

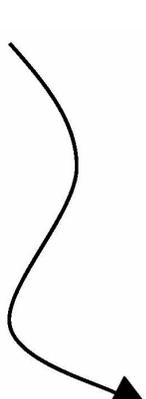
- 1 **Take your forms to the court clerk.** The clerk will give your forms to the judge. The judge will look at them and decide whether to make (“grant”) the temporary orders. Sometimes the judge will want to talk to you. If so, the clerk will tell you.
- 2 **Find out if the judge made the temporary restraining orders.** Ask the clerk when to come back to see if the judge signed the order (Form DV-110(TC)). The judge must decide by the next business day. If the judge grants a temporary restraining order, check it carefully to see what the orders are. The judge might not order everything you requested.
- 3 **“File” the judge’s order.** If the judge signs the order, the clerk will “file” it. The clerk will keep the original for the court and will file-stamp up to five copies for you. If you need more, make them yourself.

What to do with your copies:

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

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

- 4 **Know your hearing date.** Look at Form DV-109(TC) for the date and time of your hearing. You **must** go to your hearing to get a permanent order. Any orders you have now only last for about three weeks. The orders end on the hearing date.



DV-109 Notice of Court Hearing

1 Name of person asking for protection:
 Address (skip this if the person above has a lawyer) (if you want your home address to be private, give a mailing address instead):
 City: _____
 Telephone (optional): _____ State: _____ Zip: _____
 Your lawyer (if you have one): _____ Fax (optional): _____
 Name: _____ State Bar no.: _____
 Firm name: _____
 Street address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____
 E-mail: _____

2 Name of person to be restrained:
 Name: _____
 State: _____ Zip: _____
 Fax: _____

3 **Notice of Court Hearing To the Person in**
 A court hearing is scheduled on the request for orders against you to stop domestic violence.
 Hearing Date: _____ Date: _____ Time: _____ Name and address of court if different from above: _____
 Dept.: _____ Room: _____

If you want to respond to the request for orders in writing, file Form DV-120, Answer to Temporary Restraining Order. Whether or not you respond in writing, go to the hearing. You may tell the court why you agree or disagree with the orders requested. You may bring witnesses and other evidence. If you do not go to this hearing, the court may make restraining orders against you that could last up to five years. The judge may also make other orders about your children, child support, spousal support, money, and property and may order you to turn in or sell any firearms that you own or possess.

4 **Temporary Restraining Orders (any orders granted are attached on Form DV-110)**
 a. Temporary restraining orders for personal conduct, stay away, and protection of animals, as requested in Form DV-100, Request for Order, are:
 (1) All granted until the court hearing
 (2) All granted until the court hearing
 (3) Partly granted and partly denied until the court hearing (specify reasons for denial in (b))
 b. Requested temporary restraining orders for personal conduct, stay away, and protection of animals are denied because:
 (1) The facts as stated in form DV-100 do not show reasonable proof of a past act or acts of abuse. (Family Code, §§ 6320 and 6320.5)

This is a Court Order.
 Notice of Court Hearing (Domestic Violence)

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5 “Serve” the restrained person.

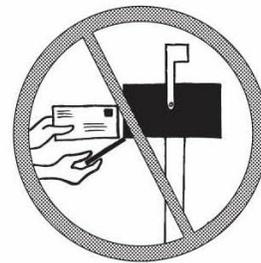
Ask someone you know, a process server, or law enforcement to personally “serve” (give) the restrained person a copy of the orders and other papers. You **cannot** serve the papers yourself. They **cannot** be sent by mail. The server must:

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

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

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

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



Don't serve by mail!

6 File the Proof of Service (Form DV-200(TC)).

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

Keep one copy with you and another in a safe place in case you need to show it to the police. Give the other copies out as you did in (3). The court will send your completed Proof of Service to law enforcement or CLETS for you. CLETS is a statewide computer system that lets police know about your order.

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

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

The restrained person **must** be served before the hearing. If the restrained person wasn't served, fill out Form DV-125(TC) (*Reissue Notice of Court Hearing and Temporary Restraining Order*) to ask the judge for a new hearing date. Do this **before** or **at** your hearing. (If you wait until after the hearing, you have to start from the beginning.)

If the judge signs Form DV-125(TC), any restraining orders will last until the new hearing date.

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

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

