hearing*, item **6**, no later than (date): \_\_\_\_\_.
- e.  Other : \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

See Attachment 6e.

**This is a Court Order.**



Case Number:

7  Other Orders:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8 **No Fee to Serve (Notify) Restrained Person**  **Ordered**  **Not Ordered**

The sheriff or marshal will serve this Order without charge (fee) because:

- a.  The order is based on unlawful violence, a credible threat of violence, or stalking.
- b.  The person in ① is entitled to a fee waiver.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)

**Instructions to Clerk**

If the hearing is rescheduled, the court is required to enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the date the order is made.

**—Clerk's Certificate—**

*Clerk's Certificate* I certify that this Order on Request to Continue Hearing (Temporary Restraining Order) (CLETS-TCH) is a true and correct copy of the original on file in the court.  
[seal]

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

Clerk stamps date here when form is filed.

**Instructions:** Use this form to ask the court to change the hearing date listed on form [DV-109, Notice of Court Hearing](#). Read [DV-115-INFO, How to Ask for a New Hearing Date](#), for more information.

**1 My Information**

a. My name is: \_\_\_\_\_

I am the  party seeking protection.  
 restrained party.

b. Address where I can receive mail:

*This address will be used by the court and other party to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address if you have their permission. If you have a lawyer, give your lawyer's address and contact information.*

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

c. My contact information (optional):

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

d. Lawyer's information (skip if you do not have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:****2 Information About My Case**

a. The other party in this case is (full name): \_\_\_\_\_

b. I have a court hearing currently scheduled for (date): \_\_\_\_\_

**3 Is There a Temporary Restraining Order in Effect?** Yes. Date the order was made, if known: \_\_\_\_\_*Please attach a copy of the order if you have one.* No. I don't know.

**Notice:** If the hearing date is rescheduled, the *Temporary Restraining Order* (form DV-110) will remain in effect until the end of the new hearing unless otherwise ordered by the court.

**This is not a Court Order.**

**4 Why Does the Court Hearing Need to be Rescheduled?**

- a.  I need more time to have the restrained party personally served.
  
- b.  I am the restrained party and this is my first request to reschedule the hearing.
  
- c.  I have a pending criminal case that is based on the same allegations in this case.  
*Give any information you have about your criminal case for example the next court date, charges, case number, arrest date.*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- d.  I need more time to hire a lawyer or prepare for the hearing or trial.  
*Explain:*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- e.  The court has ordered me to meet with a child custody mediator/recommending counselor and I have not been able to meet with one.  
*Explain:*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
- f.  Other reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print name of*

Lawyer     Party Without Lawyer



\_\_\_\_\_  
*Sign your name*

*Clerk stamps date here when form is filed.*

Complete items ① and ② only.

**DRAFT- 3/2019  
NOT APPROVED BY JUDICIAL  
COUNCIL**

① **Protected Party:** \_\_\_\_\_

② **Restrained Party:** \_\_\_\_\_

**③ Court Order**

a.  The hearing is NOT rescheduled. The court hearing will be on (date): \_\_\_\_\_

(1) Any Temporary Restraining Orders previously issued remain in full force and effect.

(2) The hearing is not rescheduled because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

See Attachment 3a(2).

*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in case number:*

**Case Number:**

b.  The hearing is rescheduled for the day and time listed below. See additional orders in ④-⑧.

Name and address of court, if different from above:

**New  
Hearing  
Date** →

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
\_\_\_\_\_

**④ Extension of Temporary Restraining Order**

a.  No Temporary Restraining Order was issued in this case.

b.  The Temporary Restraining Order (form DV-110) is EXTENDED. The orders listed in form DV-110, issued on (date): \_\_\_\_\_, expire at the end of the hearing on (date): \_\_\_\_\_.

c.  The Temporary Restraining Order is MODIFIED. The court signed a new Temporary Restraining Order (form DV-110). The new orders expire at the end of the hearing on (date): \_\_\_\_\_.

d.  The Temporary Restraining Order is TERMINATED for the reasons stated  below  on Attachment 4d.

\_\_\_\_\_

e.  Other (specify): \_\_\_\_\_

**Warning and Notice to the Restrained Party**

**If ④b or c is checked, a Domestic Violence Restraining Order has been issued against you. You must follow the orders until they expire.**

**This is a Court Order.**



**5 Reason to Reschedule Hearing**

- a.  The restrained party has not been served.
- b.  The restrained party asked for a first continuance of the hearing.
- c.  The restrained party has a pending criminal case related to this case.
- d.  The party wanting the continuance needs more time to hire a lawyer or prepare for the hearing or trial.
- e.  The parties must meet with a child custody mediator or recommending counselor.
- f.  The court finds good cause and orders a continuance in its discretion.
- g.  Other good cause:

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 See [Attachment 5g](#).**6 Service of Order***(Check at least one.)*

- a.  Restrained party was at the court hearing. Further service of this order is not required for enforcement purposes.
- b.  Restrained party agreed (stipulated) to this order. Further service of this order is not required for enforcement purposes.
- c.  The request to continue hearing is being made by the restrained party.
  - (1) Further service of this order is not required for enforcement purposes.
  - (2)  Restrained party must have the protected party served with a copy of this order no later than (date): \_\_\_\_\_.
- d.  The restrained party MUST be personally served with a copy of this order and a copy of all the documents indicated on form DV-109, *Notice of Court Hearing*, item 6, no later than (date): \_\_\_\_\_.
- e.  The restrained party may be served by substituted service, with a copy of (1) this order, (2) a copy of all the documents indicated on form DV-109, item 6, and (3) a copy of form DV-210, *Summons (Domestic Violence Restraining Order)*, no later than (date): \_\_\_\_\_, at the restrained party's
  - home     mailing address     workplace.
  - For more information on substituted service, read form DV-205-INFO, What if the Person I Want Protection from is Avoiding (Evading) Service?*
- f.  The restrained party may be served by  publication in a newspaper  posting in a courthouse. The protected party must follow the detailed orders listed on form FL-982, *Order for Publication or Posting*.
- g.  Other \_\_\_\_\_

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 See [Attachment 6g](#).**This is a Court Order.**

7 **No Fee to Serve**

The sheriff or marshal will serve this order for free.  
Bring a copy of all the papers that need to be served to the sheriff or marshal.

8  **Other Orders:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

**Instructions to Clerk**

If the hearing is rescheduled, the court is required to enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made.

**—Clerk's Certificate—**

*Clerk's Certificate*  
[seal]

I certify that this *Order on Request to Continue Hearing (Temporary Restraining Order)* (CLETS-TRO) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by: \_\_\_\_\_, Deputy

**This is a Court Order.**

Clerk stamps date here when form is filed.

DRAFT 3/27/2019  
NOT APPROVED BY  
JUDICIAL COUNCIL

**Instructions:** Use this form to ask the court to change the hearing date listed on form **EA-109**, *Notice of Court Hearing*. Read **EA-115-INFO**, *How to Ask for a New Hearing Date*, for more information.

**1 My Information**

a. My name is: \_\_\_\_\_

- I am the  elder or dependent adult seeking protection.  
 person requesting protection for the elder or dependent adult (person named in item **3** of form EA-100).  
 restrained party.

b. Address where I can receive mail:

*If you have a lawyer, give your lawyer's address and contact information. This address will be used by the court and other party to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address if you have their permission.*

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

c. My contact information (optional):

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

d. Lawyer's information (skip if you do not have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:****2 Information About My Case**

a. The other party in this case is (full name): \_\_\_\_\_

b. I have a court hearing currently scheduled for (date): \_\_\_\_\_

**3 Is There a Temporary Restraining Order in Effect?** Yes. Date the order was made, if known: \_\_\_\_\_*Please attach a copy of the order if you have one.* No. I don't know.

**Notice:** If the hearing date is rescheduled, the *Temporary Restraining Order* (form EA-110) will remain in effect until the end of the new hearing unless otherwise ordered by the court.

**This is not a Court Order.**

Case Number: \_\_\_\_\_

**4 Why Does the Court Hearing Need to be Rescheduled?**

- a.  I need more time to have the restrained party personally served.
- b.  I am the restrained party and this is my first request to reschedule the hearing.
- c.  I have a pending criminal case that is based on the same allegations in this case.  
*Give any information you have about your criminal case (for example, next court date, charges, case number, arrest date).*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d.  I need more time to hire a lawyer or prepare for the hearing or trial.  
*Explain:*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e.  Other reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print name of*

Lawyer     Party Without Lawyer

 \_\_\_\_\_  
*Sign your name*

Clerk stamps date here when form is filed.

DRAFT 3/27/2019

Complete items ① and ② only.

① **Protected Party:** \_\_\_\_\_

② **Restrained Party:** \_\_\_\_\_

③ **Court Order**

a.  The hearing is NOT rescheduled. The court hearing will be on (date): \_\_\_\_\_

(1) Any Temporary Restraining Orders (form EA-110) previously issued remain in full force and effect.

(2) The hearing is not rescheduled because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

See Attachment 3a(2).

b.  The hearing is rescheduled for the day and time listed below. See additional orders in ④-⑧.

**New Hearing Date** →

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
\_\_\_\_\_

Name and address of court, if different from above:

Fill in court name and street address:

Superior Court of California, County of \_\_\_\_\_

Fill in case number:

Case Number: \_\_\_\_\_

④ **Extension of Temporary Restraining Order**

a.  No Temporary Restraining Order was issued in this case.

b.  The Temporary Restraining Order (form EA-110) is EXTENDED.

The orders listed in form EA-110, issued on (date): \_\_\_\_\_, expire at the end of the hearing on (date): \_\_\_\_\_.

c.  The Temporary Restraining Order is MODIFIED. The court signed a new Temporary Restraining Order (form EA-110). The new orders expire at the end of the hearing on (date): \_\_\_\_\_.

d.  The Temporary Restraining Order is TERMINATED for the reasons stated  below  on Attachment 4d.

\_\_\_\_\_

e.  Other (specify): \_\_\_\_\_

**Warning and Notice to the Restrained Party**

If ④ b or c is checked, a Temporary Restraining Order has been issued against you. You must follow the orders until they expire.

**This is a Court Order.**



**5 Reason to Reschedule Hearing**

- a.  The restrained party has not been served.
- b.  The restrained party asked for a first continuance of the hearing.
- c.  The restrained party has a pending criminal case related to this case.
- d.  The party wanting a continuance needs more time to hire a lawyer or prepare for the hearing or trial.
- e.  The court finds good cause and declares a continuance in its discretion.
- f.  Other good cause:

\_\_\_\_\_  
\_\_\_\_\_

**6 Service of Order**

See Attachment 5f.

*(Check at least one.)*

- a.  Restrained party was at the court hearing. Further service of this order is not required for enforcement purposes.
- b.  Restrained party agreed (stipulated) to this order. Further service of this order is not required for enforcement purposes.
- c.  The request to continue hearing is being made by the restrained party.
  - (1) Further service of this order is not required for enforcement purposes.
  - (2)  Restrained party must have the protected party served with a copy of this order no later than (date): \_\_\_\_\_.
- d.  The restrained party MUST be personally served with a copy of this order and a copy of all the documents indicated on form EA-109, *Notice of Court Hearing*, item **5**, no later than (date): \_\_\_\_\_.
- e.  Other :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

See Attachment 6e.

**This is a Court Order.**



Case Number:

7  Other Orders:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8 No Fee to Serve

The sheriff or marshal will serve this order for free.

Bring a copy of all the papers that need to be served to the sheriff or marshal.

Date: \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)

**Instructions to Clerk**

If the hearing is rescheduled, the court is required to enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the date the order is made.

**—Clerk's Certificate—**

Clerk’s Certificate  
[seal]

I certify that this Order on Request to Continue Hearing (Temporary Restraining Order) (CLETS-TEA or TEF) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

Clerk stamps date here when form is filed.

Draft 3/27/2019 NOT APPROVED  
BY JUDICIAL COUNCIL

**Instructions:**

Use this form to ask the court to change the hearing date listed on form [GV-109](#), *Notice of Court Hearing*. (Read [GV-115-INFO](#), *How to Ask for a New Hearing Date*, for more information)

**1 My Information**

a. My name is: \_\_\_\_\_

I am the  petitioner.  
 respondent.

b. Address where I can receive mail:

*If you have a lawyer, give your lawyer's contact information. This address will be used by the court and other party to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address if you have their permission.*

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_ Zip: \_\_\_\_\_

c. My contact information (optional):

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

d. Lawyer's information (skip if you do not have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

**2 Information About My Case**

a. The other party in this case is (full name): \_\_\_\_\_

b. I have a court hearing currently scheduled for (date): \_\_\_\_\_

**3 Why does the court hearing need to be rescheduled?**

a.  I could not get the papers served before the hearing date. I need more time to have the restrained party personally served.

b.  I have a pending criminal case that is based on the same allegations in this case.  
*Give any information you have about your criminal case (for example, the next court date, charges, case number, arrest date).*

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c.  I need more time to hire a lawyer or prepare for the hearing or trial.

*Explain:*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This is not a Court Order.**

Text  
Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**

Case Number: \_\_\_\_\_

3 d.  Other reason:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4 **Is There a Temporary Restraining Order or Emergency Protective Order in Effect?**

Yes. Date the order was made, if known: \_\_\_\_\_

*Please attach a copy of the order if you have one.*

No.

I don't know.

**Notice:** If the hearing date is rescheduled, the *Temporary Restraining Order* (form GV-110) or *Emergency Protective Order* (form EPO-002) will remain in effect until the end of the new hearing, unless otherwise ordered by the court.

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print name of*

Lawyer     Party Without Lawyer

▲  
\_\_\_\_\_  
*Sign your name*

*Clerk stamps date here when form is filed.*

**DRAFT**

**03-27-19**

**Not approved by  
the Judicial Council**

Complete items ① and ② only.

① **Petitioner:** \_\_\_\_\_

② **Respondent:** \_\_\_\_\_

③ **Court Order**

a.  The hearing is NOT rescheduled. The court hearing will be on (date): \_\_\_\_\_

(1) Any Temporary Restraining Orders or Emergency Protective Orders previously issued remain in full force and effect.

(2) The hearing is not rescheduled because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

See Attachment 3a.

b.  The hearing is rescheduled for the day and time listed below.  
See additional orders in ④-⑧

*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in case number:*

**Case Number:**

Name and address of court, if different from above:

**New  
Hearing  
Date**

→ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

④ **Extension of Temporary Restraining Order or Emergency Protective Order**

a.  The *Emergency Protective Order* (form EPO-002) is EXTENDED.  
The orders listed in form EPO-002, issued on (date): \_\_\_\_\_, expire at the end of the hearing on (date): \_\_\_\_\_.

b.  The *Temporary Restraining Order* (form GV-110) is EXTENDED.  
The orders listed in form GV-110, issued on (date): \_\_\_\_\_, expire at the end of the hearing on (date): \_\_\_\_\_.

c.  Other (specify): \_\_\_\_\_

**Warning and Notice to the Party in ②**

If ④ a or b is checked, a Gun Violence Restraining Order has been issued against you. You must follow the orders until they expire.

**This is a Court Order.**



**5 Reason to Reschedule Hearing**

- a.  The party in (2) has not been served.
- b.  The party in (2) has a pending criminal case related to this case.
- c.  The party wanting the continuance needs more time to hire a lawyer or prepare for the hearing or trial.
- d.  The court finds good cause and orders a continuance in its discretion.
- e.  Other good cause:

\_\_\_\_\_  
\_\_\_\_\_

See [Attachment 5e.](#)

**6 Service of Order**

*(Check at least one.)*

- a.  Respondent was at the court hearing. Further service of this order is not required for enforcement purposes.
- b.  Respondent agreed (stipulated) to this order. Further service of this order is not required for enforcement purposes.
- c.  The request to continue hearing is being made by the Respondent.
  - (1) Further service of this order is not required for enforcement purposes.
  - (2)  Respondent must have the Petitioner served no later than (date): \_\_\_\_\_
- d.  *(For Temporary Restraining Orders only).* The Respondent MUST be personally served a copy of this order no later than (date): \_\_\_\_\_
  - (1)  All other documents, as checked in GV-109, item (6), must be personally served on the restrained party.
  - (2)  Other: \_\_\_\_\_
- e.  Other \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

See [Attachment 6e.](#)

**7 No Fee to Serve**

The sheriff or marshal will serve this order for free.

*Bring a copy of all the papers that need to be served to the sheriff or marshal.*

**This is a Court Order.**

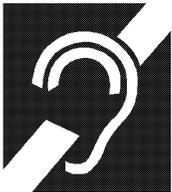


8  Other Orders:

Four horizontal lines for text entry.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

**Instructions to Clerk**

If the hearing is rescheduled, the court is required to enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made.

**—Clerk's Certificate—**

*Clerk’s Certificate*  
*[seal]*

I certify that this *Order on Request to Continue Hearing (EPO or Temporary Restraining Order)* (CLETS-TRO) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by: \_\_\_\_\_, Deputy

**This is a Court Order.**

Clerk stamps date here when form is filed.

**DRAFT****03-27-19****Not approved by  
the Judicial Council**

**Instructions:** Use this form to ask the court to change the hearing date listed on form SV-109, *Notice of Court Hearing*. Read SV-115-INFO, *How to Ask for a New Hearing Date*, for more information.

**1 My information**

a. My name is: \_\_\_\_\_

I am the  petitioner (educational institution officer or employee).  
 respondent (restrained party).

b. Address where I can receive mail:

*If you have a lawyer, give your lawyer's address and contact information. This address will be used by the court and other party to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address if you have their permission.*

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_ Zip: \_\_\_\_\_

c. My contact information (optional):

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

d. Lawyer's information (skip if you do not have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:****2 Information About My Case**

a. The other party in this case is (full name): \_\_\_\_\_

b. I have a court hearing currently scheduled for (date): \_\_\_\_\_

**3 Is There a Temporary Restraining Order in Effect?** Yes. Date the order was made, if known: \_\_\_\_\_*Please attach a copy of the order if you have one.* No. I don't know.

**Notice:** If the hearing date is rescheduled, the *Temporary Restraining Order* (form SV-110) will remain in effect until the end of the new hearing unless otherwise ordered by the court.

**This is not a Court Order.**

Case Number: \_\_\_\_\_

**4 Why Does the Court Hearing Need to be Rescheduled?**

- a.  I need more time to have the respondent (restrained party) personally served.
- b.  I am the respondent (restrained party) and this is my first request to reschedule the hearing.
- c.  I have a pending criminal case that is based on the same allegations in this case.  
*Give any information you have about your criminal case (for example, the next court date, charges, case number, arrest date).* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d.  I need more time to hire a lawyer or prepare for the hearing or trial.  
*Explain:* \_\_\_\_\_  
\_\_\_\_\_
- e.  Other reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print name of*

- Lawyer     Party Without Lawyer

\_\_\_\_\_  
*Sign your name*

Clerk stamps date here when form is filed.

Complete items ① and ② only.

DRAFT 3/27/2019

① **Petitioner (Educational Institution Officer or Employee):**

\_\_\_\_\_

② **Respondent:**

\_\_\_\_\_

③ **Court Order**

a.  The hearing is NOT rescheduled. The court hearing will be on (date): \_\_\_\_\_

(1) Any Temporary Restraining Orders (form SV-110) previously issued remain in full force and effect.

(2) The hearing is not rescheduled because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

See Attachment 3a(2).

b.  The hearing is rescheduled for the day and time listed below. See additional orders in ④-⑧.

**New  
Hearing  
Date** →

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
\_\_\_\_\_

Name and address of court, if different from above:

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**

④ **Extension of Temporary Restraining Order**

a.  No Temporary Restraining Order was issued in this case.

b.  The Temporary Restraining Order (form SV-110) is EXTENDED.

The orders listed in form SV-110, issued on (date): \_\_\_\_\_, expire at the end of the hearing on (date): \_\_\_\_\_.

c.  The Temporary Restraining Order is MODIFIED. The court signed a new Temporary Restraining Order (form SV-110). The new orders expire at the end of the hearing on (date): \_\_\_\_\_.

d.  The Temporary Restraining Order is TERMINATED for the reasons stated  below  on Attachment 4d.

\_\_\_\_\_

e.  Other (specify): \_\_\_\_\_

**Warning and Notice to the Restrained Party**

If ④ b or c is checked, a Temporary Restraining Order has been issued against you. You must follow the orders until they expire.

**This is a Court Order.**



**5 Reason to Reschedule Hearing**

- a.  The respondent (restrained party) has not been served.
- b.  The respondent (restrained party) asked for a first continuance of the hearing.
- c.  The respondent (restrained party) has a pending criminal case related to this case.
- d.  The party wanting a continuance needs more time to hire a lawyer or prepare for the hearing or trial.
- e.  The court finds good cause and orders a continuance in its discretion.
- f.  Other good cause:

\_\_\_\_\_

See Attachment 5f.

**6 Service of Order**

*(Check at least one.)*

- a.  Respondent was at the court hearing. Further service of this order is not required for enforcement purposes.
- b.  Respondent agreed (stipulated) to this order. Further service of this order is not required for enforcement purposes.
- c.  The request to continue hearing is being made by the respondent.
  - (1) Further service of this order is not required for enforcement purposes.
  - (2)  Respondent must have the petitioner served with a copy of this order no later than (date): \_\_\_\_\_.
- d.  The restrained party MUST be personally served with a copy of this order and a copy of all the documents indicated on form SV-109, *Notice of Court Hearing*, item **6**, no later than (date): \_\_\_\_\_.
- e.  Other \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

See Attachment 6e.

**This is a Court Order.**



Case Number:

7  Other Orders:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8 **No Fee to Serve (Notify) Restrained Person**  **Ordered**  **Not Ordered**

The sheriff or marshal will serve this Order without charge (fee) because:

- a.  The order is based on unlawful violence, a credible threat of violence, or stalking.
- b.  The person in ① is entitled to a fee waiver.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) for *Request for Accommodations by Persons With Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

**Instructions to Clerk**

If the hearing is rescheduled, the court is required to enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the date the order is made.

**—Clerk's Certificate—**

*Clerk's Certificate* I certify that this *Order on Request to Continue Hearing (Temporary Restraining Order)* (CLETS-TSV) is a true and correct copy of the original on file in the court.  
*[seal]*

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

Clerk stamps date here when form is filed.

**DRAFT****03-27-19****Not approved by  
the Judicial Council**

**Instructions:** Use this form to ask the court to change the hearing date listed on form WV-109, *Notice of Court Hearing*. Read WV-115-INFO, *How to Ask for a New Hearing Date*, for more information.

**1 My Information**

a. My name is: \_\_\_\_\_

I am the  petitioner (employer).  
 respondent (restrained party).

b. Address where I can receive mail:

*If you have a lawyer, give your lawyer's address and contact information. This address will be used by the court and other party to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address if you have their permission.*

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

c. My contact information (optional):

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

d. Lawyer's Information (skip if you do not have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:****2 Information About My Case**

a. The other party in this case is (full name): \_\_\_\_\_

b. I have a court hearing currently scheduled for (date): \_\_\_\_\_

**3 Is There a Temporary Restraining Order in Effect?** Yes. Date the order was made, if known: \_\_\_\_\_*Please attach a copy of the order if you have one.* No. I don't know.

**Notice:** If the hearing date is rescheduled, the *Temporary Restraining Order* (form WV-110) will remain in effect until the end of the new hearing unless otherwise ordered by the court.

**This is not a Court Order.**

Case Number: \_\_\_\_\_

**4 Why Does the Court Hearing Need to be Rescheduled?**

- a.  I need more time to have the respondent (restrained party) personally served.
- b.  I am the respondent (restrained party), and this is my first request to reschedule the hearing.
- c.  I have a pending criminal case that is based on the same allegations in this case.  
*Give any information you have about your criminal case for example the next court date, charges, case number, arrest date.* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- d.  I need more time to hire a lawyer or prepare for the hearing or trial.  
*Explain:* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- e.  Other reason: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print name of*

Lawyer     Party Without Lawyer

 \_\_\_\_\_  
*Sign your name*

Clerk stamps date here when form is filed.

Complete items ① and ② only.

DRAFT 3/27/2019

① **Petitioner (Employer):**

\_\_\_\_\_

② **Respondent:**

\_\_\_\_\_

③ **Court Order**

a.  The hearing is NOT rescheduled. The court hearing will be on (date): \_\_\_\_\_

(1) Any *Temporary Restraining Orders* (form WV-110) previously issued remain in full force and effect.

(2) The hearing is not rescheduled because: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

See [Attachment 3a\(2\)](#).

b.  The hearing is rescheduled for the day and time listed below. See additional orders in ④-⑧.

**New  
Hearing  
Date** →

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
\_\_\_\_\_

Name and address of court, if different from above:

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**

④ **Extension of Temporary Restraining Order**

a.  No Temporary Restraining Order was issued in this case.

b.  The *Temporary Restraining Order* (form WV-110) is EXTENDED.

The orders listed in form WV-110, issued on (date): \_\_\_\_\_, expire at the end of the hearing on (date): \_\_\_\_\_.

c.  The Temporary Restraining Order is MODIFIED. The court signed a new *Temporary Restraining Order* (form WV-110). The new orders expire at the end of the hearing on (date): \_\_\_\_\_.

d.  The Temporary Restraining Order is TERMINATED for the reasons stated  below  [on Attachment 4d](#).

\_\_\_\_\_

e.  Other (specify): \_\_\_\_\_

**Warning and Notice to the Restrained Party**

If ④ b or c is checked, a Temporary Restraining Order has been issued against you. You must follow the orders until they expire.

**This is a Court Order.**



**5 Reason to Reschedule Hearing**

- a.  The respondent (restrained party) has not been served.
- b.  The respondent (restrained party) asked for a first continuance of the hearing.
- c.  The respondent (restrained party) has a pending criminal case related to this case.
- d.  The party wanting a continuance needs more time to hire a lawyer or prepare for the hearing or trial.
- e.  The court finds good cause and orders a continuance in its discretion.
- f.  Other good cause:

\_\_\_\_\_  
\_\_\_\_\_

See Attachment 5f.

**6 Service of Order**

*(Check at least one.)*

- a.  Respondent was at the court hearing. Further service of this order is not required for enforcement purposes.
- b.  Respondent agreed (stipulated) to this order. Further service of this order is not required for enforcement purposes.
- c.  The request to continue hearing is being made by the respondent.
  - (1) Further service of this order is not required for enforcement purposes.
  - (2)  Respondent must have the petitioner served with a copy of this order no later than (date): \_\_\_\_\_.
- d.  The restrained party MUST be personally served with a copy of this order and a copy of all the documents indicated on form WV-109, *Notice of Court Hearing*, item **6**, no later than (date): \_\_\_\_\_.
- e.  Other :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

See [Attachment 6e](#).

**This is a Court Order.**



Case Number:

7  Other Orders:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8 **No Fee to Serve (Notify) Restrained Person**  **Ordered**  **Not Ordered**

The sheriff or marshal will serve this Order without charge (fee) because:

- a.  The order is based on unlawful violence, a credible threat of violence, or stalking.
- b.  The person in ① is entitled to a fee waiver.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) for Request for Accommodations by Persons With Disabilities and Response (form MC-410). (Civ. Code, § 54.8.)

**Instructions to Clerk**

If the hearing is rescheduled, the court is required to enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the date the order is made.

**—Clerk's Certificate—**

*Clerk's Certificate* I certify that this Order on Request to Continue Hearing (Temporary Restraining Order) (CLETS-TWH) is a true and correct copy of the original on file in the court.  
*[seal]*

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**