



## Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

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# INVITATION TO COMMENT

## SPR26-37

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**Title**

Protective Orders: Rules and Forms to Implement Assembly Bill 561

**Action Requested**

Review and submit comments by May 18, 2026, to [invitations@jud.ca.gov](mailto:invitations@jud.ca.gov)

**Proposed Rules, Forms, Standards, or Statutes**

Adopt form EA-210; revise forms CH-100-INFO, CH-109, CH-110, CH-116, CH-120-INFO, CH-710, CH-730, EA-100-INFO, EA-109, EA-110, EA-116, EA-120, EA-120-INFO, EA-200, EA-200-INFO, EA-250, EA-300-INFO, EA-309, EA-316, EA-320, EA-320-INFO, EA-710, and EA-730; revoke form EA-260

**Proposed Effective Date**

January 1, 2027

**Contact**

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**Proposed by**

Civil and Small Claims Advisory Committee  
Hon. Samantha P. Jessner, Chair

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### Executive Summary and Origin

The Civil and Small Claims Advisory Committee proposes adopting 1 form, revising 23 forms, and revoking 1 form to implement Assembly Bill 561 (Stats. 2025, ch. 267). AB 561 amends the statutes governing civil harassment restraining orders (CHROs) and elder or dependent adult abuse restraining orders (EAROs). For both CHROs and EAROs, AB 561 authorizes the electronic submission of certain documents and also authorizes certain persons to appear remotely. For EAROs, AB 561 authorizes alternative methods of service if there is reason to believe that the respondent is evading service or cannot be located. All the abovementioned provisions become operative on January 1, 2027.

### Background

AB 561 (Link A) is highly similar to legislation that was previously implemented by the Civil and Small Claims Advisory Committee and the Family and Juvenile Law Advisory Committee.

*This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.*

## Electronic submission

Senate Bill 538 (Stats. 2021, ch. 686) (Link B) previously added section 6307 to the Family Code for domestic violence restraining orders (DVROs) and section 18122 to the Penal Code for gun violence restraining orders (GVROs). The provisions of SB 538 required a court or court facility that receives these protective order petitions to permit the petitions and any related filings to be submitted electronically.

To implement SB 538, which became effective January 1, 2023, the Family and Juvenile Law Advisory Committee revised *How to Ask for a Domestic Violence Restraining Order* (form DV-505-INFO) to mention filing one's court papers online and directing filers to seek more information on the court's website.<sup>1</sup> Effective that same date, the Civil and Small Claims Advisory Committee revised *Can a Gun Violence Restraining Order Help Me?* (form GV-100-INFO) to mention filing one's forms electronically and checking online or asking the court how to file.<sup>2</sup>

## Remote appearances

SB 538 also added Family Code section 6308 and Penal Code section 18123. SB 538 authorized parties and witnesses in a DVRO or GVRO proceeding to appear remotely. SB 538 also required superior courts to develop local rules and instructions for these remote appearances and required related information to be posted on court websites.

To implement SB 538, effective January 1, 2023, the Family and Juvenile Law Advisory Committee<sup>3</sup> and the Civil and Small Claims Advisory Committee<sup>4</sup> revised the following DVRO and GVRO forms to notify readers that they may attend their hearing<sup>5</sup> remotely and that additional information is available on the court's website:

- *Notice of Court Hearing* (form DV-109) and *Notice of Court Hearing* (form GV-109);
- *Order on Request to Continue Hearing* (form DV-116) and *Order on Request to Continue Hearing* (form GV-116);

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<sup>1</sup> Judicial Council of Cal., Advisory Com. Rep., *Domestic Violence: Rule and Form Changes to Implement New Laws* (Sept. 2, 2022), [jcc.legistar.com/View.ashx?M=F&ID=11229751&GUID=A9339929-3ABD-4F35-BE6D-672A0C40FAD0](https://jcc.legistar.com/View.ashx?M=F&ID=11229751&GUID=A9339929-3ABD-4F35-BE6D-672A0C40FAD0).

<sup>2</sup> Judicial Council of Cal., Advisory Com. Rep., *Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms* (Aug. 10, 2022), [jcc.legistar.com/View.ashx?M=F&ID=11205465&GUID=ACE8A41E-6217-4FC9-9B8A-E3ED80D7145F](https://jcc.legistar.com/View.ashx?M=F&ID=11205465&GUID=ACE8A41E-6217-4FC9-9B8A-E3ED80D7145F).

<sup>3</sup> Judicial Council of Cal., Advisory Com. Rep., *Domestic Violence: Rule and Form Changes to Implement New Laws* (Sept. 2, 2022), [jcc.legistar.com/View.ashx?M=F&ID=11229751&GUID=A9339929-3ABD-4F35-BE6D-672A0C40FAD0](https://jcc.legistar.com/View.ashx?M=F&ID=11229751&GUID=A9339929-3ABD-4F35-BE6D-672A0C40FAD0).

<sup>4</sup> Judicial Council of Cal., Advisory Com. Rep., *Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms* (Aug. 10, 2022), [jcc.legistar.com/View.ashx?M=F&ID=11205465&GUID=ACE8A41E-6217-4FC9-9B8A-E3ED80D7145F](https://jcc.legistar.com/View.ashx?M=F&ID=11205465&GUID=ACE8A41E-6217-4FC9-9B8A-E3ED80D7145F).

<sup>5</sup> Note that the domestic violence restraining order forms use “your court date,” while the gun violence restraining order forms use “your hearing.”

- *How Can I Respond to a Request for Domestic Violence Restraining Order?* (form DV-120-INFO)<sup>6</sup> and *How Can I Respond to a Petition for a Gun Violence Restraining Order?* (form GV-120-INFO); and
- *How to Ask for a Domestic Violence Restraining Order* (form DV-505-INFO) and *Can a Gun Violence Restraining Order Help Me?* (form GV-100-INFO).<sup>7</sup>

A number of forms also mention the alternative of attending court in person, including forms DV-505-INFO, GV-100-INFO, and GV-120-INFO. Additionally, the revisions to the GVRO forms included various conforming changes, such as using “attend” the hearing in lieu of “go to” the hearing.

### **Alternative service**

Assembly Bill 1143 (Stats. 2021, ch. 156) (Link C) amended Code of Civil Procedure section 527.6 and authorized courts to specify another method of service in civil harassment restraining order (CHRO) cases if the court determines at the hearing that, after diligent effort, the petitioner has been unable to accomplish personal service and there is reason to believe that the respondent is evading service or cannot be located.

At the recommendation of the committee, the council undertook the following actions, effective September 1, 2022, to implement AB 1143 for CHROs:<sup>8</sup>

- Amended California Rules of Court, rule 3.1160, which governs requests for protective orders to prevent civil harassment, workplace violence, private postsecondary school violence, and elder or dependent adult abuse. The rule amendment established an exception to the general rule requiring personal service by outlining the circumstances in which the court may specify another method of service.
- Revised *Order on Request to Continue Hearing* (form CH-116) to include an order authorizing the petitioner to serve the respondent through alternative means.
- Adopted *Order Granting Alternative Service* (form CH-117), a new form for courts to allow service of preliminary CHRO papers by an alternative method, as authorized by AB 1143.
- Revised *Proof of Personal Service* (form CH-200) to add “CH-250, *Proof of Service by Mail* (blank form)” to the list of forms that may be identified as having been served.

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<sup>6</sup> Form DV-120-INFO additionally contains an advisement that some courts may require advance notice for remote appearances.

<sup>7</sup> The Family and Juvenile Law Advisory Committee’s proposal also included revisions to *Get Ready for Your Court Hearing* (form DV-520-INFO). Additionally, form DV-505-INFO contains an advisement that some courts may require advance notice for remote appearances. However, the other protective order types under the purview of the Civil and Small Claims Advisory Committee do not contain analogous forms.

<sup>8</sup> Judicial Council of Cal., Advisory Com. Rep., *Protective Orders: Civil Harassment Form Adoptions and Revisions, and Rule Amendment* (Apr. 20, 2022), [jcc.legistar.com/View.ashx?M=F&ID=10825939&GUID=A6299CD3-5495-4A69-BCF5-DD648D22D5B7](http://jcc.legistar.com/View.ashx?M=F&ID=10825939&GUID=A6299CD3-5495-4A69-BCF5-DD648D22D5B7).

- Revised *What Is “Proof of Personal Service”?* (form CH-200-INFO) to mention alternative service under a new heading reading “What if the other party is avoiding (evading) service or cannot be located?”
- Approved *What If the Person I Want Protection from is Avoiding (Evading) Service or Cannot Be Located?* (form CH-205-INFO), which provides additional information to petitioners having trouble accomplishing personal service.
- Adopted *Summons (Civil Harassment Restraining Order)* (form CH-210) to facilitate one possible alternative method of service, publication of the petitioner’s court papers. Given the length of the court papers that would typically be included, the committee developed a brief “summons,” which the court could use to order the petitioner to publish in lieu of other court papers.<sup>9</sup> Additionally, form CH-210 was adopted as a bilingual form with alternating English and Spanish translations.
- Revised *Proof of Service by Mail* (form CH-250) to expand its use as a proof of service by mail for any civil harassment form that may be served by mail. Previously, form CH-250 was limited to use by respondents to demonstrate that they appropriately served their response to a request for a CHRO.<sup>10</sup>
- Revoked *Proof of Service of Order After Hearing by Mail* (form CH-260), as the expanded scope of form CH-250 made form CH-260 unnecessary.

Where possible, the committee’s implementation of AB 1143 paralleled the domestic violence forms that were previously adopted, approved, or revised to implement Assembly Bill 2694 (Stats. 2018, ch. 219) (Link D), which contained similar provisions for DVROs as those for CHROs in AB 1143.<sup>11</sup>

## The Proposal

This proposal is needed to respond to a recent change in the law. AB 561 addresses both CHROs and elder or dependent adult abuse restraining orders (EAROs) and is similar to the predecessor legislation described above. Because of this, the committee proposes revising, adopting, and revoking forms for CHROs and EAROs in a manner that largely parallels previous proposals to

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<sup>9</sup> Additionally, the existing *Order Granting Alternative Service* (form CH-117) allows for the use of form CH-210 in contexts other than publication in a newspaper.

<sup>10</sup> Among other revisions, the title of form CH-250 was changed from *Proof of Service of Response by Mail* because, under AB 1143, the petition, temporary restraining order, and notice of hearing are additional items that can be appropriately served by mail if the court so orders. The forms also contain various revisions to reflect the new name of form CH-250.

<sup>11</sup> Judicial Council of Cal., Advisory Com. Rep., *Protective Orders: Revisions to Continuance Forms* (Sept. 6, 2019), [jcc.legistar.com/View.ashx?M=F&ID=7691946&GUID=79CC5400-8982-4ABE-81E0-9E40A770E666](http://jcc.legistar.com/View.ashx?M=F&ID=7691946&GUID=79CC5400-8982-4ABE-81E0-9E40A770E666) (revising form DV-116); Judicial Council of Cal., Advisory Com. Rep., *Protective Orders: Alternative Service in Domestic Violence Prevention Act Cases* (Sept. 3, 2019), [jcc.legistar.com/View.ashx?M=F&ID=7693459&GUID=C4B9CC28-BF6C-4B1B-AEF6-3F0011E0DED3](http://jcc.legistar.com/View.ashx?M=F&ID=7693459&GUID=C4B9CC28-BF6C-4B1B-AEF6-3F0011E0DED3) (adopting forms DV-117 and DV-210, approving form DV-205-INFO, and revising forms DV-200-INFO and DV-250).

implement SB 538 (electronic submission and remote appearances) and AB 1143 (alternative service).<sup>12</sup>

### **Electronic submission**

AB 561 requires a court that receives petitions for CHROs or EAROs to permit those petitions and any related filings to be submitted electronically.<sup>13</sup> To implement this requirement, the committee proposes revising *Can a Civil Harassment Restraining Order Help Me?* (form CH-100-INFO), *Can a Restraining Order to Prevent Elder or Dependent Adult Abuse Help Me?* (form EA-100-INFO), and *Can an Elder or Dependent Adult Restraining Order Allowing Contact Help Me?* (form EA-300-INFO) to mention filing one's forms electronically and seeking additional information online. Additionally, for EAROs, but not CHROs, the court may not charge fees for such electronic submissions.<sup>14</sup> The committee accordingly proposes including information on forms EA-100-INFO and EA-300-INFO indicating that petitioners can submit their forms electronically at no charge by the court.

### **Remote appearances**

AB 561 authorizes remote appearances at hearings by: (1) a party or witness in a CHRO proceeding, or (2) a party, representative of the county adult protective services agency, or witness in an EARO proceeding.<sup>15</sup> In both instances, superior courts must develop local rules and instructions for remote appearances and post them on their websites.<sup>16</sup>

To implement these requirements, the committee proposes revising the following forms to alert parties that they may attend their hearing remotely and that additional information is available on the court's website:

- *Can a Civil Harassment Restraining Order Help Me?* (form CH-100-INFO) and *Can a Restraining Order to Prevent Elder or Dependent Adult Abuse Help Me?* (form EA-100-INFO);
- *Notice of Court Hearing* (form CH-109) and *Notice of Court Hearing* (form EA-109);
- *Order on Request to Continue Hearing* (form CH-116) and *Order on Request to Continue Hearing* (form EA-116);
- *How Can I Respond to a Request for Civil Harassment Restraining Orders?* (form CH-120-INFO), *How Can I Respond to a Request for Elder or Dependent Adult Abuse*

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<sup>12</sup> Additionally, one related rule of court and two revised forms are addressed in a separate spring cycle proposal entitled *Civil Practice and Procedure: Rules and Forms to Implement Assembly Bill 747 and Senate Bill 85* because they are impacted by legislation other than AB 561. The invitation to comment related to this proposal is available here: [courts.ca.gov/policy-administration/invitations-comment](https://courts.ca.gov/policy-administration/invitations-comment).

<sup>13</sup> Code Civ. Proc., § 527.6(y)(1)(A) (CHROs); Welf. & Inst. Code, § 15657.03(r)(2)(A) (EAROs).

<sup>14</sup> Welf. & Inst. Code, § 15657.03(r)(2)(A) (EAROs). Additionally, for both CHROs and EAROs, the court must act on these filings within specified timeframes and certain documents must, if granted, be provided to the petitioner electronically unless the petitioner notes that these documents will be picked up from court.

<sup>15</sup> Code Civ. Proc., § 527.6(i)(2) (CHROs); Welf. & Inst. Code, § 15657.03(w) (EAROs).

<sup>16</sup> *Ibid.*

- *Restraining Orders?* (form EA-120-INFO), and *How Can I Respond to a Request for an Elder or Dependent Adult Restraining Order Allowing Contact?* (form EA-320-INFO);
- *Can an Elder or Dependent Adult Restraining Order Allowing Contact Help Me?* (form EA-300-INFO);
- *Notice of Court Hearing to Allow Contact* (form EA-309); and
- *Notice of Hearing to Renew Restraining Order* (forms CH-710 and EA-710).

The committee proposes, as it previously did for GVRO forms, changing verbs like “go to” or “were at” to the broader “attend” or “attended” to account for remote appearances on *Temporary Restraining Order (Civil Harassment Prevention)* (form CH-110), *Order Renewing Civil Harassment Restraining Order* (form CH-730), and *Order Renewing Elder or Dependent Adult Abuse Restraining Order* (form EA-730). Additionally, because AB 561 prohibits superior courts from charging a fee for some, but not all, of these appearances,<sup>17</sup> the committee proposes specifying on the information sheets who can appear remotely (parties and witnesses for CHROs, and parties, witnesses, and representatives of the county adult protective services agency for EAROs) and who can appear remotely at no charge by the court (parties for CHROs, and parties, witnesses, and representatives of the county adult protective services agency for EAROs). For the CHRO information sheets only, the committee proposes indicating that remote appearances are at “no additional charge” to distinguish between remote appearance fees and filing fees, which are allowed in certain circumstances.

### **Alternative service**

AB 561 authorizes the court in EARO matters to specify another method of service that is reasonably calculated to give actual notice to the respondent. Additionally, the court must determine at the hearing that, after a diligent effort, the petitioner has been unable to accomplish personal service and there is reason to believe that the respondent is evading service or cannot be located.

The committee proposes the following actions to parallel a predecessor proposal involving the implementation of AB 1143:

- Revise *Order on Request to Continue Hearing* (form EA-116) and *Order on Request to Continue Hearing on Request to Allow Contact* (form EA-316) to include an order authorizing the petitioner to serve the respondent through alternative means.
- Revise *Proof of Personal Service* (form EA-200) to revise the title of “EA-250, *Proof of Service by Mail* (blank form)” in item 4.
- Revise *What Is “Proof of Personal Service”?* (form EA-200-INFO) to include alternative service as an option under a new heading reading “What if the other party is avoiding (evading) service or cannot be located?” Additionally, the attached draft of form EA-200-INFO makes a number of conforming revisions to align form EA-200-INFO more closely with forms CH-200-INFO and DV-200-INFO, such as using plain language, new

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<sup>17</sup> *Ibid.*

graphics, two columns, and step-by-step instructions. Given the extent of the proposed revisions to form EA-200-INFO, the form attached to this invitation to comment does not display changes using green font.

- Adopt *Summons (Elder or Dependent Adult Abuse Restraining Order)* (form EA-210) to facilitate an alternative method of service, publication of the petitioner’s court papers.
- Revise and retitle *Proof of Service by Mail* (form EA-250) to expand its use as a proof of service by mail for any EARO form that may be served that way and to reflect that its use is not limited to service of the response. Previously, form EA-250 was a proof of service by mail and the form’s title indicated that it was limited to use by respondents. Additionally, in item 4, the committee proposes adding *Elder or Dependent Adult Abuse Restraining Order After Hearing* (form EA-130) as an option among the forms that have been mailed because that form was previously listed on *Proof of Service of Order After Hearing by Mail* (EA-260), which the committee proposes be revoked.
- Revoke *Proof of Service of Order After Hearing by Mail* (EA-260), as the expanded scope of form EA-250 makes form EA-260 unnecessary.

Various forms included in this proposal also have been revised to reflect the new name of form EA-250. For example, on forms EA-120 and EA-320, the only revision is the deletion of “of Response” from the title of form EA-250.

### **Miscellaneous changes**

The attached forms also contain various revisions to use plain language, prevent duplication, and promote ease of use.<sup>18</sup> The committee also proposes that forms CH-100-INFO and EA-100-INFO delete an existing screenshot of the *Notice of Hearing* (form CH-109 or EA-109), as these screenshots take up considerable space on information sheets and placing the screenshots in close proximity to the contextualizing text is difficult. The attached forms also include conforming revisions to change “judge” to “judicial officer.” Finally, the committee proposes revisions to item 6 of form CH-109, item 5 of form EA-109, and item 6 of form EA-309 to avoid using checkboxes combined with fill-in-the-blank fields in the middle of a sentence, which may be confusing for court users.<sup>19</sup>

### **Related rule amendments and form revisions**

As discussed above, one rule of court and two forms are included in a separate spring cycle proposal entitled *Civil Practice and Procedure: Rules and Forms to Implement Assembly Bill 747 and Senate Bill 85* because they are impacted by legislation other than AB 561. That

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<sup>18</sup> For example, a sentence beginning with “The clerk will” under the heading “What do I need to do to get the order?” has been deleted from page 1 of the existing form EA-100-INFO, as it is duplicative of information in the item that follows. Additionally, the committee proposes various revisions to standardize uses of form names and form numbers.

<sup>19</sup> Additionally, the committee proposes changing the title of item 6 of form CH-109 from “Service of Documents for the Person in (1)” to “Service of Documents by the Person in (1),” which would standardize the title of this item with the phrasing on existing forms DV-109 and EA-109.

proposal includes amendments to California Rules of Court, rule 3.1160 to reflect that the court may specify another method of service for a request for an EARO.

The proposal to implement AB 747 and SB 85 also includes renumbering form CH-205-INFO to form CH-205-INFO/EA-205-INFO, retitling it *What If I Am Unable to Personally Serve the Person I Want Protection From?*, and revising it to include information for EARO petitioners. As discussed above, that information sheet explains how to ask the court for permission to serve the request for restraining orders and related documents using a method other than personal service. Finally, that proposal renumbers *Order Granting Alternative Service* from form CH-117 to form CH-117/EA-117, makes it a standalone form rather than an attachment, and revises it to implement AB 561 for EAROs, among other revisions. The attached forms therefore contain various revisions to refer to form CH-117/EA-117 instead of form CH-117.

### **Alternatives Considered**

*Summons (Civil Harassment Restraining Order)* (form CH-210) and *Summons (Domestic Violence Restraining Order)* (form DV-210) are existing Judicial Council forms that facilitate alternative service using a brief summons form. The existing forms are fully bilingual and alternate, in full, between English and Spanish text.

The committee discussed whether form EA-210 should also be a fully bilingual form, as *Summons (Civil Harassment Restraining Order)* (form CH-210) and *Summons (Domestic Violence Restraining Order)* (form DV-210) are fully bilingual. Code of Civil Procedure section 412.20(a)(6) indicates that four sentences on a summons form should appear in boldface type in both English and Spanish, as follows:

Notice! You have been sued. The court may decide against you without your being heard unless you respond within 30 days. Read information below.

Importantly, section 412.20 does not indicate that the entire summons form should be bilingual. Additionally, in the context of restraining order proceedings, the information quoted above is not entirely factually accurate. For example, in restraining order proceedings, a written response is not required.<sup>20</sup> Code of Civil Procedure section 412.20(c) further indicates that “[a] summons in a form approved by the Judicial Council is deemed to comply with [section 412.20].”

The committee therefore proposes that new form EA-210 largely appear in English, with the exception of the following sentences that would appear in both English and Spanish:

Notice! The person in (1) is asking for an Elder or Dependent Adult Abuse Restraining Order against you.

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<sup>20</sup> See, for example, *How Can I Respond to a Request for Civil Harassment Restraining Orders?* (form CH-120-INFO) under the heading reading “Should I go to the court hearing?”

Additionally, the attached forms include an accompanying hyperlink pointing form users to a separate Spanish translation of the entire form, rather than relying on in-text translations. The committee finds this approach preferable because translating the entire form is not required by section 412.20, and one use of this form involves facilitating alternative service by publication. Because newspapers frequently charge by wordcount or line number, the approach proposed by the committee likely leads to reduced costs to petitioners because it would facilitate service by publication in a more concise manner. However, the proposed approach also balances language access by providing a hyperlink to separately access a full-text Spanish translation of the form.

### **Fiscal and Operational Impacts**

The committee anticipates that this proposal would require courts to train court staff and judicial officers on the newly adopted and revised forms. Courts will also incur costs to incorporate the new and revised forms into their paper or electronic processes. Most of the impacts arising from this new law—including education of judicial officers, staff, and justice partners on the new provisions—are a result of the changes in statute, not the forms proposal, and therefore cannot be avoided.

#### **Request for Specific Comments**

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

- Does the proposal appropriately address the stated purpose?

The advisory committee also 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 two 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-100-INFO, CH-109, CH-110, CH-116, CH-120-INFO, CH-710, CH-730, EA-100-INFO, EA-109, EA-110, EA-116, EA-120, EA-120-INFO, EA-200, EA-200-INFO, EA-210, EA-250, EA-260, EA-300-INFO, EA-309, EA-316, EA-320, EA-320-INFO, EA-710, and EA-730, at pages 11–77

2. Link A: Assem. Bill 561 (Stats. 2025, ch. 267),  
[leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202520260AB561](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202520260AB561)
3. Link B: Sen. Bill 538 (Stats. 2021, ch. 686)  
[leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB538](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB538)
4. Link C: Assem. Bill 1143 (Stats. 2021, ch. 156),  
[leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220AB1143](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1143)
5. Link D: Assem. Bill 2694 (Stats. 2018, ch. 219),  
[leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180AB2694](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB2694)

## CH-100-INFO Can a Civil Harassment Restraining Order Help Me?

These instructions cannot cover all of the questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see a lawyer.

### What is a civil harassment restraining order?

It is a court order that helps protect people from harassment.

### Can I get a civil harassment restraining order?

You can ask for one if you are worried about your safety because someone:

- Is harassing you
- Is stalking you
- Has committed acts of violence against you, *or*
- Has threatened you with violence.

You do not need to reside in California to file your request for a civil harassment restraining order.

### How will the order help me?

The court can order a person to:

- Not harass or threaten you,
- Not contact or go near you, *and*
- Not have any firearms (guns), firearm parts, ammunition, or body armor. 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).

For more information about the items a restrained person cannot have, please see [selfhelp.courts.ca.gov/restraining-orders/prohibited-items](https://selfhelp.courts.ca.gov/restraining-orders/prohibited-items).

You can also ask for protection for people who live with you and family members.

In a civil harassment case, the court cannot:

- Order a person to move out of your residence,
- Order a person to pay child support to you, *or*
- Make orders for custody and visitation.

If you need these orders, you should proceed under the Domestic Violence Protection Act. File form [DV-100](#) (*Request for Domestic Violence Restraining Order*).

The court also cannot:

- Order a person to pay money that the person owes you,
- Order someone to move out of rental property that you own, *or*
- Order someone to stop creating a nuisance that doesn't involve harassment.

If you need these remedies, you must file a civil action.

### How much does it cost?

That depends on the type of harassment. If the restrained person has used or threatened to use violence against you or has stalked you, you do not have to pay a filing fee; otherwise, you must pay the fee.

If you cannot afford to pay the filing fee, ask the clerk how to apply for a fee waiver. Form [FW-001](#) (*Request to Waive Court Fees*) is available for this purpose.

If the order is based on prior acts of violence, a credible threat of violence, or stalking, you are entitled to free service of the order by a sheriff or marshal. Also, if you are eligible for a fee waiver, you can ask the sheriff or marshal to serve the order for free. If you are not eligible for free service, you may pay the sheriff or marshal to serve the order.

### What forms do I need to get the order?

You must fill out all of form [CH-100](#) (*Request for Civil Harassment Restraining Orders*) and form [CLETS-001](#) (*Confidential Information for Law Enforcement*). If you need attachments, you may use form [MC-025](#) (*Attachment to Judicial Council Form*). You must also fill out items 1 and 2 on form [CH-109](#) (*Notice of Court Hearing*) and items 1, 2, and 3 on form [CH-110](#) (*Temporary Restraining Order (CLETS-TCH)*).

### Where can I get these forms?

You can get the forms from legal publishers or from the California Courts website at [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms). You also may be able to find them at your local courthouse or county law library.



**What do I need to do to get the order?**

You must **file your papers with** the superior court in the county where the harassment took place, the person to be restrained resides, or you reside or are temporarily located. Another court may also have jurisdiction over your case. **Check online or ask the court how to** file your request for a civil harassment restraining order. (A self-help center or legal aid association may be able to assist you in filing your request.)

**File your forms electronically or** give your forms to the clerk of the court. The clerk will give you a hearing date on the *Notice of Court Hearing* form, and if your request for immediate orders is granted, a copy of the *Temporary Restraining Order* signed by a judicial officer.

**How soon can I get the order?**

If you ask for a temporary restraining order, the court will decide within 24 hours whether or not to make the order. Sometimes the court decides sooner. **If you file in person**, the clerk will tell you whether you should wait or come back later to get the signed *Notice of Court Hearing* and *Temporary Restraining Order*.

**How long does the order last?**

If the court makes a temporary order, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. The order could last for up to five years.

**How will the person to be restrained know about the order?**

Someone age 18 or older—**not you** or anyone else to be protected by the order—must “serve” (give) the person to be restrained a copy of the order. The server must then fill out form [CH-200](#) (*Proof of Personal Service*) and give it to you to file with the court. For help with service, ask the court clerk for form [CH-200-INFO](#) (*What is “Proof of Personal Service”?*).

**What if the restrained person does not obey the order?**

Call the police. The restrained person can be arrested and charged with a crime.

**Do I have to attend a court hearing?**

Yes. **Attend the hearing on the date listed in** item 3 of form [CH-109](#) (*Notice of Court Hearing*).

**You can attend the hearing remotely**, such as by telephone or videoconference, at no additional charge to you by the court. **You can also go to court in person.** Check with your local court for instructions on how to appear remotely. Information is also available on the court’s website, which you can find here: [courts.ca.gov/find-my-court](http://courts.ca.gov/find-my-court).

**Do I need to bring a witness to the court hearing?**

Witnesses are not required, but it helps to have more proof of the harassment than just your word. You can bring:

- Witnesses,
- Written statements from witnesses made under oath,
- Photos,
- Medical or police reports,
- Damaged property, *and*
- Threatening letters, emails, or telephone messages.

**A witness may appear remotely at the hearing**, such as by telephone or videoconference. **A witness can also go to court in person.**

The court may or may not let witnesses speak at the hearing. So, if possible, you should bring their written statements under oath to the hearing. (You can use form [MC-030](#) (*Declaration*) for this.)

**Do I need a lawyer?**

Having a lawyer is always a good idea, but it is not required and you are not entitled to a free, court-appointed lawyer. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

**Will I see the restrained person at the court hearing?**

If the person comes to the hearing, yes. But that person does not have the right to speak to you. If you are afraid, tell the court officer.

**Can I bring someone with me to court?**

Yes. You can bring someone to sit with you during the hearing. But that person cannot speak for you in court. Only you or your lawyer (if you have one) can speak for you.



**What if I have a disability?**

If you have a disability and need an accommodation while you are at court, you can use form [MC-410](#) (*Disability Accommodation Request*) to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO](#) (*How to Request a Disability Accommodation for Court*).

**Information about the process is also available online.**

See [selfhelp.courts.ca.gov/CH-restraining-order](http://selfhelp.courts.ca.gov/CH-restraining-order).

**For help in your area, contact:**

*[Local information may be inserted.]*

**What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300](#) (*Request for Interpreter (Civil)*), or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](http://selfhelp.courts.ca.gov/request-interpreter).

**Can I agree with the restrained person to cancel the order?**

No. Once the order is issued, only the **judicial officer** can change or cancel it. You or the restrained person would have to file a request with the court to cancel the order.

Clerk stamps date here when form is filed.

**DRAFT**

**2026-02-13**

**Not approved by  
the Judicial Council**

**1 Person Seeking Protection**

a. Your Full 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: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:**

**2 Person From Whom Protection Is Sought**

Full Name: \_\_\_\_\_

*The court will complete the rest of this form.*

**3 Notice of Hearing**

**A court hearing is scheduled on the request for restraining orders against the person in ②:**

**Hearing  
Date** →

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

Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

Name and address of court if different from above:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

You may attend your hearing remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).

**To the person in ②:**

- If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order.
- If you do not attend the hearing, the judge may still grant the restraining order that could last up to five years. After you receive a copy of the order, you could be arrested if you violate the order.

**4 Temporary Restraining Orders** *(Any orders granted are on form CH-110, served with this notice.)*

a. Temporary restraining orders for personal conduct and stay-away orders as requested in form CH-100, *Request for Civil Harassment Restraining Orders*, are *(check only one box below)*:

(1)  All **GRANTED** until the court hearing.

(2)  All **DENIED** until the court hearing. *(Specify reasons for denial in b, below.)*

(3)  Partly **GRANTED** and partly **DENIED** until the court hearing. *(Specify reasons for denial in b, below.)*



4 b. Reasons for denial of some or all of those personal conduct and stay-away orders as requested in form CH-100 (*Request for Civil Harassment Restraining Orders*) are:

(1)  The facts as stated in form CH-100 do not sufficiently show acts of violence, threats of violence, or a course of conduct that seriously alarmed, annoyed, or harassed the person in 1 and caused substantial emotional distress.

(2)  Other (*specify*):  As stated on Attachment 4b.

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

5 Confidential Information Regarding Minor

a.  A request to keep minor’s information confidential was made (see form CH-160) and **GRANTED**. (*See form CH-165 (Order on Request to Keep Minor's Information Confidential), served with this form.*)

b. **If the request was granted, the information described in item 7 on the order (form CH-165) must be kept CONFIDENTIAL. The disclosure or misuse of the information is punishable as a sanction, with a fine of up to \$1,000 or other court penalties.**

6 Service of Documents by the Person in 1

a. Someone age 18 or older—not you or anyone to be protected—must personally give (serve) a court’s file-stamped copy of this form CH-109 to the person in 2 along with a copy of all the forms indicated below:

(1) CH-100 (*Request for Civil Harassment Restraining Orders*) (file-stamped)

(2)  CH-110 (*Temporary Restraining Order*) (file-stamped) **IF GRANTED**

(3) CH-120 (*Response to Request for Civil Harassment Restraining Orders*) (blank form)

(4) CH-120-INFO (*How Can I Respond to a Request for Civil Harassment Restraining Orders?*)

(5)  CH-170 (*Notice of Order Protecting Information of Minor*) and CH-165 (*Order on Request to Keep Minor’s Information Confidential*) (file-stamped) **IF GRANTED**

(6)  Other (*specify*): \_\_\_\_\_

b. The service described in 6a must be completed at least:

(1)  five days before the hearing.

(2)  \_\_\_\_\_ days before the hearing.

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

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



**To the Person in ① :**

- The court cannot make the restraining orders after the court hearing unless the person in ② has been personally given (served) a copy of your request and any temporary orders. To show that the person in ② has been served, the person who served the forms must fill out a proof of service form. Form [CH-200](#) (*Proof of Personal Service*), may be used.
- For information about service, read form [CH-200-INFO](#) (*What Is “Proof of Personal Service”?*).
- You may ask to reschedule the hearing if you are unable to find the person in ② and need more time to serve the documents, or for other good reasons. Read form [CH-115-INFO](#) (*How to Ask for a New Hearing Date*).
- You must attend the hearing if you want the judge to make any of the orders you requested on form CH-100, *Request for Civil Harassment Restraining Orders*. Bring any evidence or witnesses you have. For more information, read form [CH-100-INFO](#) (*Can a Civil Harassment Restraining Order Help Me?*).

**To the Person in ②:**

- If you want to respond to the request for orders in writing, file form CH-120, *Response to Request for Civil Harassment Restraining Orders*, and have someone age 18 or older—**not you or anyone to be protected**—mail it to the person in ①.
- The person who mailed the form must fill out a proof of service form. Form [CH-250](#) (*Proof of Service by Mail*), may be used. File the completed form with the court before the hearing and bring a copy with you to the court hearing.
- Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the orders requested.
- You may bring witnesses and other evidence.
- At the hearing, the judge may make restraining orders against you that could last up to five years and may order you to turn in to law enforcement, or sell to or store with a licensed gun dealer, any firearms (guns), firearm parts, and ammunition that you own or possess. 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). If an order is granted, you will also be prohibited from owning, possessing, or buying body armor and will have to relinquish any body armor you have.
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask to reschedule your court date. Read form [CH-115-INFO](#) (*How to Ask for a New Hearing Date*).



**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 [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-forms) for form [MC-410](#) (*Disability Accommodation Request*). (Civ. Code, § 54.8.)

*(Clerk will fill out this part.)*

**—Clerk's Certificate—**

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

*Clerk's Certificate*  
[seal]

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

Clerk, by \_\_\_\_\_, Deputy

Clerk stamps date here when form is filed.

Person in ① must complete ①, ②, and ③ only.

**DRAFT**  
**Not approved by**  
**the Judicial Council**  
**2025-12-23**

**① Protected Person**

a. Your Full 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: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:**

**② Restrained Person**

(Give all the information you know. Information with a star (\*) is required to add this order to the California police database. If age is unknown, give an estimate.)

\*Full Name: \_\_\_\_\_ \*Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
\*Race: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_  
\*Gender:  M  F  Nonbinary Home Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Relationship to Protected Person: \_\_\_\_\_

**③  Additional Protected Persons**

In addition to the person named in ①, the following family or household members of that person are protected by the temporary orders indicated below:

Full Name	Gender	Age	Household Member?	Relation to Protected Person
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Check here if there are additional persons. List them on an attached sheet of paper and write "Attachment 3—Additional Protected Persons" as a title. You may use form MC-025 (Attachment).

The court will complete the rest of this form.

**④ Expiration Date**

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

Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

**This is a Court Order.**



**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.

**5 Personal Conduct Orders**

Not Requested     Denied Until the Hearing     Granted as Follows:

- a. You must **not** 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 **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by email, by text message, by fax, or by other electronic means.
    - (3)  Take any action to obtain the person’s address or location. If this **subitem** (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 5a(4).

- 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 ①
  - (2)  Each person in ③
  - (3)  The home of the person in ①
  - (4)  The job or workplace of the person in ①
  - (5)  The school of the person in ①
  - (6)  The school of the children of the person in ①
  - (7)  The place of child care of the children of the person in ①
  - (8)  The vehicle of the person in ①
  - (9)  Other (*specify*):
    - \_\_\_\_\_
    - \_\_\_\_\_
    - \_\_\_\_\_

- b. This stay-away order does not prevent you from going to or from your home or place of employment.

**7 No Firearms (Guns), Firearm Parts, or Ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited items listed in ⑦ b on the next page.

**This is a Court Order.**



- 7** b. **Prohibited items are:**
- (1) Firearms (guns);
  - (2) Firearm parts, meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
  - (3) Ammunition.
- c. You must:
- (1) 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. This must be done within 24 hours of being served with this order.
  - (2) File a receipt with the court within 48 hours of receiving this order that proves that your firearms (guns), firearm parts, and ammunition have been turned in, sold, or stored. (You may use *Receipt for Firearms, Firearm Parts, and Ammunition* (form CH-800) for the receipt.)
- d.  The court has received information that you own or possess a firearm (gun), firearm parts, or ammunition.

**8**  **Restrained Person Has Prohibited Items**

The court finds that you have the following prohibited items:

a. **Firearms and/or firearm parts**

Description <i>(include serial number, if known)</i>	Location, if known	Proof of compliance received by the court
(1) _____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	<input type="checkbox"/> (date): _____

b. **Ammunition**

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	_____	<input type="checkbox"/> (date): _____

Check here to list additional items. List them on a separate piece of paper, write “CH-110, Restrained Person Has Prohibited Items” at the top, and attach it to this form.

**9** **No Body Armor**

You cannot own, possess, or buy body armor (defined in Penal Code section 16288). You must relinquish any body armor you have in your possession.

**This is a Court Order.**



**10**  **Court Hearing to Review Firearms (Guns), Firearm Parts, and Ammunition Compliance**

In addition to the hearing listed on form CH-109, you must attend the court hearing listed below to prove that you have properly turned in, sold, or stored all prohibited items (described in 7b) you still have or own, including any items listed in 8. If you do not attend the court hearing listed below, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.

Name and address of court, if different than court address listed on page 1:



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

**11** **Possession and Protection of Animals**

**Not Requested**     **Denied Until the Hearing**     **Granted as Follows** (specify):

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 them, or reside in their household.  
(Identify animals by, e.g., type, breed, name, color, sex.)

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

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.

**12** **Other Orders**

**Not Requested**     **Denied Until the Hearing**     **Granted as Follows** (specify):

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

Additional orders are attached at the end of this order on Attachment 12.

**To the Person in 1 :**

**13** **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.

**This is a Court Order.**



- 13 c.  By the close of business on the date that this order is made, the person in ① or their lawyer should deliver a copy of the order and its proof-of-service form to the law enforcement agency 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 13.

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

The sheriff or marshal will serve this order without charge 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.

- 15 Number of pages attached to this order, if any: \_\_\_\_\_

Date: \_\_\_\_\_  
\_\_\_\_\_  
*Judicial Officer*

**Warnings and Notices to the Restrained Person in ②**

**You Cannot Have Firearms (Guns), Firearm Parts, or Ammunition**

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get any prohibited items listed in ⑦b on page 3 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 firearms (guns), firearm parts, and ammunition that you have or control as stated in 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 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.

**This is a Court 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 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 [courts.ca.gov/rules-forms/find-your-court-forms](https://courts.ca.gov/rules-forms/find-your-court-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 attend 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 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).)

**This is a Court Order.**



**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 priority (see Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b)); Code Civ. Proc., § 527.12(d)(2)):

- 1. *Emergency Protective Order (EPO)*: If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must also be enforced.
- 2. *No-Contact Order*: If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. (5) a(2) is an example of a no-contact order.
- 3. *Criminal Protective Order (CPO)*: If none of the orders includes an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2), 6405(b); Code Civ. Proc., § 527.12(d)(2).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must also be enforced.
- 4. *Civil Restraining Orders*: If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must also be enforced.

(Clerk will fill out this part.)

Clerk's Certificate  
[seal]

**—Clerk's Certificate—**

I certify that this *Temporary Restraining Order* 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**

**2026-03-11**

**Not approved by the Judicial Council**

Complete ① and ② only.

① **Protected Party:** \_\_\_\_\_

② **Restrained Party:** \_\_\_\_\_

\_\_\_\_\_ **The court will complete the rest of this form** \_\_\_\_\_

**③ Next Court Date**

a.  The request to reschedule the court date is **denied**.

Your court date is: \_\_\_\_\_

(1) Any form [CH-110](#) (*Temporary Restraining Order*) already granted stays in full force and effect until the next court date.

(2) Your court date is not rescheduled because:

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

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**

b.  The request to reschedule the court date is **granted**. Your court date is rescheduled for the day and time listed below. See ④–⑧ for more information.

Name and address of court, if different from above:

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

**④ Temporary Restraining Order**

a.  There is no **Temporary Restraining Order (TRO)** in this case until the next court date because:

(1)  A TRO was not previously granted by the court.

(2)  The court terminates (cancels) the previously granted TRO because

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

b.  A **Temporary Restraining Order (TRO)** is still in full force and effect because:

(1)  The court extends the TRO previously granted on (date): \_\_\_\_\_.

It now expires on (date): \_\_\_\_\_

(If no date is listed, the TRO expires at the end of the court date listed in ③ b.)

(2)  The court changes the TRO previously granted and signs a new TRO (form [CH-110](#)).

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

**Warning and Notice to the Restrained Party:**

If ④ b 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 Court Date Is Rescheduled**

a.  There is good cause to reschedule the court date (*check one*):

(1)  The protected party has not served the restrained party.

(2)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.  This is the first time that the restrained party has asked for more time to prepare.

c.  The court reschedules the court date on its own motion.

**6 Serving (Giving) Order to Other Party**

The request to reschedule was made by the:

a.  **Protected party**

b.  **Restrained party**

c.  **Court**

(1)  You do not have to serve the restrained party because they or their lawyer were at the court date or agreed to reschedule the court date.

(1)  You do not have to serve the protected party because they or their lawyer were at the court date or agreed to reschedule the court date.

(1)  Further notice is not required.

(2)  You must have the restrained party personally served with a copy of this order and a copy of all documents listed on form [CH-109](#), item 6, by (date): \_\_\_\_\_

(2)  You must have the protected party personally served with a copy of this order by (date): \_\_\_\_\_

(2)  The court will mail a copy of this order to all parties by (date): \_\_\_\_\_

(3)  You must have the restrained party served with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_

(3)  You must have the protected party served with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_

(3)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(4)  The court gives you permission to have the restrained party served as ordered on form CH-117/EA-117.

(4)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(5)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This is a Court Order.**



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

The sheriff or marshal will serve this order for free 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.

**8 Remote Appearances**

You may attend your hearing listed in ③ remotely, such as by phone or videoconference. For more information, go to the court’s website for the county listed on page 1. To find the court’s website, go to [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).

**9 Other Orders**

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**10** Number of pages attached to this order, if any: \_\_\_\_\_

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 [courts.ca.gov/forms](https://courts.ca.gov/forms) for form [MC-410](#) (*Disability Accommodation Request*). (Civ. Code, § 54.8.)

**Instructions to Clerk**

If the hearing is rescheduled and the court extended, modified, or terminated a temporary restraining order, then the court must 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

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.**

## CH-120-INFO How Can I Respond to a Request for Civil Harassment Restraining Orders?

### What is a civil harassment restraining order?

It is a court order that prohibits you from doing certain things and going to certain places.

### What does the order do?

The court can order you to:

- Not contact the person who asked for the order
- Stay away from that person and the person's home and workplace
- Not have any firearms (guns), firearm parts, ammunition, or body armor as long as the order is in effect. 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).

For more information about the items you would not be allowed to have, please see [selfhelp.courts.ca.gov/restraining-orders/prohibited-items](https://selfhelp.courts.ca.gov/restraining-orders/prohibited-items).

### Who can ask for a civil harassment restraining order?

A person who is worried about safety because they have been or are being:

- Stalked
- Harassed
- Assaulted, including sexually, *or*
- Threatened with violence

### I've been served with a request for civil harassment restraining orders. What do I do now?

Read the papers served on you very carefully. The *Notice of Court Hearing* tells you when to appear in court. There may also be a *Temporary Restraining Order* forbidding you from doing certain things. You must obey the order until the hearing.

### What if I don't agree with what the order says?

You still must obey the order until the hearing. If you disagree with the orders the person is asking for, fill out form [CH-120](#) (*Response to Request for Civil Harassment Restraining Orders*), before your hearing date and file it with the court. If you need to include attachments, you can use form [MC-025](#) (*Attachment to Judicial Council Form*). You can get the forms from legal publishers or from the California Courts website at [courts.ca.gov/forms](https://courts.ca.gov/forms). Forms may also be at your local courthouse or county law library.

### What if I don't obey the order?

The police can arrest you. You can go to jail and pay a fine.

### Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older—**not you**—mail a copy of completed form CH-120 to the person who asked for the order (or that person's lawyer). (This is called "service by mail.")

The person who serves the form by mail must fill out form [CH-250](#) (*Proof of Service by Mail*). Have the person who did the mailing sign the original. Take the completed form back to the court clerk or bring it with you to the hearing.

### Should I attend the court hearing?

Yes. You should **attend** court on the date listed on form CH-109 (*Notice of Court Hearing*). If you do not **attend** the hearing, the **judicial officer** can make orders against you without hearing from you.

You can attend the hearing remotely, such as by telephone or videoconference, at no additional charge to you by the court. You can also go to court in person. Check with your local court for instructions on how to appear remotely. Information is also available on the court's website, which you can find here: [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).

### How long does the order last?

If the court issued a temporary restraining order before the hearing, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. Any order issued at the hearing can last for up to five years.

### Do I need a lawyer?

Having a lawyer is always a good idea, but it is not required, and you are not entitled to a free, court-appointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.



**Will I see the person who asked for the order at the court hearing?**

Yes. Assume that the person who is asking for the order will attend the hearing. Do not talk to them unless the **judicial officer** or that person's attorney says that you can.

**Can I bring a witness to the court hearing?**

Yes. You can bring witnesses or documents that support your case to the hearing. **A witness may appear remotely at the hearing, such as by telephone or videoconference. A witness can also go to court in person.**

If possible, you should also bring the witnesses' written statements of what they saw or heard. Their statements must be made under penalty of perjury. You can use form [MC-030 \(Declaration\)](#) for this.

**What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300 \(Request for Interpreter \(Civil\)\)](#), or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](#).

**Information about the process is also available online.**

See [selfhelp.courts.ca.gov/CH-restraining-order](#).

**For help in your area, contact:**

*[Local information may be inserted.]*

**What if I have a firearm (gun), firearm part, or ammunition?**

If a restraining order is issued, you cannot own, possess, or have a firearm (gun), firearm parts, ammunition, or body armor while the order is in effect. If you have a firearm (gun), firearm parts, or ammunition, you must sell it to or store it with a licensed gun dealer, or turn it in to a law enforcement agency.

**What if I need to have a firearm or ammunition for my job?**

If the **judicial officer** grants a restraining order against you, you cannot have firearms or ammunition. The **judicial officer** may give you permission to have a firearm or ammunition for work. Before permission can be granted, you will be required to show the **judicial officer** 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 that you will have to prove. For more information, go to [selfhelp.courts.ca.gov/respond-to-CH-restraining-order/obey-firearms-orders/exception](#), or see Code of Civil Procedure section 527.9(f).

**What if I need to have body armor?**

If you need to have and use body armor for your work, livelihood, or safety, you may ask for an exception with the chief of police or sheriff in the county where you will have and use the body armor (see Penal Code section 31360(c)).

**Can I agree with the protected person to cancel the order?**

No. Once the order is issued, only the **judicial officer** can change or cancel it. You or the protected person would have to file a request with the court to cancel the order.

**What if I have a disability?**

If you have a disability and need an accommodation while you are at court, you can use form [MC-410 \(Disability Accommodation Request\)](#) to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO \(How to Request a Disability Accommodation for Court\)](#).

Clerk stamps date here when form is filed.

**DRAFT**

**2025-12-29**

**Not approved by the Judicial Council**

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 Protected Person**

a. Your Full 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 e-mail.):

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

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

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

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

**2 Restrained Person**

Full Name: \_\_\_\_\_

Address (if known): \_\_\_\_\_

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

**To the Restrained Person**

**3 Court Hearing**

The judge has set a court hearing date. Court will fill in box below.

**The current restraining order stays in effect until the end of the hearing.**

**Hearing Date**

→ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

Name and address of court if different from above:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

You may attend your hearing remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).

At the hearing, the judge can renew the current restraining order for up to another five years. You *must* continue to obey the current restraining order until the hearing. At the hearing, you can tell the judge if you do not want the order against you renewed. If the restraining order is renewed, you *must* obey the order even if you do not attend the hearing.

If you wish to make a written response to the request to renew the restraining order, you may fill out form CH-720 (*Response to Request to Renew Restraining Order*). File the original with the court before the hearing and have someone age 18 or older—**not you**—mail a copy of it to the protected person at the address in ① at least \_\_\_\_\_ days before the hearing. Also file form CH-250 (*Proof of Service of Response by Mail*) with the court before the hearing.

**This is a Court Order.**



**To the Protected Person:****4 Service and Response**

Someone age 18 or older—**not you or anyone else protected by the restraining order**—must personally serve (give) a copy of the following forms on the restrained person at least \_\_\_\_\_ days before the hearing.

- CH-700 (*Request to Renew Restraining Order*);
- CH-710 (*Notice of Hearing to Renew Restraining Order*) (this form);
- CH-720 (*Response to Request to Renew Restraining Order*) (blank copy);
- CH-130 (*Civil Harassment Restraining Order After Hearing*), **the current order** for which renewal is requested.

After the restrained person has been served, file form CH-200 (*Proof of Personal Service*), with the court clerk. For help with service, read form CH-200-INFO (*What Is “Proof of Personal Service”?*).

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 [courts.ca.gov/forms](https://courts.ca.gov/forms) for form MC-410 (*Disability Accommodation Request*). (Civ. Code, § 54.8.)

**This is a Court Order.**

Clerk stamps date here when form is filed.

**DRAFT**

**2025-12-22**

**Not approved by the Judicial Council**

**1 Protected Person**

a. Your Full 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 e-mail.):

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

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

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

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

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**

**2 Restrained Person**

Full Name: \_\_\_\_\_

Address (if known): \_\_\_\_\_

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

**3 Hearing**

There was a hearing on (date): \_\_\_\_\_ at (time): \_\_\_\_\_  a.m.  p.m. Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

(Name of judicial officer): \_\_\_\_\_ made the orders at the hearing.

These people attended the hearing:

a.  The protected person      c.  The lawyer for the protected person (name): \_\_\_\_\_

b.  The restrained person      d.  The lawyer for the restrained person (name): \_\_\_\_\_

Additional persons present are listed on Attachment 3.

**4 Renewal and Expiration**

The request to renew the attached *Civil Harassment Restraining Order After Hearing*, originally issued on (date) \_\_\_\_\_, is:

a.  **GRANTED.** The attached order is renewed and will now expire on:

Time: \_\_\_\_\_  a.m.  p.m. or  midnight on (date): \_\_\_\_\_

If no expiration date is written here, the order expires three years from the date of the hearing in item **3**.

b.  **DENIED.** The attached order expires as stated in item **4** of the order.

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

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

**This is a Court Order.**

These instructions cannot cover all of the questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see a lawyer.

### What is a restraining order?

It is a court order that helps protect people from being abused.

- A person appointed as a guardian ad litem for the elder or dependent adult, *and*
- Any other person legally authorized to seek such relief.

### Can I get a restraining order?

If you are a person 65 years or older or a dependent adult, you can ask for a restraining order if you have been or are being:

- Physically abused,
- Financially abused,
- Mentally or emotionally abused,
- Neglected,
- Abandoned or abducted,
- Isolated, *or*
- Deprived by a caregiver of goods or services you needed to avoid harm or suffering.

### How will the order help me?

The court can order a person to:

- Not physically abuse, harass, hit, or threaten you
- Not contact or go near you, *and*
- Not have any firearms (guns), firearm parts, ammunition, or body armor. 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).

For more information about the items a restrained person cannot have, please see [selfhelp.courts.ca.gov/restraining-orders/prohibited-items](https://selfhelp.courts.ca.gov/restraining-orders/prohibited-items).

You can also ask for protection for people who live with you and family members.

### Who can apply for an elder or dependent adult abuse restraining order?

In addition to the elder or dependent adult, the following persons may apply for a restraining order on behalf of the elder or dependent adult:

- A conservator or trustee of the elder or dependent adult,
- An attorney-in-fact of an elder or dependent adult who acts within the authority of the power of attorney,

### How much does it cost?

There is no fee for filing a request for a restraining order.

You do not need to pay a fee for service of the order. A sheriff or marshal will serve the order for free. Or you may arrange for service by a registered process server or a private party and pay any fee that is charged.

The court can make the person who loses the case pay all the court fees and the lawyer's fees for the other party.

### What forms do I need to get the order?

You must fill out all of form [EA-100](#) (*Request for Elder or Dependent Adult Abuse Restraining Orders*) and form [CLETS-001](#) (*Confidential Information for Law Enforcement*). If you need attachments, you may use form [MC-025](#) (*Attachment*). You must also fill out items 1 and 2 on form [EA-109](#) (*Notice of Court Hearing*) and items 1, 2, and 3 on form [EA-110](#) (*Temporary Restraining Order*).

### Where can I get these forms?

You can get the forms from legal publishers or from the California Courts website at [courts.ca.gov/forms](https://courts.ca.gov/forms). You also may be able to find them at your local courthouse or county law library.

### What do I need to do to get the order?

You must **file your papers with** the superior court in the county where the abuse took place or the person to be restrained lives. **Check online or ask the court how to file your request for an elder or dependent adult abuse restraining order.** (A self-help center or legal aid association may be able to assist you in filing your request.)



File your forms electronically or give your forms to the clerk of the court. You can submit your forms electronically at no charge to you by the court. The clerk will give you a hearing date on the *Notice of Hearing* form, and if your request for immediate orders is granted, a copy of the *Temporary Restraining Order* signed by a judicial officer.

### How soon can I get the order?

If you ask for a temporary restraining order, the court will decide within 24 hours whether or not to make the order. Sometimes the court decides sooner. If you file in person, ask the clerk whether you should wait or come back later to get the signed *Notice of Court Hearing* and *Temporary Restraining Order*.

### How long does the order last?

If the court makes a temporary order, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. The order could last for up to five years.

### How will the person to be restrained know about the order?

Someone age 18 or older—**not you** or anyone else to be protected by the order—must “serve” (give) the person to be restrained a copy of the order. The server must then fill out form [EA-200](#) (*Proof of Personal Service*) and give it to you to file with the court. For help with service, ask the court clerk for form [EA-200-INFO](#) (*What Is “Proof of Personal Service”?*).

### What if the restrained person does not obey the order?

Call the police. The restrained person can be arrested and charged with a crime.

### Do I have to attend a court hearing?

Yes. Attend court on the date listed on form [EA-109](#) (*Notice of Court Hearing*).

You can attend the hearing remotely, such as by telephone or videoconference, at no charge to you by the court. You can also go to court in person. Check with your local court for instructions on how to appear remotely. Information is also available on the court’s website, which you can find here: [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).

### Do I need to bring a witness to the court hearing?

Witnesses are not required, but it helps to have more proof of the abuse than just your word. You can bring:

- Witnesses,
- Written statements from witnesses made under oath,
- Photos,
- Medical or police reports,
- Damaged property, *and*
- Threatening letters, emails, or telephone messages.

A representative of the county adult protective services agency or witness may appear remotely at the hearing, such as by telephone or video conference, at no charge by the court. These people can also go to court in person.

The court may or may not let witnesses speak at the hearing. So, if possible, you should bring their written statements under oath to the hearing. (You can use form [MC-030](#) (*Declaration*) for this.)

### Do I need a lawyer?

Having a lawyer is always a good idea, but it is not required and you are not entitled to a free, court-appointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

### Will I see the restrained person at the court hearing?

If the person comes to the hearing, yes. But that person does not have the right to speak to you. If you are afraid, tell the court officer.

### Can I bring someone with me to court?

Yes. You can bring someone to sit with you during the hearing. But that person cannot speak for you in court. Only you or your lawyer (if you have one) can speak for you.

### What if I don't speak English?

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300](#) (*Request for Interpreter (Civil)*), or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](https://selfhelp.courts.ca.gov/request-interpreter).



**What if the restrained person's abuse caused me to owe money or debts?**

If the restrained person's financial abuse caused you to have certain debts or bills (such as using your name to open a credit card and make purchases that you didn't agree to), you can ask the **judicial officer** to make a special decision or finding that the restrained person caused you to have the debts or bills. This special finding may be helpful if you are sued for the debts or bills.

**Information about the process is also available online.**

See [selfhelp.courts.ca.gov/EA-restraining-order](http://selfhelp.courts.ca.gov/EA-restraining-order).

**For help in your area, contact:**

*[Local information may be inserted.]*

**Can I agree with the restrained person to cancel the order?**

No. Once the order is issued, only the **judicial officer** can change or cancel it. You or the restrained person would have to file a request with the court to cancel the order.

**What if I have a disability?**

If you have a disability and need an accommodation while you are at court, you can use form [MC-410](#) (*Disability Accommodation Request*) to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO](#) (*How to Request a Disability Accommodation for Court*).

Clerk stamps date here when form is filed.

**DRAFT**

**2026-02-13**

**Not approved by  
the Judicial Council**

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 in Need of Protection**

a. Full Name: \_\_\_\_\_

Person requesting protection for the elder or dependent adult, if different (*person named in item 3 of form EA-100*):

Full Name: \_\_\_\_\_

Lawyer for person named above (*if any for this case*):

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

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

b. Address for person named above (*If you have a lawyer, give your lawyer's information. If you do not have a lawyer, give information for the person requesting the order. If you 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: \_\_\_\_\_

**2 Person You Want Protection From**

Full Name: \_\_\_\_\_

*The court will complete the rest of this form.*

**3 Notice of Hearing**

**A court hearing is scheduled on the request for restraining orders against the person in 2:**

<b>Hearing Date</b> →	Date: _____	Time: _____	Name and address of court if different from above: _____ _____ _____
	Dept.: _____	Room: _____	
	_____		
<p>You may attend your hearing remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to <a href="https://courts.ca.gov/find-my-court">courts.ca.gov/find-my-court</a>.</p>			

**To the person in 2:**

- If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order.
- If you do not attend the hearing, the judge may still grant the restraining order that could last up to five years. After you receive a copy of the order, you could be arrested if you violate the order.



**4 Temporary Restraining Orders** (Any orders granted are on form EA-110, served with this notice.)

a. Temporary restraining orders for personal conduct and stay-away orders as requested in form EA-100 (Request for Elder or Dependent Adult Abuse Restraining Orders) are (check only one box below):

- (1)  All **GRANTED** until the court hearing.
- (2)  All **DENIED** until the court hearing. (Specify reasons for denial in b, below.)
- (3)  Partly **GRANTED** and partly **DENIED** until the court hearing. (Specify reasons for denial in **4** b, below.)

b. Reasons for denial of some or all of those personal conduct and stay-away orders as requested in form EA-100 (Request for Elder or Dependent Adult Abuse Restraining Orders) are:

- (1)  The facts as stated in form EA-100 do not sufficiently show reasonable proof of a past act or acts of abuse of the elder or dependent adult by the person in **2**.
- (2)  Other (specify):  As stated on Attachment 4b.

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**5 Service of Documents by the Person in 1**

a. Someone age 18 or older—not you or anyone to be protected—must personally give (serve) a court’s file-stamped copy of this form EA-109 to the person in **2** along with a copy of all the forms indicated below:

- (1) EA-100 (Request for Elder or Dependent Adult Abuse Restraining Orders) (file-stamped)
- (2)  EA-110 (Temporary Restraining Order) (file-stamped) **IF GRANTED**
- (3) [EA-120](#) (Response to Request for Elder or Dependent Adult Abuse Restraining Orders) (blank form)
- (4) [EA-120-INFO](#) (How Can I Respond to a Request for Elder or Dependent Adult Abuse Restraining Orders?)
- (5)  Other (specify): \_\_\_\_\_

b. The service described in **5**a must be completed at least:

- (1)  five days before the hearing.
- (2)  \_\_\_\_\_ days before the hearing.

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

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



**To the Person in ① :**

- The court cannot make the restraining orders after the court hearing unless the person in ② has been personally given (served) a copy of your request and any temporary orders. To show that the person in ② has been served, the person who served the forms must fill out a proof of service form. Form [EA-200](#) (*Proof of Personal Service*) may be used.
- For information about service, read form [EA-200-INFO](#) (*What Is “Proof of Personal Service”?*).
- You may ask to reschedule the hearing if you are unable to find the person in ② and need more time to serve the documents, or for other good reasons. Read form [EA-115-INFO](#) (*How to Ask for a New Hearing Date*).
- You must attend the hearing if you want the judge to make any of the orders you requested on form EA-100 (*Request for Elder or Dependent Adult Abuse Restraining Orders*). Bring any evidence or witnesses you have. For more information, read form [EA-100-INFO](#) (*Can a Restraining Order to Prevent Elder or Dependent Adult Abuse Help Me?*).

**To the Person in ② :**

- If you want to respond to the request for orders in writing, file form EA-120 (*Response to Request for Elder or Dependent Adult Abuse Restraining Orders*), and have someone age 18 or older—**not you or anyone to be protected**—mail it to the person in ① .
- The person who mailed the form must fill out a proof of service form. Form [EA-250](#) (*Proof of Service by Mail*) may be used. File the completed form with the court before the hearing and bring a copy with you to the court hearing.
- Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the orders requested.
- You may bring witnesses and other evidence.
- **At the hearing, the judge may make restraining orders against you that could last up to five years and may order you to sell or turn in any firearms (guns), firearm parts, and ammunition that you own or possess. 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). If an order is granted, you will also be prohibited from owning, possessing, or buying body armor and will have to relinquish any body armor you have.**
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask to reschedule your court date. Read form EA-115-INFO (*How to Ask for a New Hearing Date*).



**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 [courts.ca.gov/forms](https://courts.ca.gov/forms) for form [MC-410](#) (*Disability Accommodation Request*). (Civ. Code, § 54.8.)

Clerk’s Certificate  
[seal]

(Clerk will fill out this part.)

**—Clerk’s Certificate—**

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

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

Clerk stamps date here when form is filed.

Person in ① must complete ①, ②, and ③ only.

**DRAFT**  
**Not approved by**  
**the Judicial Council**  
**2025-11-12**

**① Protected Elder or Dependent Adult**

- a. Full Name: \_\_\_\_\_  
 Person requesting protection for the elder or dependent adult, if different (*person named in item 3 of form EA-100*):  
 Full Name: \_\_\_\_\_  
 Lawyer for person named above (*if any, 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: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:**

**② Restrained Person**

*(Give all the information you know. Information with a star (\*) is required to add this order to the California police database. If age is unknown, give an estimate.)*

\*Full Name: \_\_\_\_\_ \*Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 \*Race: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_  
 \*Gender:  M  F  Nonbinary Home Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Relationship to Protected Person: \_\_\_\_\_

**③ Additional Protected Persons**

In addition to the elder or dependent adult named in ①, the following family or household members or conservator of that person are protected by the temporary orders indicated below:

Full Name	Gender	Age	Household Member?	Relation to Protected Person
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Check here if there are additional protected persons. List them on an attached sheet of paper and write "Attachment 3—Additional Protected Persons" as a title. You may use form [MC-025](#) (Attachment).

**④ Expiration Date**

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

Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

**This is a Court Order.**



**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.

**⑤ Personal Conduct Orders**

Not Requested     Denied Until the Hearing     Granted as Follows:

a. You must **not** do the following things to the elder or dependent adult named in ①

and to the other protected persons listed in ③ :

- (1)  Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy personal property of, or disturb the peace of the person.
- (2)  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 email, by text messages, by fax, or by other electronic means.
- (3)  Take any action to obtain the person’s address or location. If this **subitem** (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 5a(4).

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

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 Orders**

Not Requested     Denied Until the Hearing     Granted as Follows:

a. You **must** stay at least \_\_\_\_\_ yards away from (*check all that apply*):

- (1)  The elder or dependent adult in ①                      (5)  The vehicle of the person in ①
- (2)  Each person in ③    (6)  Other (*specify*):
- (3)  The home of the elder or dependent adult                      \_\_\_\_\_
- (4)  The job or workplace of the elder or dependent adult                      \_\_\_\_\_

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

b. This stay-away order does not prevent you from going to or from your home or place of employment.

**⑦ Move-Out Order**

Not Requested     Denied Until the Hearing     Granted as Follows:

You must immediately move out from and not return to (*address*):

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

**This is a Court Order.**



**8 No Firearms (Guns), Firearm Parts, or Ammunition**

**Not Issued (financial abuse only)**                       **Granted as Follows:**

**This order must be granted unless only financial abuse is alleged.**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited items listed in b below.
- b. **Prohibited items are:**
  - (1) Firearms (guns);
  - (2) Firearm parts, meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
  - (3) Ammunition.
- c. You must:
  - (1) 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. This must be done within 24 hours of being served with this order.
  - (2) File a receipt with the court within 48 hours of receiving this order that proves that your firearms (guns), firearm parts, and ammunition have been turned in, sold, or stored. (You may use form [EA-800 \(Receipt for Firearms, Firearm Parts, and Ammunition\)](#) for the receipt.)
- d.  The court has received information that you own or possess a firearm (gun), firearm parts, or ammunition.

**9  Restrained Person Has Prohibited Items**

The court finds that you have the following prohibited items:

**a. Firearms and/or firearm parts**

Description <i>(include serial number, if known)</i>	Location, if known	Proof of compliance received by the court
(1) _____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	<input type="checkbox"/> (date): _____

**b. Ammunition**

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	_____	<input type="checkbox"/> (date): _____

Check here to list additional items. List them on a separate piece of paper, write “EA-110, Restrained Person Has Prohibited Items” at the top, and attach it to this form.

**10 No Body Armor**

If the order in **8** is granted, you cannot own, possess, or buy body armor (defined in Penal Code section 16288). You must relinquish any body armor you have in your possession.

**This is a Court Order.**



**11**  **Court Hearing to Review Firearms (Guns), Firearm Parts, and Ammunition Compliance**

In addition to the hearing listed on form EA-109, you must attend the court hearing listed below to prove that you have properly turned in, sold, or stored all prohibited items (described in 8b) you still have or own, including any items listed in 9. If you do not attend the court hearing listed below, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.



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

Name and address of court, if different than court address listed on page 1:

**12** **Financial Abuse**

This case  does **not**  does involve **solely financial abuse** unaccompanied by force, threat, harassment, intimidation, or any other form of abuse.

**13** **Possession and Protection of Animals**

**Not Requested**     **Denied Until the Hearing**     **Granted as Follows** (specify):

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 them, or reside in their household.  
(Identify animals by, e.g., type, breed, name, color, sex.)

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

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.

**14** **Other Orders**

**Not Requested**     **Denied Until the Hearing**     **Granted as Follows** (specify):

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

Additional orders are attached at the end of this order on Attachment 14.

**This is a Court Order.**



**To the Person in ① :**

**⑮ 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 15.

**⑯ No Fee to Serve (Notify) Restrained Person**

If the sheriff or marshal serves this order, the sheriff or marshal will do so for free.

**⑰** Number of pages attached to this order, if any: \_\_\_\_\_

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

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

**Warnings and Notices to the Restrained Person in ②**

**You Cannot Have Firearms (Guns), Firearm Parts, or Ammunition**

If the court grants the orders in ⑧, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get any prohibited items listed in ⑧b on page 3 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 firearms (guns), firearm parts, and ammunition that you have or control as stated in 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 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.

**This is a Court Order.**



## 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 Restraining 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 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 [courts.ca.gov/forms](https://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 **attend** 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 Order 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 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.

**This is a Court Order.**



**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 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 priority** (see Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b); Code Civ. Proc., § 527.12(d)(2)):

1. *Emergency Protective Order (EPO)*: If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must also be enforced.
2. *No-Contact Order*: If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. ⑤ a(2) is an example of a no-contact order.
3. *Criminal Protective Order (CPO)*: If none of the orders includes an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2), 6405(b); Code Civ. Proc., § 527.12(d)(2).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must also be enforced.
4. *Civil Restraining Orders*: If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must also be enforced.

*(Clerk will fill out this part.)*

*Clerk's Certificate*

**—Clerk's Certificate—**

*[seal]*

I certify that this *Temporary Restraining Order* 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**

**2026-03-11**

**Not approved by the Judicial Council**

Complete ① and ② only.

① **Protected Party:** \_\_\_\_\_

② **Restrained Party:** \_\_\_\_\_

**The court will complete the rest of this form**

**③ Next Court Date**

a.  The request to reschedule the court date is **denied**.

Your court date is: \_\_\_\_\_

(1) Any form [EA-110](#) (*Temporary Restraining Order*) already granted stays in full force and effect until the next court date.

(2) Your court date is not rescheduled because:  
\_\_\_\_\_  
\_\_\_\_\_

*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in case number:*

**Case Number:**

b.  The request to reschedule the court date is **granted**. Your court date is rescheduled for the day and time listed below. See ④–⑧ for more information.

Name and address of court, if different from above:

<b>New Court Date</b> →	Date: _____	Time: _____	_____
	Dept.: _____	Room: _____	_____

**④ Temporary Restraining Order**

a.  **There is no *Temporary Restraining Order* (TRO) in this case until the next court date** because:

(1)  A TRO was not previously granted by the court.

(2)  The court terminates (cancels) the previously granted TRO because: \_\_\_\_\_  
\_\_\_\_\_

b.  **A *Temporary Restraining Order* (TRO) is still in full force and effect** because:

(1)  The court extends the TRO previously granted on (date): \_\_\_\_\_.

It now expires on (date): \_\_\_\_\_

*(If no date is listed, the TRO expires at the end of the court date listed in ③b.)*

(2)  The court changes the TRO previously granted and signs a new TRO (form EA-110).

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

**Warning and Notice to the Restrained Party:**  
If ④b is checked, an elder or dependent abuse restraining order has been issued against you. You must follow the orders until they expire.

**This is a Court Order.**



**5 Reason Court Date Is Rescheduled**

a.  There is good cause to reschedule the court date (*check one*):

(1)  The protected party has not served the restrained party.

(2)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.  This is the first time that the restrained party has asked for more time to prepare.

c.  The court reschedules the court date on its own motion.

**6 Serving (Giving) Order to Other Party**

The request to reschedule was made by the:

a.  **Protected party**

(1)  You do not have to serve the restrained party because they or their lawyer were at the court date or agreed to reschedule the court date.

(2)  You must have the restrained party personally served with a copy of this order and a copy of all documents listed on form [EA-109](#), item 5, by (date): \_\_\_\_\_

(3)  You must have the restrained party served with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_

(4)  The court gives you permission to have the restrained party served as ordered on form CH-117/EA-117.

(5)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.  **Restrained party**

(1)  You do not have to serve the protected party because they or their lawyer were at the court date or agreed to reschedule the court date.

(2)  You must have the protected party personally served with a copy of this order by (date): \_\_\_\_\_

(3)  You must have the protected party served with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_

(4)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c.  **Court**

(1)  Further notice is not required.

(2)  The court will mail a copy of this order to all parties by (date): \_\_\_\_\_

(3)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**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 Remote Appearances**

You may attend your hearing listed in **3** remotely, such as by phone or videoconference. For more information, go to the court’s website for the county listed on page 1. To find the court’s website, go to [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).

**9  Other Orders**

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

**10** Number of pages attached to this order, if any: \_\_\_\_\_

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 [courts.ca.gov/forms](https://courts.ca.gov/forms) for form [MC-410](#) (*Disability Accommodation Request*). (Civ. Code, § 54.8.)

**Instructions to Clerk**

If the hearing is rescheduled and the court extended, modified, or terminated a temporary restraining order, then the court must 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 form EA-116 (*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.**

Response to Request for Elder or Dependent Adult Abuse Restraining Orders

Clerk stamps date here when form is filed.

DRAFT Not approved by the Judicial Council 2025-11-14

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

- Read form EA-120-INFO (How Can I Respond to a Request for Elder or Dependent Adult Abuse Restraining Orders?) 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 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

- I agree to the orders requested.
I do not agree to the orders requested. (Specify why you disagree in 15 on page 5.)
I agree to the following orders (specify below or in 15 on page 5):

4 Stay-Away Orders

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

**i** 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](https://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*):

---



---





**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:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

*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

**What is an elder or dependent adult abuse restraining order?**

It is a court order that prohibits you from doing certain things and going certain places.

**What does the order do?**

The court can order you to:

- Not contact the person who is protected by the order
- Stay away from that person and the person’s home and workplace
- Move out of the place where you and that person are living together
- Not have any firearms (guns), firearm parts, ammunition, or body armor as long as the order is in effect. 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).

For more information about the items you would not be allowed to have, please see [selfhelp.courts.ca.gov/restraining-orders/prohibited-items](https://selfhelp.courts.ca.gov/restraining-orders/prohibited-items).

**Who can ask for a restraining order?**

A person who is being:

- Financially abused
- Abandoned or abducted
- Harmed
- Neglected
- Isolated
- Deprived by a caregiver of goods or services necessary to live on

A conservator may seek an order on behalf of an elder or dependent adult.

**I've been served with a request for elder or dependent adult abuse restraining orders. What do I do now?**

Read the papers served on you very carefully. The *Notice of Court Hearing* tells you when to appear in court. There may also be a *Temporary Restraining Order* forbidding you from doing certain things. You must obey the order until the hearing.

**What if I don't obey the order?**

The police can arrest you. You can go to jail and pay a fine.

**What if I don't agree with what the order says?**

You still must obey the order until the hearing. If you disagree with the orders the person is asking for, fill out form [EA-120](#) (*Response to Request for Elder and Dependent Adult Abuse Restraining Orders*), before your hearing date and file it with the court. If you need to include attachments, you can use form [MC-025](#) (*Attachment to Judicial Council Form*). You can get the forms from legal publishers or from the California Courts website at [courts.ca.gov/forms](https://courts.ca.gov/forms). You also may be able to find them at your local courthouse or county law library.

**Do I have to serve the other person with a copy of my response?**

Yes. Have someone age 18 or older—**not you**—mail a copy of completed form EA-120 to the person who asked for the order (or that person’s lawyer). (This is called “service by mail.”)

The person who serves the form by mail must fill out form [EA-250](#) (*Proof of Service by Mail*). Have the person who did the mailing sign the original. Take the completed form back to the court clerk or bring it with you to the hearing.

**Do I need a lawyer?**

Having a lawyer is always a good idea, but it is not required, and you are not entitled to a free, court-appointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

**What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300](#) (*Request for Interpreter (Civil)*) or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](https://selfhelp.courts.ca.gov/request-interpreter).



## What if I have a disability?

If you have a disability and need an accommodation while you are at court, you can use form [MC-410](#) (*Disability Accommodation Request*), to make your request. You can also ask the ADA Coordinator in your court for help. For more information, read form [MC-410-INFO](#) (*How to Request a Disability Accommodation for Court*).

## Should I attend the court hearing?

Yes. You should **attend** court on the date listed on form EA-109, *Notice of Court Hearing*. If you do not **attend** the hearing, the **judicial officer** can make orders against you without hearing from you.

You can attend the hearing remotely, such as by telephone or videoconference, at no charge to you by the court. You can also go to court in person. Check with your local court for instructions on how to appear remotely. Information is also available on the court's website, which you can find here: [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).

## Will I see the person who asked for the order at the court hearing?

Yes. Assume that the person who is asking for the order will attend the hearing. Do not talk to the person unless the **judicial officer** or that person's attorney says that you can.

## Can I bring a witness to the court hearing?

Yes. You can bring witnesses or documents that support your case to the hearing. A **representative of the county adult protective services agency or witness may appear remotely at the hearing, such as by telephone or video conference, at no charge by the court. These people can also go to court in person.**

But if possible, you should also bring the witnesses' written statements of what they saw or heard. Their statements must be made under penalty of perjury. You can use form [MC-030](#) for this.

## How long does the order last?

If the court issued a temporary restraining order before the hearing, it will last until your hearing date.

At that time, the court will decide to continue or cancel the order. Any order issued at the hearing can last for up to five years.

## What if I have a firearm (gun), firearm part, or ammunition?

If a restraining order is issued, unless the order is to prevent financial abuse only, you cannot own, possess, or have a firearm (gun), firearm parts, ammunition, or body armor while the order is in effect. If you have a firearm (gun), firearm parts, or ammunition, you must sell it to or store it with a licensed gun dealer or turn it in to a law enforcement agency.

## What if I need to have a firearm or ammunition for my job?

If the **judicial officer** grants a restraining order against you, you cannot have firearms or ammunition. The **judicial officer** may give you permission to have a firearm or ammunition for work. Before permission can be granted, you will be required to show the **judicial officer** 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 that you will have to prove. For more information, go to [selfhelp.courts.ca.gov/respond-to-EA-restraining-order/obey-firearms-orders/exception](https://selfhelp.courts.ca.gov/respond-to-EA-restraining-order/obey-firearms-orders/exception), or see Code of Civil Procedure section 527.9(f).

## What if I need to have body armor?

If you need to have and use body armor for your work, livelihood, or safety, you may ask for an exception with the chief of police or sheriff in the county where you will have and use the body armor (see Penal Code section 31360(c)).

## Can I agree with the protected person to cancel the order?

No. Once the order is issued, only the **judicial officer** can change or cancel it. You or the protected person would have to file a request with the court to cancel the order.

## Information about the process is also available online.

See [selfhelp.courts.ca.gov/EA-restraining-order](https://selfhelp.courts.ca.gov/EA-restraining-order).

## For help in your area, contact:

*[Local information may be inserted.]*

Clerk stamps date here when form is filed.

**DRAFT**  
**Not approved by**  
**the Judicial Council**  
**2025-11-14**

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**

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

**2 Person From Whom Protection Is Sought or Person Alleged to Be Preventing Contact**

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

**3 Notice to Server**

The server must:

- Be 18 years of age or older.
- Not be listed in items 1, 3, or 6 of form EA-100 or be listed in items 1, 2, 3, or 4 of form EA-300.
- Give a copy of all documents checked in 4 to the person in 2. (You cannot send them by mail.) Then complete and sign this form and give or mail it to the person in 1.



**PROOF OF PERSONAL SERVICE**

**4** I gave the person in 2 a copy of the forms checked below:

- a.  EA-109 (Notice of Court Hearing)
- b.  EA-110 (Temporary Restraining Order)
- c.  EA-100 (Request for Elder or Dependent Adult Abuse Restraining Orders)
- d.  EA-120 (Response to Request for Elder or Dependent Adult Abuse Restraining Orders) (blank form)
- e.  EA-120-INFO (How Can I Respond to a Request for Elder or Dependent Adult Abuse Restraining Orders?)
- f.  EA-130 (Elder or Dependent Adult Abuse Restraining Order After Hearing)
- g.  EA-250 (Proof of Service by Mail) (blank form)
- h.  EA-800 (Receipt for Firearms, Firearm Parts, and Ammunition) (blank form)
- i.  EA-300 (Request for Elder or Dependent Adult Restraining Order Allowing Contact)
- j.  EA-309 (Notice of Court Hearing to Allow Contact)
- k.  EA-320 (Response to Request for Elder or Dependent Adult Restraining Order Allowing Contact) (blank form)
- l.  EA-320-INFO (How Can I Respond to a Request for an Elder or Dependent Adult Restraining Order Allowing Contact?)
- m.  EA-330 (Elder or Dependent Adult Restraining Order Allowing Contact After Hearing)
- n.  Other (specify): \_\_\_\_\_

**5** I personally gave copies of the documents checked above to the person in 2:

- a. On (date): \_\_\_\_\_
  - b. At (time): \_\_\_\_\_  a.m.  p.m.
  - c. At this address: \_\_\_\_\_
- City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**6 Server's Information**

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

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

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

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

*(If you are a registered process server):*

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

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 server's name*



\_\_\_\_\_  
*Server to sign here*

### What is "service"?

Service is the act of giving your legal papers to the other party in your case. There are different ways to serve the other party: in person, by mail, and others.

### Why do my court papers need to be served?

Before a judicial officer can grant a civil harassment restraining order (that can last up to five years), the person you want a restraining order against must know about your request and have a chance to go to court to explain their side.

Also, if a restraining order is in place, the police cannot arrest the restrained person for violating the restraining order until the restrained person is served with the order.

### What is "personal service"?

Personal service is when someone, known as a server, personally delivers your court papers to the other party.

In most cases, these forms must be served on the other party by personal service if you want a restraining order:

- Form [EA-100](#);
- Form [EA-109](#); and
- Form [EA-110](#).

If you want an order allowing contact, you must personally serve the following forms instead: forms [EA-300](#) and [EA-309](#).

### Who can serve my court papers?

Any adult who is not protected by the restraining order can serve your court papers. **You cannot serve your own court papers.**



Some situations may be dangerous. Think about people's safety when deciding who you want to serve your papers.

The sheriff or marshal may be authorized to serve the court's orders **for free**.

Another peace officer may also serve the orders for free. See [selfhelp.courts.ca.gov/EA-restraining-order/sheriff-serves-request](https://selfhelp.courts.ca.gov/EA-restraining-order/sheriff-serves-request) for additional information regarding free service by a sheriff, marshal, or other peace officer.

A "registered process server" is a business you pay to deliver papers. To hire a process server, look for "process server" on the internet or in the yellow pages.

### How do I have my court papers served?

#### ○ Step 1: Choose a server

The person who gives your court papers to the other party is called a server. Your server must be at least 18 years old. They must not be protected by the restraining order or involved in your case. This means that you cannot serve your own court papers.

#### ○ Step 2: Have your server give your court papers to the other party

Give your server these instructions:

- 1 Before you serve the forms, note which forms you have, including the name of the form and the form number. See form [EA-200](#) for a list of forms.
- 2 Find the person you need to serve. Make sure you are serving the right person by asking the person's name.
- 3 Give the person the papers. If the person refuses to take the papers, put them on the ground or somewhere next to the person. The person doesn't have to touch or sign for the papers. It is okay if they tear them up.
- 4 Fill out form [EA-200](#) completely and sign.
- 5 File form [EA-200](#) with the court or give form [EA-200](#) to the person who is asking for the restraining order so they can file it.

#### ○ Step 3: File proof with the court

The court needs proof that service happened and that it was done correctly. If your server was successful, have your server fully complete and sign form [EA-200](#). **The person you want restrained does not sign anything.**

File form [EA-200](#) with the court in your case as soon as possible. This information will automatically go into a restraining order database that police have access to.

If the sheriff or marshal served your court papers, they may use another form for proof besides form [EA-200](#). Make sure a copy is filed with the court and that you get a copy.



## When is the deadline to serve my court papers?

It depends. To know the exact date, you have to look at two items on form [EA-109](#) (*Notice of Court Hearing*) or form [EA-309](#) (*Notice of Court Hearing to Allow Contact*).

Follow these steps:

- **Step 1: Look at the court date listed on page 1.**

**3 Notice of Hearing**  
A court hearing is scheduled on \_\_\_\_\_

Hearing Date → Date: \_\_\_\_\_  
Dept.: \_\_\_\_\_

- **Step 2: Look at the court date listed on page 2.**

**5 Service of Documents by the Person in (1)**  
At least  five  [ ] days before the hearing date.

- **Step 3: Look at a calendar**

Look at a calendar. Subtract the number of days in item 5 on form [EA-109](#) (or the number of days in item 6 on form [EA-309](#)) from the hearing date. That is the deadline to have your court papers served. It's okay to serve your court papers before the deadline.

If nothing is checked or written in item 5 on form [EA-109](#) or item 6 on form [EA-309](#), you must serve the orders at least five days before your court date.

## What happens if I can't get my court papers served before the court date?

You will need to ask the court to reschedule (continue) your court date. If you want a restraining order, fill out and file form [EA-115](#) and form [EA-116](#). If you want an order allowing contact, fill out and file form [EA-315](#) and form [EA-316](#). These forms ask the judicial officer for a new court date and to make any temporary restraining orders last until the end of the new court date.

If you requested a restraining order and the judicial officer gives you a new court date, the person you want restrained will have to be served with form [EA-115](#), form [EA-116](#), **and** the original papers you filed. If you requested an order allowing contact, you will have to serve the other side with form [EA-315](#), form [EA-316](#), **and** the original papers you filed. You should keep a copy of these forms and a copy of your original paperwork. That way, the police will know your orders are still in effect.

For more information on asking for a new court date, read form [EA-115-INFO](#) or form [EA-315-INFO](#).

## What if the other party is avoiding (evading) service or cannot be located?

If you've tried many times to serve the restrained person, and you can show the judicial officer that the restrained person is avoiding (evading) service or cannot be located, you may ask the court to allow you to serve another way. If you want to make this request, at your first court date tell the judicial officer details about your attempts to have the restrained person served. The judicial officer may require a written statement for this.

Read form [CH-205-INFO/EA-205-INFO](#) (*What If I Am Unable to Have the Person I Want Protection From Personally Served?*) for more information.

*Clerk stamps date here when form is filed.*

Notice! The person in ① is asking for an Elder or Dependent Adult Abuse Restraining Order against you.

*(;Aviso! La persona en ① está pidiendo una orden de restricción de maltrato de anciano o adulto dependiente contra usted. Lea este formulario en español: selfhelp.courts.ca.gov/jcc-form/EA-210.)*

If ordered by a judge to use this form, complete items ① and ② only.

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**the Judicial Council**  
**2026-02-04**

**① Person asking for protection:**

\_\_\_\_\_

**② Notice to** *(name of person to be restrained):*

\_\_\_\_\_

— The court will complete the rest of this form —

**③ You have a court date**

*Fill in court name and street address:*

**Superior Court of California, County of**

*Court fills in case number when form is filed.*

**Case Number:**

Date: \_\_\_\_\_ Name and address of court, if different from above: \_\_\_\_\_  
Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_  
Room: \_\_\_\_\_

**What if I don't go to my court date?**

If you do not go to your court date, the court can grant a restraining order that limits your contact with the person in ①. Having a restraining order against you may impact your life in other ways, including preventing you from having guns and ammunition. If you do not go to your court date, the court could grant everything that the person in ① asked the judicial officer to order.

**How do I find out what the person in ① is asking for?**

To find out what the person in ① is asking the court to order, go to the courthouse listed at the top of page 1. Ask the court clerk to let you see your case file. You will need to give the court clerk your case number, which is listed above and on page 1. The request for restraining order will be on form EA-100 (*Request for Elder or Dependent Adult Abuse Restraining Order*).

**Where can I get help?**

Free legal information is available at your local court's self-help center. Go to [courts.ca.gov/selfhelp](https://courts.ca.gov/selfhelp) to find your local center.

**Do I need a lawyer?**

You are not required to have a lawyer, but you may want legal advice before your court hearing. For help finding a lawyer, you can visit [www.lawhelpca.org](https://www.lawhelpca.org) or contact your local bar association.

[seal] Date: \_\_\_\_\_ Clerk, by: \_\_\_\_\_, Deputy

*Clerk stamps date here when form is filed.*

**DRAFT**  
**Not approved by**  
**the Judicial Council**  
**2025-11-18**

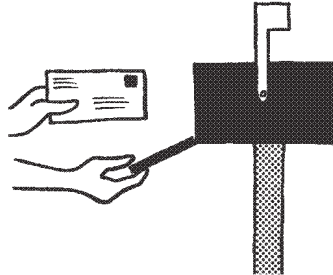
**1 Name of Person Asking for Protection:**

**2 Name of Person to Be Restrained:**

**3 Notice to Server**

The server must:

- Be 18 years of age or older.
- Live or be employed in the county where the mailing took place.
- Not be listed in items 1, 3, or 6, of form EA-100 or in items 1, 2, 3 or 4 of form EA-300.
- Mail a copy of all documents checked in 4 to the person in 5.
- Complete and sign this form and give it to the person in 2.



*Fill in court name and street address:*

**Superior Court of California, County of**

*Court fills in case number when form is filed.*

**Case Number:**

**4 PROOF OF SERVICE BY MAIL**

I am 18 years of age or older and not a party to this proceeding. I live or am employed in the county where the mailing took place. I mailed the person in 1 a copy of all documents checked below:

- a.  Form EA-120, *Response to Request for Elder or Dependent Adult Abuse Restraining Orders* (completed)
- b.  **Form EA-130, *Elder or Dependent Adult Abuse Restraining Order After Hearing***
- c.  Form EA-320, *Response to Request for Elder or Dependent Adult Restraining Order Allowing Contact*
- d.  Other (specify): \_\_\_\_\_

**5 I placed copies of the documents above in a sealed envelope and mailed them as described below:**

- a. **Name of person served:** \_\_\_\_\_
- b. To this address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- c. On (date): \_\_\_\_\_ Mailed from (city): \_\_\_\_\_ State: \_\_\_\_\_

**6 Server's Information**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

*(If you are a registered process server):*

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

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 server's name*

*Server to sign here*

**Proof of Service of Order After Hearing by Mail**

Clerk stamps date here when form is filed.

You may serve Form EA-130, Elder or Dependent Adult Abuse Restraining Order After Hearing, on the restrained person by mail if the restrained person was not at the hearing and:

- Before the hearing, the restrained person was personally served with Form EA-110, Temporary Restraining Order, and proof of service of Form EA-110 was presented to the court at the hearing; and
- The judge's orders in Form EA-130 are the same as in Form EA-110 except for the expiration date.

Fill in court name and street address:  
**Superior Court of California, County of**

**1 Protected Elder or Dependent Adult**

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

**2 Restrained Person**

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

Fill in case number:  
**Case Number:**

**PROOF OF SERVICE BY MAIL**  
**REVOKED**

**3** I am 18 years of age or older and am not a party to this proceeding or a person listed in item **3** of Form EA-130. I live or am employed in the county where the mailing took place. I mailed the restrained person a copy of:

- a. Form EA-130, Elder or Dependent Adult Abuse Restraining Order After Hearing
- b.  Other (specify): \_\_\_\_\_

**4** I placed copies of the documents above in a sealed envelope and mailed them as described below:

- a. Mailed to (name): \_\_\_\_\_
- b. To this address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- c. On (date): \_\_\_\_\_ Mailed from: City: \_\_\_\_\_ State: \_\_\_\_\_

**5 Server's Information**

Name: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

(If you are a registered process server):

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

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 server's name

\_\_\_\_\_  
Server to sign here

## Can an Elder or Dependent Adult Restraining Order Allowing Contact Help Me?

**These instructions cannot cover all of the questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see a lawyer.**

### What is a restraining order allowing contact?

If a person repeatedly prevents contact between a person 65 years or older (an elder) or a dependent adult and someone the elder or dependent adult wishes to have to contact with, the court may issue an order allowing contact.

### When will the court grant a restraining order allowing contact?

The court will grant a restraining order allowing contact if:

- An elder or dependent adult has a preexisting relationship and wants to have contact with a specific person;
- Someone is repeatedly preventing the elder or dependent adult from having contact with that specific person; and
- The person preventing contact is not doing so in response to actual or threatened abuse by the person the elder or dependent adult wishes to have contact with.

If you want a restraining order for other abuse, such as physical or financial abuse, read form [EA-100-INFO](#) (*Can a Restraining Order to Prevent Elder or Dependent Adult Abuse Help Me?*).

### How will the order help me?

The court can order the person preventing contact to stop preventing the contact.

### Who can apply for an elder or dependent adult restraining order allowing contact?

In addition to the elder or dependent adult, the following persons may apply for a restraining order allowing contact on behalf of the elder or dependent adult:

- A conservator or trustee of the elder or dependent adult;
- An attorney-in-fact of an elder or dependent adult who acts within the authority of the power of attorney;
- A person appointed as a guardian ad litem for the elder or dependent adult;

- An individual with a preexisting relationship who the elder or dependent adult wishes to have contact with, but is being prevented from doing so; and
- Any other person legally authorized to seek such relief.

### How much does it cost?

There is no fee for filing a request for a restraining order. You do not need to pay a fee for service of the order. A sheriff or marshal will serve the order for free. Or you may arrange for service by a registered process server or a private party and pay any fee that is charged. The court can make the person who loses the case pay all the court fees and the lawyer's fee for the other party.

### What forms do I need to get the order?

You must fill out all of form [EA-300](#) (*Request for Elder or Dependent Adult Restraining Order Allowing Contact*). If you need attachments, you may use form [MC-025](#) (*Attachment*). You must also fill out items 1 and 2 on form [EA-309](#) (*Notice of Court Hearing to Allow Contact*).

### Where can I get these forms?

You can get the forms from legal publishers or on the internet at [courts.ca.gov/forms](https://courts.ca.gov/forms). You also may be able to find them at your local courthouse or county law library.

### What do I need to do to get the order?

You must **file your papers with** the superior court in the county where the prevention of contact took place or where the person preventing contact lives. **Check online or ask the court how to file your request for an elder or dependent adult abuse restraining order.** (A self-help center or legal aid association may be able to assist you in filing your request.) **File your forms electronically** or give your forms to the clerk of the court. **You can submit your forms electronically at no charge to you by the court.** The clerk will give you a hearing date on the *Notice of Hearing* form.

### How soon can I get the order?

Orders to stop preventing a person from seeing an elder or dependent adult can only be issued after a hearing. Accordingly, the date of the hearing is the earliest the order can be granted.



**How long does the order last?**

The length of the order is determined by the court and could last for up to five years.

**How will the person preventing contact know about my request for an order?**

Someone age 18 or older—not you or anybody else involved in the case—must “serve” (give) the person to be restrained a copy of the notice of hearing and other forms listed on that notice. The server must then fill out form [EA-200](#) (*Proof of Personal Service*), and give it to you to file with the court. For help with service, ask the court clerk for form [EA-200-INFO](#) (*What Is “Proof of Personal Service”?*).

**Do I have to attend court?**

Yes. **Attend** court on the date the clerk gives you, which is found on form [EA-309](#) (*Notice of Court Hearing to Allow Contact*).

You can attend the hearing remotely, such as by telephone or videoconference, at no charge to you by the court. You can also go to court in person. Check with your local court for instructions on how to appear remotely. Information is also available on the court's website, which you can find here: [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).

**Do I need to bring a witness to the court hearing?**

Witnesses are not required, but it helps to have more proof of the isolation than just your word. You can bring:

- Witnesses
- Written statements from witnesses made under oath
- Letters, emails

A representative of the county adult protective services agency or witness may appear remotely at the hearing, such as by telephone or videoconference, at no charge by the court. These people can also go to court in person.

The court may or may not let witnesses speak at the hearing. So, if possible, you should bring their written statements under oath to the hearing. (You can use form [MC-030](#) (*Declaration*) for this.)

**Do I need a lawyer?**

Having a lawyer is always a good idea, but it is not required and you are not entitled to a free, court-appointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

**Can I bring someone with me to court?**

Yes. You can bring someone to sit with you during the hearing. But that person cannot speak for you in court. Only you or your lawyer (if you have one) can speak for you.

**Can the elder or dependent adult and the person preventing contact agree to cancel the order?**

No. Once the order is issued, only the judge can change or cancel it. The person who requested the order or the person preventing contact would have to file a request with the court to cancel the order.

**What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300](#) (*Request for Interpreter (Civil)*) or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](https://selfhelp.courts.ca.gov/request-interpreter).

**What if I have a disability?**

If you have a disability and need an accommodation while you are at court, you can use form [MC-410](#) (*Disability Accommodation Request*) to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO](#) (*How to Request a Disability Accommodation for Court*).

**For help in your area, contact:**

[Local information may be inserted.]

*Clerk stamps date here when form is filed.*

**DRAFT**

**2026-02-13**

**Not approved by  
the Judicial Council**

**1 Elders or Dependent Adults**

Full Name: \_\_\_\_\_

Full Name: \_\_\_\_\_

Full Name: \_\_\_\_\_

**2 Person Alleged to Be Preventing Contact**

Full Name: \_\_\_\_\_

**3 Person Who Wants Contact With the Elders or Dependent Adults**

Full Name: \_\_\_\_\_

**4 Person Requesting Order**

a. Full Name: \_\_\_\_\_

Lawyer for person requesting order:

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

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

b.  Address for the person requesting order *(If you have a lawyer, give your lawyer's information. If you 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: \_\_\_\_\_

*Fill in court name and street address:*

**Superior Court of California, County of**

*Court fills in case number when form is filed.*

**Case Number:**

*The court will complete the rest of this form.*

**5 Notice of Hearing**

**A court hearing is scheduled on the request for restraining order allowing contact against the person in (2):**

<b>Hearing Date</b>	→ Date: _____	Time: _____	Name and address of court if different from above: _____ _____ _____
	Dept.: _____	Room: _____	
	_____		
<p>You may attend your hearing remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to <a href="https://courts.ca.gov/find-my-court">courts.ca.gov/find-my-court</a>.</p>			

**To the person in (2):**

- If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order.
- If you do not attend the hearing, the judge may still grant the restraining order that could last up to five years. After you receive a copy of the order, you could be arrested if you violate the order.



**6 Service of Documents by the Person in 4**

- a. Someone age 18 or older—**not you or anyone to be protected**—must personally give (serve) a court’s file-stamped copy of this form EA-309 to the person in 2 along with a copy of all the forms indicated below:
  - (1) EA-300 (*Request for Elder or Dependent Adult Restraining Order Allowing Contact*) (file-stamped)
  - (2) EA-320 (*Response to Request for Elder or Dependent Adult Restraining Order Allowing Contact*) (blank form)
  - (3) EA-320-INFO (*How Can I Respond to a Request for an Elder or Dependent Adult Restraining Order Allowing Contact?*)
  
- b. The service described in 5 a must be completed at least:
  - (1)  five days before the hearing.
  - (2)  \_\_\_\_\_ days before the hearing.

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

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

**To the Person in 4 :**

- The court cannot make the restraining order requested unless the person in 2 has been personally given (served) a copy of your request. To show that the person in 2 has been served, the person who served the forms must fill out a proof of service form. Form EA-200 (*Proof of Personal Service*) may be used.
- For information about service, read form EA-200-INFO (*What Is “Proof of Personal Service”?*).
- You may ask to reschedule the hearing if you are unable to find the person in 2 and need more time to serve the documents, or for other good reasons. Read form EA-315-INFO (*How to Ask for a New Date for a Hearing to Allow Contact*).
- You must attend the hearing if you want the judge to make any of the orders you requested on form EA-300 (*Request for Elder or Dependent Adult Restraining Order Allowing Contact*). Bring any evidence or witnesses you have. For more information, read form EA-300-INFO (*Can an Elder or Dependent Adult Restraining Order Allowing Contact Help Me?*).



**To the Person in ② :**

- If you want to respond to the request for an order in writing, file form EA-320 (*Response to Request for Elder or Dependent Adult Restraining Order Allowing Contact*) and have someone age 18 or older—**not you or anybody else involved in the case**—mail it to the person in ④ .
- The person who mailed the form must fill out a proof of service form. Form EA-250 (*Proof of Service of Response by Mail*) may be used. File the completed form with the court before the hearing and bring a copy with you to the court hearing.
- Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the order requested.
- You may bring witnesses and other evidence.
- At the hearing, the judge may make a restraining order against you that could last up to five years.
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask to reschedule your court date. Read form EA-315-INFO (*How to Ask for a New Date for a Hearing to Allow Contact*).



**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 [courts.ca.gov/forms](https://courts.ca.gov/forms) for form [MC-410](#) (*Disability Accommodation Request*). (Civ. Code, § 54.8.)

*(Clerk will fill out this part.)*

**—Clerk's Certificate—**

I certify that this *Notice of Court Hearing to Allow Contact* is a true and correct copy of the original on file in the court.

*Clerk's Certificate*  
[seal]

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

Clerk, by \_\_\_\_\_, Deputy

Clerk stamps date here when form is filed.  
  
**DRAFT**  
  
**2026-03-11**  
  
**Not approved by  
the Judicial Council**

Complete items ①, ②, ③, and ④ only.

① **Elders or Dependent Adults:**

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

② **Party Alleged to Be Preventing Contact:**

\_\_\_\_\_

③ **Person Who Wants Contact With the Elders or  
Dependent Adults**

\_\_\_\_\_

④ **Person Requesting Order**

\_\_\_\_\_

Fill in court name and street address:  
**Superior Court of California, County of**  
\_\_\_\_\_  
\_\_\_\_\_

Fill in case number:  
**Case Number:**  
\_\_\_\_\_

————— The court will complete the rest of this form. —————

⑤ **Next Court Date**

a.  The request to reschedule the court date is **denied**.

Your court date is: \_\_\_\_\_

Your court date is not rescheduled because:

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

b.  The request to reschedule the court date is **granted**. Your court date is rescheduled for the day and time listed below. See ⑥—⑨ for more information.

Name and address of court, if different from above:

**New  
Court  
Date**

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

⑥ **Reason Court Date Is Rescheduled**

a.  There is good cause to reschedule the court date (*check one*):

(1)  The party requesting the order has not served the party preventing contact.

(2)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.  This is the first time that the party alleged to be preventing contact has asked for more time to prepare.

c.  The court reschedules the court date on its own motion.

**This is a Court Order.**



7 Serving (Giving) Order to Other Party

The request to reschedule was made by the:

a.  Party Requesting Order

(1)  You do not have to serve the party alleged to be preventing contact because they or their lawyer were at the court date or agreed to reschedule the court date.

(2)  You must have the party alleged to be preventing contact personally served with a copy of this order and a copy of all documents listed on form EA-309, item 6, by (date): \_\_\_\_\_

(3)  You must have the party alleged to be preventing contact served with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_

(4)  The court gives you permission to have the restrained party served as ordered on form CH-117/EA-117.

(5)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.  Party Alleged to be Preventing Contact

(1)  You do not have to serve the party requesting contact because they or their lawyer were at the court date or agreed to reschedule the court date.

(2)  You must have the party requesting contact personally served with a copy of this order by (date): \_\_\_\_\_

(3)  You must have the party requesting contact served with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_

(4)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c.  Court

(1)  Further notice is not required.

(2)  The court will mail a copy of this order to all parties by (date): \_\_\_\_\_

(3)  Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

This is a Court Order.



**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.

**9 Remote Appearances**

You may attend your hearing listed in **5** remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed on page 1. To find the court's website, go to [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).

**10**  **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 [courts.ca.gov/forms](https://courts.ca.gov/forms) for *Disability Accommodation Request* (form [MC-410](#)). (Civ. Code, § 54.8.)

**—Clerk's Certificate—**

Clerk's Certificate  
[seal]

I certify that this *Order on Request to Continue Hearing on Request to Allow Contact* is a true and correct copy of the original on file in the court.

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

**This is a Court Order.**

**Response to Request for Elder or Dependent Adult Restraining Order Allowing Contact**

*Clerk stamps date here when form is filed.*

**DRAFT**

**2026-02-03**

**Not approved by the Judicial Council**

**Use this form to respond to the Request (form EA-300)**

- Read form EA-320-INFO (*How Can I Respond to a Request for an Elder or Dependent Adult Restraining Order Allowing Contact?*) to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—**not you or anybody else involved in the case**—serve the person or persons listed in ① by mail with a copy of this form and any attached pages. (*Use form EA-250 (Proof of Service 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 Elders or Dependent Adults**

Names: \_\_\_\_\_  
\_\_\_\_\_

**② Person Alleged to Be Preventing Contact**

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-309, item ⑤, here:

**Hearing Date**

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

At the hearing, the court may make an order against you that lasts for up to five years.

**③ Person Who Wants Contact With the Elders or Dependent Adults**

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

**④ Person Requesting Order**

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

**⑤  Order Allowing Contact**

- a.  I agree to the order requested.
- b.  I do not agree to the order requested. (*Specify why you disagree in items ⑦ and ⑧ on page 2.*)

**⑥  Denial**

I did not do anything I was accused of in item ⑧ of form EA-300. (*Skip to ⑧*)







## How Can I Respond to a Request for an Elder or Dependent Adult Restraining Order Allowing Contact?

### What is a restraining order allowing contact?

It is a court order that prohibits you from preventing an elder or dependent adult from having contact with someone the elder or dependent wishes to have contact with.

### Who can ask for a restraining order allowing contact?

If you are preventing an elder or dependent adult from having contact with a person that the elder or dependent adult wishes to have contact with, the following people can ask for a restraining order:

- The elder or dependent adult;
- The person that the elder or dependent adult is being prevented from seeing; *or*
- A conservator, attorney-in-fact, or person appointed as guardian ad litem for the elder or dependent adult.

### I've been served with a request for elder or dependent adult restraining order allowing contact. What do I do now?

Read the papers served on you very carefully. Form EA-309 (*Notice of Court Hearing*) tells you when to appear in court.

### What if I don't agree with what the request says?

If you disagree with the order the person is asking for, fill out form [EA-320](#) (*Response to Request for Elder and Dependent Adult Restraining Order Allowing Contact*), before your hearing date and file it with the court. If you need to include attachments, you can use form [MC-025](#) (*Attachment*). You can get forms from legal publishers or on the internet at [courts.ca.gov/forms](https://courts.ca.gov/forms). You also may be able to find them at your local courthouse or county law library.

### Do I have to serve the other parties with a copy of my response?

Yes. Have someone age 18 or older—**not you or anybody else involved in the case**—mail a copy of completed form EA-320 to the other parties in the case (or their lawyers). (This is called “service by mail.”)

The person who serves the form by mail must fill out form [EA-250](#) (*Proof of Service by Mail*). Have the person who did the mailing sign the original. Take a completed form back to the court clerk or bring it with you to the hearing.

### Should I attend the court hearing?

Yes. You should **attend** court on the date listed on form [EA-309](#) (*Notice of Court Hearing to Allow Contact*). If you do not **attend** the hearing, the **judicial officer** can make an order against you without hearing from you.

You can attend the hearing remotely, such as by phone or videoconference, at no additional charge to you by the court. You can also go to court in person. Check with your local court for instructions on how to appear remotely. Information can also be found on the court's website, which you can find here: [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).

### How long does the order last?

The length of the order is determined by the court and could last for up to five years.

### Do I need a lawyer?

Having a lawyer is always a good idea, but it is not required and you are not entitled to a free, court-appointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

### Will I see the person who asked for the order at the court hearing?

Yes. Assume that the person who is asking for the order will attend the hearing. Do not talk to that person unless the judge or that person's attorney says that you can.

### Can I bring a witness to the court hearing?

Yes. You can bring witnesses or documents that support your case to the hearing. A representative of the county adult protective services agency or witness may appear remotely at the hearing, such as by phone or videoconference, at no charge by the court. These people can also go to court in person.

But if possible, you should also bring the witnesses' written statements of what they saw or heard. Their statements must be made under penalty of perjury. You can use form [MC-030](#) (*Declaration*) for this.



**Can I agree with the elder or dependent adult to cancel the order?**

No. Once the order is issued, only the judge can change or cancel it. You or the person who requested the order would have to file a request with the court to cancel the order.

**For help in your area, contact:**

*[Local information may be inserted.]*

**What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300 \(Request for Interpreter \(Civil\)\)](#), or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](http://selfhelp.courts.ca.gov/request-interpreter).

**What if I have a disability?**

If you have a disability and need an accommodation while you are at court, you can use form [MC-410 \(Disability Accommodation Request\)](#), to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO \(How to Request a Disability Accommodation for Court\)](#).

*Clerk stamps below when form is filed.*

**DRAFT**

**2025-12-29**

**Not approved by the Judicial Council**

*Court name and street address:*

**Superior Court of California, County of**

*Fill in case number:*

**Case Number:**

**1 Protected Elder or Dependent Adult**

a. Full Name: \_\_\_\_\_

Person requesting protection for the elder or dependent adult, if different (*person named in item 3 of form EA-100*):

Full Name: \_\_\_\_\_

Lawyer for person named above (*if any 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 e-mail.*):

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

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

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

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

**2 Restrained Person**

Full Name: \_\_\_\_\_

Address (*if known*): \_\_\_\_\_

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

**To the Restrained Person:**

**3 Court Hearing**

The judge has set a court hearing date. *Court will fill in box below.*

**The current restraining order stays in effect until the end of the hearing.**

**Hearing Date**

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

Name and address of court if different from above:

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

*You may attend your hearing remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to [courts.ca.gov/find-my-court](https://courts.ca.gov/find-my-court).*

At the hearing, the judge can renew the current restraining order for up to another five years or make it permanent. You *must* continue to obey the current restraining order until the hearing. At the hearing, you can tell the judge if you do not want the order against you renewed. If the restraining order is renewed, you *must* obey the order even if you do not attend the hearing.

**This is a Court Order.**



If you wish to make a written response to the request to renew the restraining order, you may fill out form EA-720 (*Response to Request to Renew Restraining Order*). File the original with the court before the hearing and have someone age 18 or older—**not you**—mail a copy of it to the person in ① at the address in ① at least \_\_\_\_\_ days before the hearing. Also file form EA-250 (*Proof of Service of Response by Mail*) with the court before the hearing.

**To the Protected Person:**

**④ Service and Response**

Someone age 18 or older—**not you or anyone else protected by the restraining order**—must personally serve (give) a copy of the following forms on the restrained person at least \_\_\_\_\_ days before the hearing.

- EA-700 (*Request to Renew Restraining Order*);
- EA-710 (*Notice of Hearing to Renew Restraining Order*) (this form);
- EA-720 (*Response to Request to Renew Restraining Order*) (blank copy);
- EA-130 (*Elder or Dependent Adult Abuse Restraining Order After Hearing*), **the current order** for which renewal is requested.

After the restrained person has been served, file form EA-200 (*Proof of Personal Service*) with the court clerk. For help with service, read form EA-200-INFO (*What Is “Proof of Personal Service”?*).

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 [courts.ca.gov/forms](http://courts.ca.gov/forms) for form MC-410 (*Disability Accommodation Request*). (Civ. Code, § 54.8.)

**This is a Court Order.**

**DRAFT**  
  
**2025-12-22**  
  
**Not approved by  
the Judicial Council**

*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in case number:*

**Case Number:**

**1 Protected Elder or Dependent Adult**

a. Full Name: \_\_\_\_\_

Person requesting protection for the elder or dependent adult, if different (*person named in item 3 of form EA-100*):

Full Name: \_\_\_\_\_

Lawyer for person named above (*if any 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 e-mail.*):

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

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

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

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

**2 Restrained Person**

Full Name: \_\_\_\_\_

Address (*if known*): \_\_\_\_\_

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

**3 Hearing**

There was a hearing on (*date*): \_\_\_\_\_ at time: \_\_\_\_\_  a.m.  p.m. Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

(*Name of judicial officer*): \_\_\_\_\_ made the orders at the hearing.

These people **attended** the hearing:

a.  The protected person      c.  The lawyer for the protected person (*name*): \_\_\_\_\_

b.  The restrained person      d.  The lawyer for the restrained person (*name*): \_\_\_\_\_

Additional persons present are listed on Attachment 3.

**4 Renewal and Expiration**

The request to renew the attached *Elder or Dependent Adult Restraining Order After Hearing*, originally issued on (*date*): \_\_\_\_\_, is:

a.  **GRANTED**. The attached order is renewed and will now be in effect for:

5 years       permanently      (*The renewed restraining order must be attached to this form.*)

The attached order will expire on:  
(*date*): \_\_\_\_\_ (*time*): \_\_\_\_\_  a.m.  p.m. or  midnight

If no expiration date is written here, the order expires three years from the date of the hearing in item 3.

b.  **DENIED**. The attached order expires as stated in item 4 of the order.

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

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

**This is a Court Order.**