

Cost: \$5.00

CIVIL HARASSMENT PACKET

Updated: October 5, 2020

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

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 a gun

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
- Make orders for custody and visitation

If you need these orders, you should proceed under the Domestic Violence Protection Act. File Form DV-100.

The court also cannot:

- Order a person to pay money that he or she owes you
- Order someone to move out of rental property that you own
- 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 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 CLETS Information*. If you need attachments, you may use Form MC-025. 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)*.

Where can I get these forms?

You can get the forms from legal publishers or on the Internet at www.courts.ca.gov. 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 go to the superior court in the county where the harassment took place or the person to be restrained lives. At the court, ask where you should 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.)

At the court, 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. Ask 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 go to court?

Yes. Go to court on the date the clerk gives you.

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
- Threatening letters, e-mails, or telephone messages

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.

CH-109 Notice of Court Hearing Clerk stamps date here when form is filed.

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 e-mail.):
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 E-Mail 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**:
 Name and address of court if different from above:

Hearing Date → Date: _____ Time: _____
 Dept.: _____ Room: _____

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.)

Judicial Council of California, www.courts.ca.gov
 Revised July 1, 2014, Mandatory Form
 Code of Civil Procedure, § 527.6
 Approved by DCJ **Notice of Court Hearing**
(Civil Harassment Prevention) CH-109, Page 1 of 3 →



What if I am deaf or hard of hearing?

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

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 may have to pay a fee for the interpreter. If an interpreter is not available for your court date, you should ask someone who is not listed as a person to be protected on your Request and who is over age 18 to interpret for you .

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

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

| | | |
|---|--|--|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): | | FOR COURT USE ONLY |
| TELEPHONE NO.: | FAX NO. (<i>Optional</i>): | |
| ATTORNEY FOR (<i>Name</i>): | | |
| SUPERIOR COURT OF CALIFORNIA, COUNTY OF TRINITY | | |
| STREET ADDRESS: 11 Court Street MAILING ADDRESS: PO Box 1258 CITY AND ZIP CODE: Weaverville, CA 96093 BRANCH NAME: | | |
| CASE NAME: | | |
| CIVIL CASE COVER SHEET <input type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) | <input type="checkbox"/> Limited (Amount demanded is \$25,000) | Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402) |
| | | CASE NUMBER: |
| | | JUDGE: DEPT.: |

Items 1–6 below must be completed (see instructions on page 2).

1. Check **one** box below for the case type that best describes this case:

| | | |
|--|--|--|
| Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15) | Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39) | Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400–3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (<i>not specified above</i>) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (<i>not specified above</i>) (43) |
|--|--|--|

2. This case is is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:

| | |
|--|--|
| a. <input type="checkbox"/> Large number of separately represented parties | d. <input type="checkbox"/> Large number of witnesses |
| b. <input type="checkbox"/> Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve | e. <input type="checkbox"/> Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court |
| c. <input type="checkbox"/> Substantial amount of documentary evidence | f. <input type="checkbox"/> Substantial postjudgment judicial supervision |

3. Remedies sought (*check all that apply*): a. monetary b. nonmonetary; declaratory or injunctive relief c. punitive

4. Number of causes of action (*specify*):

5. This case is is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (*You may use form CM-015.*)

Date: _____

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you **must** complete and file, along with your first paper, the Civil Case Cover Sheet contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check **one** box for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the **primary** cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the Civil Case Cover Sheet to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort

Auto (22)–Personal Injury/Property Damage/Wrongful Death
Uninsured Motorist (46) (*if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto*)

Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort

Asbestos (04)
Asbestos Property Damage
Asbestos Personal Injury/Wrongful Death
Product Liability (*not asbestos or toxic/environmental*) (24)
Medical Malpractice (45)
Medical Malpractice–Physicians & Surgeons
Other Professional Health Care Malpractice
Other PI/PD/WD (23)
Premises Liability (e.g., slip and fall)
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)
Intentional Infliction of Emotional Distress
Negligent Infliction of Emotional Distress
Other PI/PD/WD

Non-PI/PD/WD (Other) Tort

Business Tort/Unfair Business Practice (07)
Civil Rights (e.g., discrimination, false arrest) (*not civil harassment*) (08)
Defamation (e.g., slander, libel) (13)
Fraud (16)
Intellectual Property (19)
Professional Negligence (25)
Legal Malpractice
Other Professional Malpractice (*not medical or legal*)
Other Non-PI/PD/WD Tort (35)

Employment

Wrongful Termination (36)
Other Employment (15)

Contract

Breach of Contract/Warranty (06)
Breach of Rental/Lease
Contract (*not unlawful detainer or wrongful eviction*)
Contract/Warranty Breach–Seller Plaintiff (*not fraud or negligence*)
Negligent Breach of Contract/Warranty
Other Breach of Contract/Warranty
Collections (e.g., money owed, open book accounts) (09)
Collection Case–Seller Plaintiff
Other Promissory Note/Collections Case
Insurance Coverage (*not provisionally complex*) (18)
Auto Subrogation
Other Coverage
Other Contract (37)
Contractual Fraud
Other Contract Dispute

Real Property

Eminent Domain/Inverse Condemnation (14)
Wrongful Eviction (33)
Other Real Property (e.g., quiet title) (26)
Writ of Possession of Real Property
Mortgage Foreclosure
Quiet Title
Other Real Property (*not eminent domain, landlord/tenant, or foreclosure*)

Unlawful Detainer

Commercial (31)
Residential (32)
Drugs (38) (*if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential*)

Judicial Review

Asset Forfeiture (05)
Petition Re: Arbitration Award (11)
Writ of Mandate (02)
Writ–Administrative Mandamus
Writ–Mandamus on Limited Court Case Matter
Writ–Other Limited Court Case Review
Other Judicial Review (39)
Review of Health Officer Order
Notice of Appeal–Labor Commissioner Appeals

Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)

Antitrust/Trade Regulation (03)
Construction Defect (10)
Claims Involving Mass Tort (40)
Securities Litigation (28)
Environmental/Toxic Tort (30)
Insurance Coverage Claims (*arising from provisionally complex case type listed above*) (41)

Enforcement of Judgment

Enforcement of Judgment (20)
Abstract of Judgment (Out of County)
Confession of Judgment (*non-domestic relations*)
Sister State Judgment
Administrative Agency Award (*not unpaid taxes*)
Petition/Certification of Entry of Judgment on Unpaid Taxes
Other Enforcement of Judgment Case

Miscellaneous Civil Complaint

RICO (27)
Other Complaint (*not specified above*) (42)
Declaratory Relief Only
Injunctive Relief Only (*non-harassment*)
Mechanics Lien
Other Commercial Complaint Case (*non-tort/non-complex*)
Other Civil Complaint (*non-tort/non-complex*)

Miscellaneous Civil Petition

Partnership and Corporate Governance (21)
Other Petition (*not specified above*) (43)
Civil Harassment
Workplace Violence
Elder/Dependent Adult Abuse
Election Contest
Petition for Name Change
Petition for Relief From Late Claim
Other Civil Petition

Clerk stamps date here when form is filed.

Read *Can a Civil Harassment Restraining Order Help Me?* (form CH-100-INFO) before completing this form. Also fill out *Confidential CLETS Information* (form CLETS-001) with as much information as you know.

1 Person Seeking Protection

a. Your Full Name: _____ Age: _____

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: _____
E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

Court fills in case number when form is filed.

Case Number: _____

2 Person From Whom Protection Is Sought

Full Name: _____ Age: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

3 Additional Protected Persons

a. Are you asking for protection for any other family or household members? Yes No *If yes, list them:*

| <u>Full Name</u> | <u>Sex</u> | <u>Age</u> | <u>Lives with you?</u> | <u>How are they related to you?</u> |
|------------------|------------|------------|--|-------------------------------------|
| _____ | _____ | _____ | <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 more persons. Attach a sheet of paper and write "Attachment 3a—Additional Protected Persons" for a title. You may use form MC-025, Attachment.

b. Why do these people need protection? (Explain below):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 3b—Why Others Need Protection" for a title.

This is not a Court Order.



4 Relationship of Parties

How do you know the person in (2)? (Explain below):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 4—Relationship of Parties" for a title.

5 Venue

Why are you filing in this county? (Check all that apply):

- a. The person in (2) lives in this county.
- b. I was harassed by the person in (2) in this county.
- c. Other (specify): _____

6 Other Court Cases

a. Have you or any of the persons named in (3) been involved in another court case with the person in (2)?

Yes No (If yes, check each kind of case and indicate where and when each was filed.)

| | <u>Kind of Case</u> | <u>Filed in (County/State)</u> | <u>Year Filed</u> | <u>Case Number (if known)</u> |
|------|--|--------------------------------|-------------------|-------------------------------|
| (1) | <input type="checkbox"/> Civil Harassment | _____ | _____ | _____ |
| (2) | <input type="checkbox"/> Domestic Violence | _____ | _____ | _____ |
| (3) | <input type="checkbox"/> Divorce, Nullity, Legal Separation | _____ | _____ | _____ |
| (4) | <input type="checkbox"/> Paternity, Parentage, Child Custody | _____ | _____ | _____ |
| (5) | <input type="checkbox"/> Elder or Dependent Adult Abuse | _____ | _____ | _____ |
| (6) | <input type="checkbox"/> Eviction | _____ | _____ | _____ |
| (7) | <input type="checkbox"/> Guardianship | _____ | _____ | _____ |
| (8) | <input type="checkbox"/> Workplace Violence | _____ | _____ | _____ |
| (9) | <input type="checkbox"/> Small Claims | _____ | _____ | _____ |
| (10) | <input type="checkbox"/> Criminal | _____ | _____ | _____ |
| (11) | <input type="checkbox"/> Other (specify): _____ | _____ | _____ | _____ |

b. Are there now any protective or restraining orders in effect relating to you or any of the persons in (3) and the person in (2)? No Yes (If yes, attach a copy if you have one.)

7 Description of Harassment

Harassment means violence or threats of violence against you, or a course of conduct that seriously alarmed, annoyed, or harassed you and caused you substantial emotional distress. A course of conduct is more than one act.

a. Tell the court about the last time the person in (2) harassed you.

(1) When did it happen? (provide date or estimated date): _____

(2) Who else was there? _____

This is not a Court Order.



7 a. (3) How did the person in 2 harass you? (Explain below):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(3)—Describe Harassment" for a title.

Blank lines for writing the answer to question 7a(3).

(4) Did the person in 2 use or threaten to use a gun or any other weapon?

Yes No (If yes, explain below):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a title.

Blank lines for writing the answer to question 7a(4).

(5) Were you harmed or injured because of the harassment?

Yes No (If yes, explain below):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a title.

Blank lines for writing the answer to question 7a(5).

(6) Did the police come? Yes No

If yes, did they give you or the person in 2 an Emergency Protective Order? Yes No

If yes, the order protects (check all that apply):

Me The person in 2 The persons in 3.

(Attach a copy of the order if you have one.)

b. Has the person in 2 harassed you at other times?

Yes No (If yes, describe prior incidents and provide dates of harassment below):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7b—Previous Harassment" for a title.

Blank lines for writing the answer to question 7b.

This is not a Court Order.



Check the orders you want.

8 Personal Conduct Orders

I ask the court to order the person in **(2)** **not** to do any of the following things to me or to any person to be protected listed in **(3)**:

- a. Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
- b. 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 e-mail, by text message, by fax, or by other electronic means.
- c. Other (*specify*):
 - Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 8c—Other Personal Conduct Orders," for a title.

The person in (2) will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

9 Stay-Away Orders

a. I ask the court to order the person in **(2)** to stay at least _____ yards away from (*check all that apply*):

- | | |
|---|--|
| (1) <input type="checkbox"/> Me. | (8) <input type="checkbox"/> My vehicle. |
| (2) <input type="checkbox"/> The other persons listed in (3) . | (9) <input type="checkbox"/> Other (<i>specify</i>): |
| (3) <input type="checkbox"/> My home. | _____ |
| (4) <input type="checkbox"/> My job or workplace. | _____ |
| (5) <input type="checkbox"/> My school. | _____ |
| (6) <input type="checkbox"/> My children's school. | _____ |
| (7) <input type="checkbox"/> My children's place of child care. | _____ |

b. If the court orders the person in **(2)** to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? Yes No (*If no, explain below*):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 9b—Stay-Away Orders," for a title.

10 Guns or Other Firearms and Ammunition

Does the person in **(2)** own or possess any guns or other firearms? Yes No I don't know

If the judge grants a protective order, the person in (2) will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The person in (2) will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any guns or firearms within his or her immediate possession or control.

This is not a Court Order.



11 **Temporary Restraining Order**

I request that a Temporary Restraining Order (TRO) be issued against the person in (2) to last until the hearing. I am presenting form CH-110, *Temporary Restraining Order*, for the court's signature together with this *Request*.

Has the person in (2) been told that you were going to go to court to seek a TRO against him/her?

Yes No (If you answered no, explain why below):

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 11—Temporary Restraining Order" for a title.

12 **Request to Give Less Than Five Days' Notice of Hearing**

You must have your papers personally served on the person in (2) at least five days before the hearing, unless the court orders a shorter time for service. (Form CH-200-INFO explains What Is "Proof of Personal Service"? Form CH-200, Proof of Personal Service, may be used to show the court that the papers have been served.)

If you want there to be fewer than five days between service and the hearing, explain why below:

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 12—Request to Give Less Than Five Days' Notice" for a title.

13 **No Fee for Filing or Service**

- a. There should be no filing fee because the person in (2) has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence.
- b. The sheriff or marshal should serve (notify) the person in (2) about the orders for free because my request for orders is based on unlawful violence, a credible threat of violence, or stalking.
- c. There should be no filing fee and the sheriff or marshal should serve the person in (2) for free because I am entitled to a fee waiver. (You must complete and file form FW-001, Application for Waiver of Court Fees and Costs .)

14 **Lawyer's Fees and Costs**

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 the attached sheet of paper or form MC-025 and write "Attachment 14—Lawyer's Fees and Costs" for a title.

This is not a Court Order.



15 Possession and Protection of Animals

I ask the court to order the following:

- a. That I be given the sole possession, care, and control of the animals listed below, which I own, possess, lease, keep, or hold, or which reside in my household. (Identify animals by, e.g., type, breed, name, color, sex.)

I request sole possession of the animals because (specify good cause for granting order):

- Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 15a—Possession of Animals" for a title.

- b. That 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.

16 Additional Orders Requested

I ask the court to make the following additional orders (specify):

- Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 16—Additional Orders Requested," for a title.

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

This is not a Court Order.

Clerk stamps date here when form is filed.

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 e-mail.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:
Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

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: _____ | Name and address of court if different from above: _____ _____ _____ |
| | Dept.: _____ | Room: _____ | |
| | _____ | | |

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.)



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 set forth on Attachment 4b.

⑤ **Confidential Information Regarding Minor**

- a. A *Request to Keep Minor’s Information Confidential* (form CH-160) was made 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 for the Person in ①**

At least five _____ days before the hearing, 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:

- a. CH-100, *Request for Civil Harassment Restraining Orders* (file-stamped)
- b. CH-110, *Temporary Restraining Order* (file-stamped) **IF GRANTED**
- c. CH-120, *Response to Request for Civil Harassment Restraining Orders* (blank form)
- d. CH-120-INFO, *How Can I Respond to a Request for Civil Harassment Restraining Orders?*
- e. CH-250, *Proof of Service of Response by Mail* (blank form)
- f. 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**
- g. Other (*specify*): _____

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”?*
- If you are unable to serve the person in ② in time, you may ask for more time to serve the documents. Use form CH-115, *Request to Continue Court Hearing and to Reissue Temporary Restraining Order*.

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 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 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 that you own or possess.

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons with Disabilities and Response* (form MC-410). (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 items ①, ②, and ③ only.

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: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

Court fills in case number when form is filed.

Case Number:

② Restrained Person

Full Name: _____

Description:

Sex: M F Height: _____ Weight: _____ Date of Birth: _____
Hair Color: _____ Eye Color: _____ Age: _____ Race: _____
Home Address (if known): _____
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:

| <u>Full Name</u> | <u>Sex</u> | <u>Age</u> | <u>Household Member?</u> | <u>Relation to Protected Person</u> |
|------------------|------------|------------|--|-------------------------------------|
| _____ | _____ | _____ | <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.

④ Expiration Date

The court will complete the rest of this form.

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 e-mail, by text message, by fax, or by other electronic means.
 - (3) Take any action to obtain the person’s address or location. If this item (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 Guns or Other Firearms and Ammunition

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
 - (1) Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.

This is a Court Order.



(2) File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. *(You may use form CH-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.)*

c. The court has received information that you own or possess a firearm.

8 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 him or her, or reside in his or her 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.

9 Other Orders

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

Additional orders are attached at the end of this Order on Attachment 9.

To the Person in ① :

10 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 person in ① or his or her 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 10.

This is a Court Order.



11 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.

12 Number of pages attached to this Order, if any: _____

Date: _____

*Judicial Officer***Warnings and Notices to the Restrained Person in 2****You Cannot Have Guns or Firearms**

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition 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 guns or other firearms that you have or control as stated in item **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 item **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.
- 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 of Response 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 www.courts.ca.gov/forms. If you do not know how to prepare a declaration, you should see a lawyer.

This is a Court Order.

- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to 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 item 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, the orders must be enforced according to the following priorities (see Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must 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.

1 You may need to ask for a new court date if:

- You are the person asking for protection and are unable to have *Notice of Court Hearing* (form [CH-109](#)), and other papers served in time before the court date.
- You are the person to be restrained and making your first request to reschedule your court date.
- You have a good reason for needing a new court date. (The court may grant your request to reschedule your court date on a showing of good cause.)

2 What does form CH-115 do?

Use *Request to Continue Hearing* (form [CH-115](#)) to ask the court to reschedule your court date. If your court date is rescheduled and a *Temporary Restraining Order* (TRO; form [CH-110](#)) was granted, the TRO will be extended until the end of your new court date unless the court decides to modify or terminate it. “Extend” means to keep any temporary orders in effect until the new court date.

3 Follow these steps:

- Fill out all of form [CH-115](#).
- Fill out items ① and ② on *Order on Request to Continue Hearing* (form [CH-116](#)).
- The judge will need to review your papers. In some courts, you must give your papers to the clerk. Ask the court clerk for information on how you ask the judge to review your papers.
- After you turn in your forms as required by your local court, check with the clerk’s office to see if the judge approved (granted) your request to reschedule your court date.
- If the judge signed form [CH-116](#), you will have a new court date. If the judge did NOT sign the form, you should go to court at the date, time, and location on form [CH-109](#).
- Next, file both forms [CH-115](#) and [CH-116](#) with the clerk. The clerk will make up to three file-stamped copies for you. Keep at least one copy to bring to your court date.
- The other party must be served a copy of the court papers as described in item ⑥ on form [CH-116](#).
- Ask the person who serves the papers to complete a proof of service form and give it to you. If service was in person, use *Proof of Personal Service* (form [CH-200](#)). If service was by mail, use *Proof of Service—Civil* (form [POS-040](#)). Make two copies of the completed forms.
- File the completed and signed proof of service form with the clerk’s office before your court date.
- If the court reschedules your court date and extends the TRO to the new court date, the clerk will send the TRO to law enforcement. It will be entered into a statewide computer system that lets police know about the order so that it can be enforced.

4 Go to your court date

- Take at least two copies of your documents and filed forms to your court date. Include a filed proof of service form. “Documents” may include exhibits, declarations, and financial statements, and the court may enter them into evidence at its discretion.
- If you are the person seeking protection and you do not go to the court date, your TRO will expire at the end of your court date.
- If you are the person to be restrained and you do not go to your court date, the court can still make orders against you that can last for up to five years.

5 Need help?

Ask the court clerk about free or low-cost legal help that may be available in your county.

Clerk stamps date here when form is filed.

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

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

Fill in case number:

Case Number:**1 My Information**

a. My name is: _____

b. I am the:

- (1) **Protected party** (*skip to 2*).
- (2) **Restrained party** (*give your contact information below*).

Address where I can receive mail:

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

Address: _____

City: _____ State: _____ Zip: _____

My contact information (*optional*):

Telephone: _____ Fax: _____

Email Address: _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

2 Information About My Casea. The other party in this case is (*full name*): _____b. I have a court date currently scheduled for (*date*): _____**This is not a Court Order.**

3 Is a Temporary Restraining Order in effect?

- Yes. Date the order was made, if known: _____
Please attach a copy of the order if you have one.
- No.
- I don't know.

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

4 Why does the court date need to be rescheduled?

- a. I am the person asking for protection, and I need more time to have the restrained party personally served.
- b. I am the restrained party, and this is my first request to reschedule the court date.
- c. Other reason: _____

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

Date: _____

Type or print your name



Sign your name

Date: _____

Lawyer's name, if you have one



Lawyer's signature

This is not a Court Order.

Clerk stamps date here when form is filed.

Complete items 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 *Temporary Restraining Order* (form CH-110) already granted stays in full force and effect until the next court date.

(2) 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 ④–⑧ for more information.

New Court Date →

Date: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court, if different from above:

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

Fill in case number:

Case Number:

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 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:

- | | | |
|--|--|---|
| <p>a. <input type="checkbox"/> Protected party</p> <p>(1) <input type="checkbox"/> 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.</p> <p>(2) <input type="checkbox"/> 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 <i>(date)</i>: _____</p> <p>(3) <input type="checkbox"/> You must have the restrained party served with a copy of this order. This can be done by mail. You must serve by <i>(date)</i>: _____</p> <p>(4) <input type="checkbox"/> Other: _____ _____ _____ _____</p> | <p>b. <input type="checkbox"/> Restrained party</p> <p>(1) <input type="checkbox"/> 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.</p> <p>(2) <input type="checkbox"/> You must have the protected party personally served with a copy of this order by <i>(date)</i>: _____</p> <p>(3) <input type="checkbox"/> You must have the protected party served with a copy of this order. This can be done by mail. You must serve by <i>(date)</i>: _____</p> <p>(4) <input type="checkbox"/> Other: _____ _____ _____ _____</p> | <p>c. <input type="checkbox"/> Court</p> <p>(1) <input type="checkbox"/> Further notice is not required.</p> <p>(2) <input type="checkbox"/> The court will mail a copy of this order to all parties by <i>(date)</i>: _____</p> <p>(3) <input type="checkbox"/> Other: _____ _____ _____ _____</p> |
|--|--|---|

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 **Other Orders**

Date: _____

Judicial Officer



Request for Accommodations

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

Instructions to Clerk

If the hearing is rescheduled 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 *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.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

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 guns as long as the order is in effect

Who can ask for a civil harassment restraining order?

A person who is worried about safety because he or she has been or is 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 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 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. You can get the forms from legal publishers or on the Internet at www.courts.ca.gov. 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 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 of Response 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 go to the court hearing?

Yes. You should go to court on the date listed on Form CH-109, *Notice of Court Hearing*. If you do not go to the hearing, the judge can make orders against you without hearing from you.

CH-109 Notice of Court Hearing Clerk stamps date here when form is filed.

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 e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail 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):

Name and address of court if different from above: _____

Hearing Date: _____ Date: _____ Time: _____

Dept.: _____ Room: _____

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.)

Judicial Council of California, www.courts.ca.gov
Revised July 1, 2014, Mandatory Form
Code of Civil Procedure, § 527.6
Approved by DOJ **Notice of Court Hearing
(Civil Harassment Prevention)** CH-109, Page 1 of 3 →



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 him or her 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. 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.

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 may have to pay a fee for the interpreter. If an interpreter is not available for your court date, bring someone to interpret for you. You should ask someone age 18 or older to interpret for you.

What if I have a gun?

If a restraining order is issued, you cannot own, possess, or have a gun, other firearm, or ammunition while the order is in effect. If you have a gun or other firearm in your immediate possession or control, you must sell it to or store it with a licensed gun dealer, or turn it in to a law enforcement agency.

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

No. Once the order is issued, only the judge 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 am deaf or hard of hearing?

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

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

Court fills in case number when form is filed.

Case Number:

Present your response and any opposition at the hearing. Write your hearing date, time, and place from form CH-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.

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

- Read *How Can I Respond to a Request for Civil Harassment Restraining Orders?* (form CH-120-INFO) to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—**not you**—serve the person in ① or his or her lawyer by mail with a copy of this form and any attached pages. (*Use form CH-250, Proof of Service of Response by Mail.*)

① Person Seeking Protection

Full name of person seeking protection (*see form CH-100, item ①*):

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 e-mail.*)

Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-mail Address: _____

③ Personal Conduct Orders

- a. I agree to the orders requested.
b. I do not agree to the orders requested. (*Specify why you disagree in item ⑪ on page 3.*)
c. I agree to the following orders (*Specify below or in item ⑪ on page 3.*)

④ Stay-Away Orders

- a. I agree to the orders requested.
b. I do not agree to the orders requested. (*Specify why you disagree in item ⑪ on page 3.*)
c. I agree to the following orders (*specify below or in item ⑪ on page 3.*):

⑤ Additional Protected Persons

- a. I agree that the persons listed in item ③ of form CH-100 may be protected by the order requested.
b. I do not agree that the persons listed in item ③ of form CH-100 may be protected by the order requested.



6 Guns or Other Firearms and Ammunition

If you were served with form CH-110, *Temporary Restraining Order*, you cannot own or possess any guns, other firearms, or ammunition. (See item 7 of form CH-110.) You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control within 24 hours of being served with form CH-110. You must file a receipt with the court. You may use form CH-800, *Proof of Firearms Turned In, Sold or Stored*, for the receipt.

- a. I do not own or control any guns or firearms.
- b. I ask for an exemption from the firearms prohibition under Code of Civil Procedure section 527.9(f) because carrying a firearm is a condition of my employment, and my employer is unable to reassign me to another position where a firearm is unnecessary. (Explain):
 - Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 6b—Firearms Surrender Exemption" as a title. You may use form MC-025, Attachment.

- c. I have turned in my guns and firearms to the police or sold them to or stored them with a licensed gun dealer. A copy of the receipt is attached. has already been filed with the court.

7 Possession and Protection of Animals

- a. I agree to the orders requested.
- b. I do not agree to the orders requested. (Specify why you disagree in item 11 on page 3.)
- c. I agree to the following orders (specify below or in item 11 on page 3):

8 Other Orders

- a. I agree to the orders requested.
- b. I do not agree to the orders requested. (Specify why you disagree in item 11 on page 3.)
- c. I agree to the following orders (specify below or in item 11 on page 3):

9 Denial

I did not do anything described in item 7 of form CH-100. (Skip to 11.)



10 **Justification or Excuse**

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

Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 10—Justification or Excuse" as a title. You may use form MC-025, Attachment.

11 **Reasons I Do Not Agree to the Orders Requested**

Explain your answers to each order 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 11—Reasons I Disagree" as a title. You may use form MC-025, Attachment.



12 **No Fee for Filing**

- a. I request that I not be required to pay the filing fee because the person in **1** claims in form CH-100 item **13** to be entitled to free filing.
- b. I request that I not be required to pay the filing fee because I am eligible for a fee waiver. (*Form FW-001, Request to Waive Court Fees, must be filed separately.*)

13 **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 the attached sheet of paper and write "Attachment 13—Lawyer's Fees and Costs" for a title. You may use or form MC-025, Attachment.*
- b. I ask the court to deny the request of the person asking for protection that I pay his or her lawyer's fees and costs.

14 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

Civil Harassment Restraining Order After Hearing

Clerk stamps date here when form is filed.

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

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: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

Court fills in case number when form is filed.

Case Number:

② Restrained Person

Full Name: _____

Description:

Sex: M F Height: _____ Weight: _____ Date of Birth: _____
Hair Color: _____ Eye Color: _____ Age: _____ Race: _____
Home Address (if known): _____
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 orders indicated below:

| Full Name | Sex | Age | Lives with you? | How are they related to you? |
|-----------|-------|-------|--|------------------------------|
| _____ | _____ | _____ | <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.

④ Expiration Date

This Order, except for any award of lawyer's fees, expires at

Time: _____ a.m. p.m. midnight on (date): _____

If no expiration date is written here, this Order expires three years from the date of issuance.

This is a Court Order.



5 Hearing

- a. There was a hearing on *(date)*: _____ at *(time)*: _____ in Dept.: _____ Room: _____
(Name of judicial officer): _____ made the orders at the hearing.
- b. These people were at the hearing:
 - (1) The person in ①. (3) The lawyer for the person in ① *(name)*: _____
 - (2) The person in ②. (4) The lawyer for the person in ② *(name)*: _____
 - Additional persons present are listed at the end of this Order on Attachment 5.
- c. The hearing is continued. The parties must return to court on *(date)*: _____ at *(time)*: _____.

To the Person in ②:

The court has granted the orders checked 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.

6 Personal Conduct Orders

- 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 e-mail, by text message, by fax, or by other electronic means.
 - (3) Take any action to obtain the person’s address or location. If this item (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 6a(4).

7 Stay-Away Orders

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

| | |
|---|---|
| (1) <input type="checkbox"/> The person in ① . | (7) <input type="checkbox"/> The place of child care of the children of the person in ① . |
| (2) <input type="checkbox"/> Each person in ③. | |
| (3) <input type="checkbox"/> The home of the person in ① . | (8) <input type="checkbox"/> The vehicle of the person in ① . |
| (4) <input type="checkbox"/> The job or workplace of the person in ①. | (9) <input type="checkbox"/> Other <i>(specify)</i> : _____ _____ _____ _____ |
| (5) <input type="checkbox"/> The school of the person in ① . | |
| (6) <input type="checkbox"/> The school of the children of the person in ①. | |
- b. This stay-away order does not prevent you from going to or from your home or place of employment.

This is a Court Order.



8 No Guns or Other Firearms and Ammunition

- a. **You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.**
- b. If you have not already done so, you must:
 - Within 24 hours of being served with this Order, sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control.
 - File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. *(You may use form CH-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.)*
- c. The court has received information that you own or possess a firearm.
- d. The court has made the necessary findings and applies the firearm relinquishment exemption under Code of Civil Procedure section 527.9(f). Under California law, the person in (2) is not required to relinquish this firearm *(specify make, model, and serial number of firearm(s))*: _____

The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment. Even if exempt under California law, the person in (2) may be subject to federal prosecution for possessing or controlling a firearm.

9 Lawyer's Fees and Costs

The person in ___ must pay to the person in ___ the following amounts for

- lawyer's fees
- costs:

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

Additional items and amounts are attached at the end of this Order on Attachment 9.

10 Possession and Protection of Animals

- 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 him or her, or reside in his or her 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.

11 Other Orders (specify):

Additional orders are attached at the end of this Order on Attachment 11.

This is a Court Order.



To the Person in ①:**12 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 person in ① or his or her 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 12.

13 Service of Order on Restrained Person

- a. The person in ② personally attended the hearing. No other proof of service is needed.
- b. The person in ② did not attend the hearing.
 - (1) Proof of service of form CH-110, *Temporary Restraining Order*, was presented to the court. The judge's orders in this form are the same as in form CH-110 except for the expiration date. The person in ② must be served with this Order. Service may be by mail.
 - (2) The judge's orders in this form are different from the temporary restraining orders in form CH-110. Someone—but not anyone in ① or ③—must personally serve a copy of this Order on the person in ②.

14 No Fee to Serve (Notify) Restrained Person

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

This is a Court Order.



Warning and Notice to the Restrained Person in 2:**You Cannot Have Guns or Firearms**

Unless item 8d is checked, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition 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 guns or other firearms that you have or control as stated in item 8 above. The court will require you to prove that you did so.

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, and the restrained person was not present at the court hearing, 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 and *ends* on the expiration date in item 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 it, 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 at the restraining order hearing or 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 and the restrained person was not present at the court hearing, 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 orders can be changed only by another court order. (Pen. Code, § 13710(b).)

This is a Court Order.

Conflicting Orders—Priorities of Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: *(See Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b).)*

1. *EPO*: If one of the orders is an *Emergency Protective Order* (form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family, Juvenile, or Civil Order*: If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Clerk's Certificate
[seal]

(Clerk will fill out this part.)

—Clerk's Certificate—

I certify that this *Civil Harassment Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.



Can I keep information about a minor confidential?

Yes. In a civil harassment restraining order case, you can ask a judge to make information about a minor confidential. Confidential means that the public is unable to see the information, because the information is kept private. This is important because most papers in your court case are available for the public to see. This means anyone can view information on your papers, including information about a minor. If the judge grants your request, the public will not be able to see the minor's information on your paperwork.

Who can make this request?

Several people can make this request, including a minor's parent or legal guardian.



Any minor protected by a restraining order can make this request, as well. Also, any person, including a minor, who is the accused person in a case may make this request.

A minor can make this request without the help of an adult. This depends on the minor's age, though. If the minor is 12 years old or younger, the judge may want an adult to help the minor make this request.

For more information on who can make this request, contact your local self-help center or a lawyer.

What information can I ask the judge to make confidential?

A judge can make any information about a minor confidential. That means that you can ask to make confidential the minor's name, address, and any statements about what the minor experienced or witnessed.

If you want to protect the minor's address only, you do not have to make this request. Instead, you can use a different address on your restraining order request, such as a mailing address that is not where the minor lives, a P.O. box, or someone else's address. If you use someone else's address, be sure to get their permission first.

Whatever address you use, make sure you will get your mail regularly. This is important, because the address you use is the address the court and other party will use to send you papers for your case.

Does this request cost money?

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

If you cannot afford to pay the filing fee, ask the court clerk how to apply for a fee waiver. You will need to fill out [form FW-001](#).

If the protective order is based on prior acts of violence, a credible threat of violence, or stalking, the sheriff or marshal must serve your order for free. 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 must pay the sheriff or marshal to serve the order.

I need an interpreter. How can I get help?



You may use [form INT-300](#) to request an interpreter. Ask court staff for information.

I have a disability. How can I get help?

You may use [form MC-410](#) to request assistance. Contact the disability/ADA coordinator at your local court for more information.

Do I need a lawyer to make this request?

No, but this type of request can be hard to get through on your own. Free help may be available at your local court's self-help center. (See below.)

Where can I find a self-help center?



Find your local court's self-help center at www.courts.ca.gov/selfhelp. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case.



Where can I find other help?

For safety tips or other help, call or visit the following hotlines online:

National Human Trafficking Hotline, 1-888-373-788; TTY: 711; www.humantraffickinghotline.org

National Sexual Assault Hotline, 1-800-656-4673, www.rainn.org

Stalking Hotline, 1-855-484-2846, www.victimconnect.org/statistics/stalking/

What do I have to do to make information about a minor confidential?**Step 1: Complete the forms.**

You will need to complete these forms to make your request:

[Form CH-160](#)

[Form CH-165](#) (complete items 1 and 2 only)

You can find these forms online at www.courts.ca.gov/forms.

▶ See tips to complete the forms.

To request a restraining order, you need to complete different forms. See form [CH-100-INFO](#) for a list of forms you need to complete to request a restraining order.



You can use these steps as a checklist.

Step 2: Take the forms to your court clerk to file.

Find out which courthouse to take your forms to by calling your local court or searching online at www.courts.ca.gov/find-my-court.htm.

Step 3: Understand the judge's order.

The judge will write your orders on [form CH-165](#). The judge will **grant** or **deny** your request.

▶ See page 3 for what this means.

Step 4: Give court papers to other parties.

In some cases, you will need to have your server give court papers to the other parties in your case. This process is called service.

▶ See page 4 for tips to complete service.

**Tips for Step 1: Complete the forms.**

I only want to protect the minor's address. If you only want to protect the minor's address, you do not have to make this request. See "What information can I ask the judge to make confidential?" on page 1 for more information.

I want to protect more than one minor. Only an adult who is the minors' parent or legal guardian may make a request to protect more than one minor's information.

I want to give the minor's school or others copies of court orders from this case. If the court grants your request to make information regarding a minor confidential, you may want to ask the court for permission to give other people copies of certain documents in your case. You can make this request at item 9 on form CH-160.

My right to cancel my restraining order request: You have the right to cancel your request for a restraining order if the judge does not grant your request to make information confidential. This right only applies if you are asking for a restraining order at the same time as your request to make information confidential. To cancel your request for a restraining order, check the box on [form CH-160](#), item 7a, and item 8d(1), if it applies.



If you cancel your restraining order request, you will **not** receive a civil harassment restraining order at this time.

If, **after** canceling your request for a restraining order, you want to ask for a restraining order based on the same facts, you must start the process over. See form [CH-100-INFO](#) for more information.



► **Tips for Step 3:
Understand the judge's order.**



Look at [form CH-165](#) to see what the judge decided.

 **What if the judge granted my request?**

Look closely at [form CH-165](#), items 7 and 8, to see what information the judge made confidential in your case. If the judge granted your request to keep information confidential, the information the judge decided to keep confidential will not be available to the public. The information will be available only to the parties in the case.

At times, the judge may make information confidential from the other party in your case. If this happens, the judge will complete item 8 on [form CH-165](#).

Now, take a close look at item 10 on [form CH-165](#). This tells you who is responsible for redacting the information on your paperwork and the deadline for filing it with the court.

Redacting means to hide (blacken or whiten out) information so it cannot be seen. If the judge makes you responsible for redacting the information, your local self-help center may be able to help you.

 **What if the judge did not grant (denied) my request?**

This means that if you move forward with your case, the minor's information will not be confidential. This is important because anyone can go to your local courthouse and ask to see the documents you filed in this case.

If the judge does not grant your request, you may have other legal options available to you. Visit your local court's self-help center or talk with a lawyer.

► **What if I asked to cancel my restraining order request?**

If you checked box 7a or 8d(1) on [form CH-160](#) and the judge denied your request, the paperwork you turned in with this request will not be available to the public, except for page 1 of [form CH-165](#). This includes [form CH-100](#) and any proposed order forms. The court will either return these forms to you, destroy them, or delete them from its records unless you give the court permission to file the forms.

► **What if I file documents with the court in the future?**



If you file documents with the court in the future, be sure to use [form CH-175](#) as a cover sheet and follow the instructions at the top of the form.

Is there a penalty for disclosing confidential information?

Misusing or giving out confidential information can result in the court ordering you to pay up to \$1,000 or other court penalties. You will not be penalized if you:

- Give information to police to help them enforce the judge's orders; or
- If you are the minor who has claimed harassment, violence, or threats of violence.



► **Tips for Step 4: Give court papers to all parties in your case.**

In some cases, the judge will order you to serve your court papers. Look at [form CH-165](#) to see what the judge decided.



What did the judge decide in your case?

The judge **granted** my request to keep some of the minor's information confidential.

**Your papers must be served.
Follow steps 1–5 below.**

The judge **denied** (did not grant) my request to keep some information confidential. I did not cancel my request for a restraining order. The **case is still open**.

**If this is your situation, forms CH-160 and CH-165 must be served by mail or in person.
Follow steps 3–5 below.**

The judge **denied** (did not grant) my request to keep some information confidential. I **canceled** my request for a restraining order and there is **no other issue** in this case for a judge to decide on.

**Your papers do not need to be served.
You may stop here.**

Step 1: Find out which papers you need to serve.

The judge will check which papers you need to serve to the other parties in your case on [form CH-165](#), item 13.

Step 2: Find out whether you need to serve the other parties personally or by mail.

The judge will check how you need to serve your court papers to the other parties in your case on [form CH-165](#), item 13.

If the judge checks item 13a, you will need to have your server personally serve (give) your court papers to the other parties in your case.

If the judge checks item 13b, you will need to have your server mail your court papers.

Step 3: Choose a server.

The person who serves your papers is called a server. Your server must be at least 18 years old, not protected by the restraining order, and not involved in your case.

You are not allowed to serve your own court papers.



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

A sheriff or marshal will serve your court papers for free. Another option is a process server.

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

Step 4: Have your server give your court papers to all parties

For personal service, give your server your court papers as well as [form CH-200](#).

For service by mail, give your server your court papers as well as [form PS-030](#).

Step 5: File proof with the court.

The court needs proof that your papers were served. After your server completes [form CH-200](#) or form [POS-030](#), take it to the court to file in your case.

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

For more information, read [form CH-200-INFO](#) or ask your local court's self-help center for help.

When do I use this form?

Complete this form if you want the court to keep information about a minor in a civil harassment restraining order proceeding confidential and not available to the public or the restrained person. If you only want to keep your home address confidential, you may use a mailing address on your other forms rather than using this form.

What if there is information I don't want the restrained person to have?

You can make this request at item **(8)** if you want to ask the court to keep information confidential from the restrained person. If the court grants your request to keep certain information confidential from the restrained person, the information will have to be redacted (whited or blacked out) from all forms before the restrained person gets a copy. But be aware that if the court denies your request, the information may be provided to the restrained person.

Who will see this form?

The public will NOT have access to this form.
The restrained person will have access to the entire form unless the court grants the request made in item **(8)** below.

Clerk stamps date here when form is filed.

Fill in court name and street address:

**Superior Court of California, County of
TRINITY**
11 Court Street
PO Box 1258
Weaverville, CA 96093

Court fills in case number when form is filed.

Case Number:

1 Parties in This Case

a. Person who requested restraining order (form CH-100, item **(1)**):

Full Name: _____

b. Person to be restrained (form CH-100, item **(2)**):

Full Name: _____

2 Person Making Request for Confidentiality

a. Full Name: _____

b. I am:

(1) The minor requesting confidentiality.

(2) The parent legal guardian of the minor or minors listed below.

List all the minors that you are making the request for:

Name: _____

Name: _____

Name: _____

Name: _____

Check here if there are additional minors. Attach a sheet of paper and write "Attachment 2b(2)—
Additional Minors" for a title.

This is not a Court Order.



3 Contact Information

Address where you can receive mail

! This address will be used by the court and the person in **(2)** to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address, if you have their permission. If you have a lawyer, give your lawyer's address and contact information.

Address: _____

City: _____ State: _____ Zip: _____

Your contact information (optional)

Telephone: _____ Fax: _____

E-mail address: _____

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

Name: _____ State Bar No.: _____

4 Requests for More Than One Minor (ONLY for parents or legal guardians)

I am making this request for two or more minors.

- a. The information I want confidential (as checked in item **(5)**) is the SAME for all minors.
- b. The information I want confidential (as checked in item **(5)**) is NOT the same for all minors.

*If you checked 4b, make sure you list all the information you want confidential for each minor in **(5)**. If you need more space in **(5)**, attach a separate piece of paper.*

5 Information to Be Kept Confidential From the Public

I want the information checked below to be made confidential and NOT available to the public.

(Check all that apply:)

- a. **Minor's name**

(Note: If your request is granted, the public will not have access to the minor's name in this case, but law enforcement must be given this information.)

- b. **Minor's address**

(Note: You do NOT have to make this request if you use a mailing address that does not need to be kept confidential. Use that mailing address on all forms in this case and any other civil case.)

The address I want kept confidential is:

This is not a Court Order.



c. **Information relating to the minor**

! (Note: If information relating to the minor is made confidential by the court, the public will not have access to this information but the restrained person must be given the information that is necessary to comply with the restraining order and to respond to the restraining order request. Also, the court may give permission to release confidential information in this case to other people like the minor's childcare provider or school, or anyone who needs the information to protect the minor's best interest or to prevent harassment.)

Describe all information in the documents that will be filed that you want kept confidential.

You may either (*check one*):

- (1) Attach a copy of form CH-100 or other document that you are filing. Circle all the information you want kept confidential.
- (2) List the information below, identifying the location of the statements in form CH-100 or other document that you are filing.

| Location of Information <i>(for example, form #, page #, paragraph #, line #, attachment #, or exhibit #)</i> | Information to Be Redacted <i>(not viewable by the public)</i> |
|---|--|
| | |

Check here if there is not enough space for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 5c(2)" for a title.

(a) _____

(b) _____

(c) _____

(d) _____

This is not a Court Order.



6 Reasons for Request

To approve your request in 5, the court must expressly find all of the following:

- The minor's right to privacy overcomes the right of the public access to the information;
- There is a substantial probability that the minor's interest will be prejudiced if the information is not kept confidential;
- The order to keep the information confidential is narrowly tailored; and
- No less restrictive means exist to protect the minor's privacy.

Use these four requirements to help you answer the questions below.

a. Why should the information about the minor provided in item 5 be kept private or confidential?

Check here if there is not enough space for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 6a" for a title.

b. What do you think would happen if the information is NOT made private or confidential?

Check here if there is not enough space for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 6b" for a title.

This is not a Court Order.



(Skip items 7 and 8 if you are **not** the person requesting the restraining order.)

7 If any portion of the request for confidentiality from the public (item 5) is denied, I want to (check one):

a. **Cancel my request for restraining order**

I ask the court NOT to make a decision on my *Request for Civil Harassment Restraining Orders* (form CH-100). I understand that canceling my request means that I will not receive a restraining order at this time. (Note: You may file a request on the same or different facts at a later date.)

b. **Move forward with my request for restraining order**

I ask the court to make a decision on my *Request for Civil Harassment Restraining Orders* (form CH-100). (Note: Choosing this option means that the information in your completed form CH-100 and other court papers in this case will be available to the public and must be seen by the restrained person.)

8 **Information to Be Kept Confidential From the Restrained Person**

(Note: The restrained person must be given information necessary to comply with the restraining order and to respond to the restraining order request.)

I do not want the restrained person to have access to some of the information checked in item 5.

a. What information do you want to be confidential and not given to the restrained person?

(1) Minor's name

(2) Minor's address

(3) Other information relating to the minor from item 5 (specify): _____

Check here if there is not enough space for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 8a(3)" for a title.

b. Why should the information listed in 8a be kept confidential and not given to the restrained person?

c. What do you think would happen if the information listed in 8a is given to the restrained person?

Check here if there is not enough space for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 8" for a title.

This is not a Court Order.



d. If any portion of the request for confidentiality from the restrained person (item 8) is denied, I want to:

(1) **Cancel my request for restraining order**

I ask the court NOT to make a decision on my *Request for Civil Harassment Restraining Orders* (form CH-100). I understand that canceling my request means that I will not receive a restraining order at this time. (Note: You may file a request on the same or different facts at a later date.)

(2) **Move forward with my request for restraining order**

I ask the court to make a decision on my *Request for Civil Harassment Restraining Orders* (form CH-100). (Note: Choosing this option means that all of the information in your completed form CH-100 must be seen by the restrained person.)

9 People I Want to Have Access to Confidential Information

(Note: If you want other people to have unredacted copies of restraining order forms in this case, you should complete this item.)

a. If my request in item 5 is granted, I want to be allowed to give the following people or entities (check all that apply):

(1) Minor's school and after-school program

(2) Minor's childcare provider

(3) Supervised visitation provider

(4) Other (name): _____

b. copies of documents in this case with the following information (check all that apply):

(1) Minor's name

(2) Minor's address

(3) Information listed in item 5c.

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

11 Signature

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

Date: _____

Type or print your name



Sign your name

12 Lawyer's Signature (skip if you do not have one)

Date: _____



Lawyer's sign

This is not a Court Order.

Clerk stamps date here when form is filed.

- CONFIDENTIAL
- PUBLIC VERSION (REDACTED)

1 Parties in This Case

- a. Person who requested restraining order (form CH-100, item 1):
Full Name: _____
- b. Person to be restrained (form CH-100, item 2):
Full Name: _____

Fill in court name and street address:

Superior Court of California, County of TRINITY
 11 Court Street
 PO Box 1258
 Weaverville, CA 96093

2 Person Making Request for Confidentiality

Full Name: _____

(Court will complete item 3 if request is denied or items 4–13 if request is granted or partially granted.)

Court fills in case number when form is filed.

Case Number:

3 Court Denied Request or More Information Needed

Instructions to Clerk: If item 3 is checked, file page 1 in a public file and discard pages 2–6.

- a. **Denied.** The request to keep information of a minor or minors confidential is denied.
 - (1) **The court will NOT make a decision on the Request for Civil Harassment Restraining Order (form CH-100).** The request for restraining order and proposed order forms must be returned to the requester personally, destroyed, or deleted from electronic files and not filed with the court unless the person requesting the restraining order agrees to file them without any changes.
 - (2) **The court will make a decision on the Request for Civil Harassment Restraining Order (form CH-100).** The request for restraining order and any accompanying orders will be filed in the public file.
- b. **More information is needed for court decision.** You must go to court on the date and time below. At the court date, you must provide more information on why you need the court to make information confidential.

| | | |
|---------------------|---|--|
| Hearing Date | Date: _____ Time: _____ Dept.: _____ Room: _____ | Name and address of court if different from above: _____ _____ |
|---------------------|---|--|

- c. If item 3 is checked, only this page of this order form will be issued. All other pages may be discarded.

Date: _____

Judge (or Judicial Officer)

This is a Court Order.



Court will complete the rest of this form if the request is partially or fully granted.

4 **Court Granted Request**

- a. **Granted in full.** The request to keep the information of a minor or minors confidential is granted in full. Details of the order are stated below in items 5–12.
- b. **Partially granted.** The request to keep the information of a minor or minors confidential is granted only in part. Details of the order are stated below in items 5–12.

5 **Findings**

- The court finds all of the following (*all of these findings are required if granting in full or in part*):
 - a. The right to privacy of the minors listed in item 6 overcomes the public's right of access to the information;
 - b. There is a substantial probability that the interests of the minors listed in item 6 will be prejudiced if the information is not kept confidential;
 - c. The order is narrowly tailored; and
 - d. No less restrictive means exist to protect the privacy of the minors in item 6.

6 **Minors Subject to This Order**

This order protects the information listed in item 7 for the following minors:

- a. Name: _____
- b. Name: _____
- c. Name: _____
- d. Name: _____

Check here if there are additional minors. Attach a sheet of paper and write "Attachment 6—Additional Minors" for a title.

References in this order to "the minor" refer to all minors listed here.

7 **Information to Be Kept Confidential From Public**

WARNING: Unless authorized by the court or by law, if the information listed below is misused or disclosed to anyone other than law enforcement you may be sanctioned up to \$1,000 or face other court penalties. See Code of Civil Procedure section 527.6(v)(3) for the limited situations in which disclosures can be made without a court order.

The following information must be kept confidential and not viewable by the public. (*Check all that apply.*)

a. **Name of minor**

True name of minor in item 6
(to be kept confidential)

Initials viewable by the public
(to be used in redacted version)

| | |
|-------|-------|
| _____ | _____ |
| _____ | _____ |
| _____ | _____ |

This is a Court Order.



b. **Address of minor**

The following addresses of the minors listed in item ⑥ must be redacted and must not be viewable by the public:

c. **Information relating to minor (check one):**

(1) The information CIRCLED in the attached copy of form CH-100 or other document or form is made confidential by this order.

(2) The information below is made confidential by this order:

| Location of Information <i>(for example, form #, page #, paragraph #, line #, attachment #, or exhibit #)</i> | Information to Be Redacted <i>(not viewable by the public)</i> |
|---|--|
|---|--|

(a) _____

(b) _____

(c) _____

(d) _____

Check here if there is not enough space for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 7c(2)" for a title.

d. **Other:**

This is a Court Order.



8 Information to Be Kept Confidential From the Restrained Person

The restrained person (*full name*), _____, will have access to the following information checked in item **7** to comply with the protective order and prepare a response:

- a. All the information, unredacted.
- b. All the information except for the following:

Check here if there is not enough space for your answer. Put your complete answer on an attached sheet of paper, and write "Attachment 8b" for a title.

9 People Who May Have Access to Unredacted Court Documents

a. The minor's (*check all that apply*):

- (1) School and after-school program
- (2) Minor's childcare provider
- (3) Supervised visitation provider
- (4) Other (*name*): _____

b. may be given copies of unredacted documents from this case with the following information:

- (1) Minor's name
- (2) Minor's address
- (3) Minor's information listed in item 7c.

c. Law enforcement may have access to any information in this case that is necessary to enforce the restraining order.

This is a Court Order.



10 Responsibility for Redacting All Forms and Documents

- a. All forms and documents submitted with the request for confidentiality **must be redacted and filed with the court** no later than *(number of court days or date)* _____ by the:
- (1) Court
 - (2) Person making the request
 - (3) Other _____
- b. The redacted documents must be filed in a public file and the unredacted documents must be filed in a confidential file.

11 Court Records and Hearings

The information listed in item **7** must NOT be disclosed by the court in any:

- a. Registers of actions, indexes, court calendars, court transcripts, or minute orders in this case, or any civil case with the same parties, in the State of California.
- b. Future court hearings, including any documents introduced during a hearing in this case, or any civil case with the same parties, in the State of California.

12 To All Parties

- a. The information made confidential by this order must NOT be made public in this case, or any other civil case with the same parties in the State of California.
- b. If you file a document in this case or any case noted above in 12a that includes information listed in item **7**, you must attach *Cover Sheet for Confidential Information* (form CH-175) to the front, and include a copy of this order if there is not already one in the case.

This is a Court Order.



13 To the Person Making the Request for Confidentiality

You must do the following:

- a. Have a copy of each form listed in item c below **personally served** on (given to) the restrained person.
(See form CH-200-INFO to find out how to meet this requirement. Personal service is required when the protected person is making this request and when forms CH-100, CH-109, and CH-110 have NOT been served on the restrained person.)
- b. Have a copy of each form listed in item c mailed to the:
- (1) Restrained person
 - (2) Protected person
 - (3) Other: _____
(See form [POS-030](#), Proof of Service by First-Class Mail - Civil, to find out how to meet this requirement.)
- c. Forms to serve:
- (1) Form CH-170, *Notice of Order Protecting Information of Minor*
(Form CH-170 should be the first page with all other forms stapled behind it.)
 - (2) Form CH-100, *Request for Domestic Violence Restraining Order*
 - (3) Form CH-109, *Notice of Court Hearing*
 - (4) Form CH-110, *Temporary Restraining Order*
 - (5) Form CH-160, *Request to Keep Minor's Information Confidential*
 Unredacted Redacted (if item 8b on CH-165 is checked)
 - (6) Form CH-165, *Order on Request to Keep Minor's Information Confidential*
 Unredacted Redacted (if item 8b on CH-165 is checked)
 - (7) Form CH-175, *Cover Sheet for Confidential Information* (leave blank)
 - (8) Other: _____

Date: _____

*Judge (or Judicial Officer)***Instructions to Clerk**

1. The originals of all unredacted documents containing the information checked in item ⑦ must be kept in a confidential file and must NOT appear in any **register of action, calendar, index, minute order, or transcript** in this case, or any civil case with the same parties, in the State of California.
2. For any copies provided that include confidential information, use *Notice of Order Protecting Information of Minor* (form CH-170) as a cover sheet for each set of forms.
3. Any information listed in item 8b must not be available to the restrained person and must be filed in a confidential file.

This is a Court Order.

Clerk stamps date here when form is filed.

1 Confidential Information

The court has made some information in this case confidential. Details of the order for confidentiality are in form CH-165, *Order on Request to Keep Minor's Information Confidential*. Confidential information may be given **only** to law enforcement to enforce the restraining order.

Fill in court name and street address:

Superior Court of California, County of
TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

(Court fills in this case number when form is filed.)

Case Number:

Instructions to Clerk

When providing copies of unredacted filed documents to any party, you must attach this cover sheet on top of the document or set of documents. Complete item ② to indicate the forms that are attached.

2 Documents Attached to This Notice

The following documents contain confidential information:

- a. Form CH-100, *Request for Civil Harassment Restraining Orders*
- b. Form CH-109, *Notice of Court Hearing*
- c. Form CH-110, *Temporary Restraining Order*
- d. Form CH-130, *Civil Harassment Restraining Order After Hearing*
- e. Form CH-160, *Request to Keep Minor's Information Confidential*
- f. Form CH-165, *Order on Request to Keep Minor's Information Confidential*
- g. Form CH-175, *Cover Sheet for Confidential Information* (leave blank)
- h. Other: _____

3 Filing Documents

If you file any document that contains any confidential information in this case or other civil case with the same parties, **you MUST also use form CH-175 as a cover sheet**. See form CH-165, item ⑦, for all information made confidential by the court.

4 To person receiving this notice:

Unless authorized by the court or by law, **you may be sanctioned up to \$1,000 or face other court penalties** if you misuse or disclose the information that is confidential in this case to anyone other than law enforcement. See Code of Civil Procedure section 527.6(v)(3) for the limited situations in which disclosures can be made without the court's permission.

Clerk stamps date here when form is filed.

Instructions

Use this cover sheet:

When information about a minor has been made confidential (granted on form CH-165, *Order on Request to Keep Minor's Information Confidential*, **and** you want to file a document or form that includes confidential information (*see form CH-165, item 7*).

How to use this cover sheet

- Make **two copies** of the documents you want to file.
- Complete this form, place it on top of the documents (both copies) you want to file, and file them with the court.

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

Fill in the case number:

Case Number:

Instructions to Clerk

- 1.** The court must review and approve a redacted version of documents attached to this cover sheet **before filing**.
- 2.** Once approved by the court, file the redacted version in a public file.
- 3.** File the unredacted version and this cover sheet in a confidential file.

1 Parties in This Case

- a. Person who filed the case:
(Name): _____
- b. Other party or parties:
(Name): _____

2 Information About the Order for Confidentiality

- a. The order was made in (*check one*):
 - (1) This case.
 - (2) Another civil case:
 - (a) Case number: _____
 - (b) County it was filed in: _____

Attach a copy of the order (form CH-165) if you have one.
- b. Minor protected by confidentiality order:
 - (1) Name: _____
 - (2) Name: _____
 - Check here if you need more space. Include the information on a separate piece of paper, write "Attachment 2" on the top, and attach it to this form.

3 I have attached two copies of the following documents:

- Form CH-_____
- Other form or document (*describe*): _____

4 Signature

Date: _____

Type or print your name



Sign your name

Check here if you are a lawyer.

Clerk stamps date here when form is filed.

Instructions**Who should complete this form?**

Use this form if you want to ask the court to give you information about a minor that has been made confidential in a civil harassment restraining order case. After you file this form with the court, the court will provide a copy of this request to the person who made the request to keep the minor's information confidential. That person will have an opportunity to disagree with your request before the court makes a decision on your request.

What do I do if I received a completed copy of this form?

The person in ② is asking the court for access to information that has been made confidential (see item ③ on page 2 of this form). If you do NOT agree with this request, complete and file *Response to Request for Release of Minor's Confidential Information* (form CH-178), by the deadline listed on form CH-177, item ④.

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

Fill in case number:

Case Number:**① Parties in This Case****a. Protected party (check one)**

- Name of protected party is: _____
- Name of protected party is confidential in this case.

b. Restrained party (check one)

- Name of restrained party is: _____
- Name of restrained party is confidential in this case.

② My Information

My full name is: _____

 I am applying on behalf of (*name of entity*): _____

Address: _____

City: _____ State: _____ Zip: _____

How do you know the minor? _____

My contact information (*optional*):

Telephone: _____ Fax: _____

E-Mail Address: _____

Lawyer's information (*skip if you do not have a lawyer*):

Name: _____ State Bar Number: _____

This is not a Court Order.

3 **My Request Involves One Minor**

I ask the court to release the confidential information checked below (*check all that apply*):

- a. Minor's name
- b. Minor's address
- c. Other information about the minor

(Please describe the information that you want released to you. For example, you can describe where the information is located by providing the form #, page #, and item # of where the information is located.)

Check this box if you need more space for your answer. Attach a piece of paper to this form and write "Attachment 3c" at the top.

4 **My Request Involves More Than One Minor**

a. The information I ask the court to release is the **same for all minors**.

- (1) Minors' names
- (2) Minors' address(es)
- (3) Other information about the minors

(Please describe the information that you want released to you. For example, you can describe where the information is located by providing the form #, page #, and item # of where the information is located.)

b. The information I ask the court to release is **not the same for all minors**.

(Please describe the confidential information that you want released to you by the court for each minor. If the minor's name was made confidential use the initials or name used by the court to identify each minor.)

Check this box if you need more space for your answer. Attach a piece of paper to this form and write "Attachment 4" at the top.

This is not a Court Order.



Clerk stamps date here when form is filed.

The court sent you this notice because someone has asked the court to release confidential information about a minor.

You have the right to tell the court if you disagree with the request to release confidential information. You have until the deadline listed below in item ④. For next steps, see the instructions on page 2.

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

Court fills in case number when form is filed.

Case Number:**① Parties in this case**a. Protected Party (*check one*):

- Name of protected party is: _____
- Name of protected party is confidential in this case

b. Restrained Party (*check one*):

- Name of restrained party is: _____
- Name of restrained party is confidential in this case

② Person asking for minor's confidential information

Full Name: _____ wants access to information that has been made confidential in this case. To see what information the person wants access to, see *Request for Release of Minor's Confidential Information* (form CH-176), which is included with this notice.

③ You are receiving this notice because:

- You are the minor who made the request to keep information confidential.
- You are the parent or legal guardian who made the request to keep minor's information confidential.

④ Deadline to disagree with request

The person in ③ has until (*date*) _____ to file a completed

Response to Request for Release of Minor's Confidential Information (form CH-178) with the court clerk. Form CH-178 is included with this notice.



—Clerk's Certificate—

[seal]

I certify that I am not a party to this case and that a true copy of the *Notice of Request for Release of Information* (form CH-177), blank copy of the *Response to Request for Release of Minor's Confidential Information* (form CH-178), *Cover Sheet for Confidential Information* (form CH-175), and a true copy of the *Request for Release of Minor's Confidential Information* (form CH-176) were mailed first class, postage fully prepaid, in a sealed envelope to the person in ③.

- a. Date of mailing: _____
(Instructions to clerk for item 4: The deadline is the first court business day after 20 days from the date of mailing.)
- b. Mailed from the courthouse listed on page 1.
- c. Mailed to the address of person in ③, provided to the court on Request to Keep Minor's Information Confidential (form CH-160), filed on (date) _____

Date: _____ Clerk, by _____, Deputy

Next Steps for person in ③

- Form CH-176**, *Request for Release of Minor's Confidential Information*, is included with this notice. Take a close look at it to see who made the request (item ②) and what confidential information the person is asking the court to release (page 2).
- A blank copy of form CH-178**, *Response to Request for Release of Minor's Confidential Information*, is also included with this notice. If you do not agree with the request to release confidential information, you must complete form CH-177 and file it with the court clerk by the deadline listed in item ④ on page 1 of this form CH-177. You can also find form CH-178 at www.courts.ca.gov/ch-178.pdf.
- After the judge makes a decision, you should receive a copy of the judge's order *Order on Request for Release of Minor's Confidential Information* (form CH-179). If you do not receive a copy of the judge's order, you can contact the court to get a copy.

Clerk stamps date here when form is filed.

 CONFIDENTIAL PUBLIC VERSION (REDACTED)**Instructions****When to use this form?**

If someone is asking the court for information about a minor that has been made confidential, you can use this form to let the court know if you agree or disagree with the request.

Who should use this form?

You should use this form if you are a minor, parent, or legal guardian who made a request to keep information confidential.

What do I need to complete and file this form?

You will need three documents that you should have received with this form:

- ▶ Form CH-176, *Request for Release of Minor's Confidential Information*;
- ▶ Form CH-177, *Notice of Request for Release of Minor's Confidential Information*; and
- ▶ Form CH-175, *Cover Sheet for Confidential Information*.

You will need to give the court form CH-175 and two copies of your completed form CH-178. Make sure you take these forms to the court for filing by the deadline listed on form CH-177.

Fill in court name and street address:

**Superior Court of California, County of
TRINITY**
11 Court Street
PO Box 1258
Weaverville, CA 96093

Fill in case number:

Case Number:**1 Parties in This Case****a. Protected party**

Name: _____

b. Restrained party

Name: _____

2 Information About the Request to Release Confidential Information

Name of person requesting minor's confidential information _____

*(person listed on form CH-176, item 2):***This is not a Court Order.**

3 My Information

a. Your name: _____

b. My contact information

! Address where I can receive mail:

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

Address: _____

City: _____ State: _____ Zip: _____

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

Name: _____

State Bar No.: _____

4 Do You Agree to the Request to Release Minor's Confidential Information?

a. **No, I do NOT agree to the request** and do not want the court to give any confidential information to the person listed in item **2** because: _____

This is not a Court Order.



b. **No, to some of the request.** I agree to the person listed in item ② having some information but do NOT want the person to have access to *(check everything that you do NOT want the person in ② to have)*:

- Minor's name
- Minor's address
- Other information about the minor

I do not want the person to have the information checked above because: _____

c. **Yes, I agree to the request** and want the court to give the person listed in ② all the confidential information they requested on form CH-176.

⑤ Serve the Person Making the Request

You must have your server mail a redacted copy of this form (with no confidential information) to the person listed in ②. Have your server complete form [POS-030](#), *Proof of Service by First-Class Mail--Civil*, after this form is mailed and file the completed form [POS-030](#) with the court.

⑥ Signature

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 your name

Sign your name

⑦ Lawyer's Signature *(skip if you do not have one)*

Date: _____

Lawyer's signature

This is not a Court Order.

Clerk stamps date here when form is filed.

- CONFIDENTIAL
- PUBLIC VERSION (REDACTED)

1 Parties in This Case

a. **Protected party** (check one):

- Name: _____
- Name is confidential in this case.

b. **Restrained party** (check one):

- Name: _____
- Name is confidential in this case.

2 Person Asking for Release of Minor's Confidential Information

Full Name: _____

On behalf of (name of entity): _____

(The court will complete item 3 if request is denied or items 4 - 9 if request is granted or partially granted.)

3 Court Denied Request or More Information Is Needed

a. **The court denies the request by the person in 2** to release minor's confidential information.

b. **The court needs more information before making a decision.**

The person in 2 must go to court on the date and time below to give more information why the court should release minor's confidential information.

| | | | | |
|-------------------|---|--------------|-------------|---|
| Court Date | → | Date: _____ | Time: _____ | Name and address of court, if different from above: |
| | | Dept.: _____ | Room: _____ | _____ |

c. The court will mail a copy of this order to the person who made the request to keep minor's information confidential.

d. If 3 is checked, only page 1 of this order will be issued. All other pages may be discarded.

Fill in court name and street address:

Superior Court of California, County of TRINITY
 11 Court Street
 PO Box 1258
 Weaverville, CA 96093

Fill in case number:

Case Number:

Instructions to Clerk

If item 3 is checked, file page 1 in a public file with all confidential information redacted, and discard pages 2-4. If item 4 is checked, file the original in a confidential file and a redacted copy in a public file.

Date: _____

Judicial Officer

This is a Court Order.



4 **Court Granted Request**

- a. The request made by the person in **2** is:
 - (1) Completely granted.
 - (2) Partially granted.
- b. The court, on its own motion, releases minor's confidential information as described in **6**.
- c. **Details of the order are stated below in items 5 – 9 .**

5 **Court's Findings**

- a. In granting the request made by the person in **2** the court finds that the:
 - (1) person who made the request to keep minor's information confidential has been properly served and has had sufficient time to respond; and
 - (2) release of the minor's confidential information is *(check at least one)*:
 - (A) necessary to prevent harassment.
 - (B) in the minor's best interest.
- b. The court, on its own motion, releases the minor's confidential information as described in **6** because it is *(check at least one)*:
 - (A) necessary to prevent harassment.
 - (B) in the minor's best interest.

6 **Release of Confidential Information**

- a. The following persons/entities may have access to the information listed in **6** b *(check all that apply)*:
 - (1) The person listed in **2** .
 - (2) Minor's school *(name)*: _____.
 - (3) Minor's after-school program *(name)*: _____.
 - (4) Minor's childcare provider *(name)*: _____.
 - (5) Supervised visitation provider *(name)*: _____.
 - (6) Other *(name of person or entity)*: _____.

This is a Court Order.

b. This order releases minor's confidential information as follows:

Minor 1: _____
(use fictitious name if not releasing confidential name)

(1) Minor's name: _____

(2) Minor's address: _____

(3) Other information about the minor:

Minor 2: _____
(use fictitious name if not releasing confidential name)

(1) Minor's name: _____

(2) Minor's address: _____

(3) Other information about the minor:

Minor 3: _____
(use fictitious name if not releasing confidential name)

(1) Minor's name: _____

(2) Minor's address: _____

(3) Other information about the minor:

Check this box if you need more space to include more minors or more information. Attach a sheet of paper and write "Attachment 6b" for a title.

This is a Court Order.



7 All other information made confidential by the court and not released with the court's permission must be kept confidential. Any person who misuses or discloses the minor's confidential information to anyone other than law enforcement **may be sanctioned up to \$1,000 or face other court penalties**. See Code of Civil Procedure section 527.6(v) for the limited situations when confidential information can be disclosed without the court's permission.

8 **Service**

- a. The court will send a copy of this order to the person listed in 2 and the minor or legal guardian who made the request to keep minor's information confidential.
- b. The person in 2 must have a server mail a copy of this order to the minor or legal guardian who made the request for confidential information. Have the server complete and file [Proof of Service by First-Class Mail — Civil \(form POS-030\)](#) after the copy has been mailed.

9 **Other Orders:**

Date: _____

Judge (or Judicial Officer)



Request for Accommodations

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

—Clerk's Certificate—

Clerk's Certificate
 [seal]

I certify that this *Order on Request for Release of Minor's Confidential Information (Civil Harassment Prevention)* (form CH-179) is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

What is “Service”?

Service is the act of giving your legal papers to the other party. There are many kinds of service—in person, by mail, and others. This form is about personal or “in-person” service. The *Request for Civil Harassment Restraining Orders* (Form CH-100), the *Notice of Court Hearing* (Form CH-109), and the *Temporary Restraining Order* (Form CH-110) must be served “in person.” That means that someone must personally “serve” (give) a copy of the forms to the person to be restrained. These forms cannot be served by mail.

Service lets the other person know:

- What orders you are asking for
- The hearing date
- How to respond

Why do I have to get the orders served?

- The police cannot arrest anyone for violating an order unless that person knows about the order.
- The judge cannot make the orders permanent unless the restrained person was served.

Who can serve?

Ask someone you know, a process server, or a law enforcement agency to personally serve (give) a copy of the forms to the person to be restrained. You **cannot** send the forms to that person by mail.

The server must:

- Be 18 years of age or older
- Not be you or anyone whom you are asking to be protected by the orders

The sheriff or marshal may be authorized to serve the court’s orders **for free** if the orders are based on claims of stalking, unlawful violence, or a credible threat of violence, or if you are entitled to a fee waiver.

A “registered process server” is a business you pay to deliver court forms. Look for “Process Serving” in the Yellow Pages or on the Internet.

(If a law enforcement agency or the process server uses a different proof-of-service form, make sure it lists the forms served.)



Don't serve it by mail!

How to serve

Ask the server to:

- Walk up to the person to be served.
- Make sure it is the right person. Ask the person’s name.
- Give the person copies of all papers checked on Form CH-200, *Proof of Personal Service*.
- Fill out and sign the *Proof of Personal Service* form.
- Give the signed *Proof of Personal Service* to you.

What if the person won’t take the papers or tears them up?

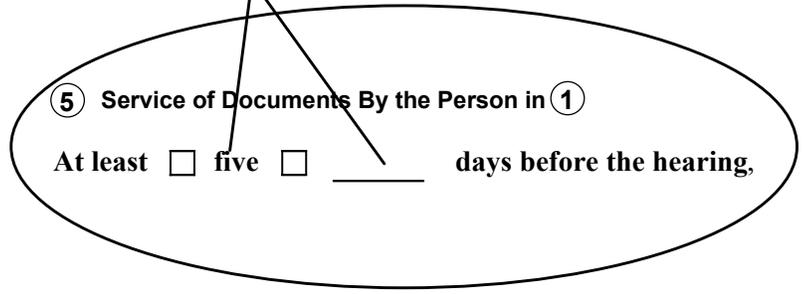
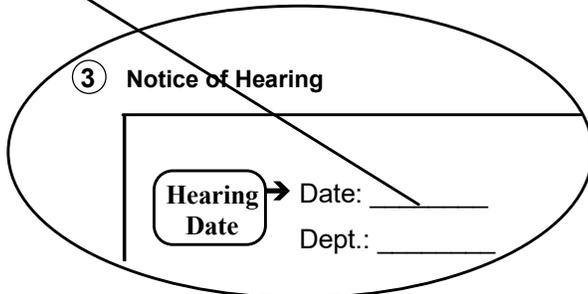
- If the person won’t take the papers, just leave them near him or her.
- It doesn’t matter if the person tears them up. Service is still complete.

When do the orders have to be served?

It depends. To know the exact date, you have to look at two things on Form CH-109, *Notice of Court Hearing*:

First, look at the hearing date on page 1 of Form CH-109.

Next, look at the number of days in item ⑤ on page 2 of Form CH-109.



Look at a calendar. Subtract the number of days in ⑤ from the hearing date. That is the final date to have the orders served. It is always OK to serve earlier than that date.

If nothing is checked or written in ⑤, you must serve the orders at least five days before the hearing.

Who signs the *Proof of Personal Service*?

Only the person who serves the forms can sign Form CH-200, *Proof of Personal Service*. You do not sign it; the restrained person does not need to sign it.

What do I do with the completed *Proof of Personal Service*?

If someone other than the sheriff serves the papers, you should:

- Make several copies.
- File the original with the court before your hearing.
- Ask the clerk to enter it into the California Law Enforcement Telecommunications System (CLETS), a special computer system that lets police all over the state find out about the orders protecting you.
- If the clerk tells you that the court cannot enter it into the computer, take a copy of the *Temporary Restraining Order* (Form CH-110) and *Proof of Personal Service* (Form CH-200) to your local police. They will put the information into the state computer system. That way, police all over the state will know that your restraining order has been served.
- Bring a copy of the completed *Proof of Personal Service* to your hearing.
- Always keep an extra copy of the restraining orders with you for your safety.

If the sheriff serves the papers, he or she will send the proof of service to the court and CLETS for you.

What happens if I can't get the orders served before the hearing date?

Before your hearing, fill out and file Form CH-115, *Request to Continue Court Hearing and to Reissue Temporary Restraining Order*. This form asks the court for a new hearing date and makes your orders last until then. Ask the clerk for the form. After the court has reissued the orders, attach a copy of Form CH-116, *Notice of New Hearing Date and Order on Reissuance*, to a copy of your original orders. Ask the clerk to enter Form CH-116 into CLETS, or the clerk may ask you or your attorney to deliver a copy to the police. That way, the police will know your orders are still in effect.

Clerk stamps date here when form is filed.

1 Person Seeking Protection

Name: _____

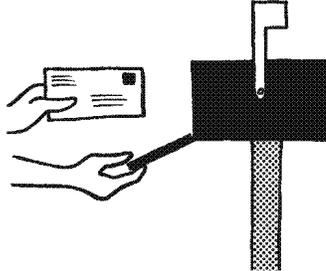
2 Person From Whom Protection Is Sought

Your Name: _____

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 or 3 of Form CH-100.
- Mail a copy of all documents checked in 4 to the person in 1.
- 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 TRINITY
 11 Court Street
 PO Box 1258
 Weaverville, CA 96093

Fill in case number:

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 CH-120, *Response to Request for Civil Harassment Restraining Orders*
- b. Other (*specify*): _____

5 I placed copies of the documents checked 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: _____

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

| | |
|------------|--------------|
| CASE NAME: | CASE NUMBER: |
|------------|--------------|

6. b. **By United States mail.** I enclosed the documents in a sealed envelope or package addressed to the persons at the addresses in item 5 and (*specify one*):
- (1) deposited the sealed envelope with the United States Postal Service, with the postage fully prepaid.
 - (2) placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.
- I am a resident or employed in the county where the mailing occurred. The envelope or package was placed in the mail at (*city and state*):
- c. **By overnight delivery.** I enclosed the documents in an envelope or package provided by an overnight delivery carrier and addressed to the persons at the addresses in item 5. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier.
- d. **By messenger service.** I served the documents by placing them in an envelope or package addressed to the persons at the addresses listed in item 5 and providing them to a professional messenger service for service. (*A declaration by the messenger must accompany this Proof of Service or be contained in the Declaration of Messenger below.*)
- e. **By fax transmission.** Based on an agreement of the parties to accept service by fax transmission, I faxed the documents to the persons at the fax numbers listed in item 5. No error was reported by the fax machine that I used. A copy of the record of the fax transmission, which I printed out, is attached.

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

Date: _____

| | | |
|-----------------------------------|---|--------------------------|
| (TYPE OR PRINT NAME OF DECLARANT) | ▶ | (SIGNATURE OF DECLARANT) |
|-----------------------------------|---|--------------------------|

(If item 6d above is checked, the declaration below must be completed or a separate declaration from a messenger must be attached.)

DECLARATION OF MESSENGER

- By personal service.** I personally delivered the envelope or package received from the declarant above to the persons at the addresses listed in item 5. (1) For a party represented by an attorney, delivery was made (a) to the attorney personally; or (b) by leaving the documents at the attorney's office, in an envelope or package clearly labeled to identify the attorney being served, with a receptionist or an individual in charge of the office; or (c) if there was no person in the office with whom the notice or papers could be left, by leaving them in a conspicuous place in the office between the hours of nine in the morning and five in the evening. (2) For a party, delivery was made to the party or by leaving the documents at the party's residence with some person not younger than 18 years of age between the hours of eight in the morning and eight in the evening.

At the time of service, I was over 18 years of age. I am not a party to the above-referenced legal proceeding.

I served the envelope or package, as stated above, on (*date*):

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

Date: _____

| | | |
|---------------------|---|--------------------------|
| (NAME OF DECLARANT) | ▶ | (SIGNATURE OF DECLARANT) |
|---------------------|---|--------------------------|

INFORMATION SHEET FOR PROOF OF SERVICE—CIVIL

(This information sheet is not part of the official proof of service form and does not need to be copied, served, or filed.)

USE OF THIS FORM

This form is designed to be used to show proof of service of documents by (1) personal service, (2) mail, (3) overnight delivery, (4) messenger service, or (5) fax.

This proof of service form should **not** be used to show proof of service of a summons and complaint. For that purpose, use *Proof of Service of Summons* (form POS-010).

Also, this proof of service form should **not** be used to show proof of electronic service. For that purpose, use *Proof of Electronic Service* (form POS-050).

Certain documents must be personally served. For example, an order to show cause and temporary restraining order generally must be served by personal delivery. You must determine whether a document must be personally delivered or can be served by mail or another method.

GENERAL INSTRUCTIONS

A person must be over 18 years of age to serve the documents. The person who served the documents must complete the Proof of Service. **A party to the action cannot serve the documents.**

The Proof of Service should be typed or printed. If you have Internet access, a fillable version of this proof of service form is available at www.courts.ca.gov/forms.htm.

Complete the top section of the proof of service form as follows:

First box, left side: In this box print the name, address, and telephone number of the person for whom you served the documents.

Second box, left side: Print the name of the county in which the legal action is filed and the court's address in this box. The address for the court should be the same as the address on the documents that you served.

Third box, left side: Print the names of the plaintiff/petitioner and defendant/respondent in this box. Use the same names as are on the documents that you served.

Fourth box, left side: Check the method of service that was used. You should check only one method of service and should show proof of only one method on the form. If you served a party by several methods, use a separate form to show each method of service.

First box, top of form, right side: Leave this box blank for the court's use.

Second box, right side: Print the case number in this box. The case number should be the same as the case number on the documents that you served.

Third box, right side: State the judge and department assigned to the case, if known.

Complete items 1–6:

1. You are stating that you are over the age of 18.
2. Print your home or business address.
3. If service was by fax service, print the fax number from which service was made.
4. List each document that you served. If you need more space, check the box in item 4, complete the *Attachment to Proof of Service—Civil (Documents Served)* (form POS-040(D)), and attach it to form POS-040.
5. Provide the names, addresses, and other applicable information about the persons served. If more than one person was served, check the box on item 5, complete the *Attachment to Proof of Service—Civil (Persons Served)* (form POS-040(P)), and attach it to form POS-040.
6. Check the box before the method of service that was used, and provide any additional information that is required. The law may require that documents be served in a particular manner (such as by personal delivery) for certain purposes. Service by fax generally requires the prior agreement of the parties.

You must sign and date the proof of service form. By signing, you are stating under penalty of perjury that the information that you have provided on form POS-040 is true and correct.

**California Law Enforcement Telecommunications System (CLETS)
Information Form**

- This form is submitted with the initial filing (*date*): _____
- This is an amended form (*date*): _____

Important: This form MUST NOT become part of the public court file. It is confidential and private.

Fill out as much of this form as you can and give it to the court clerk. If the court issues a restraining order, this form will provide law enforcement with information that will help them enforce it. If any of this information changes, fill out a new (amended) form.

| |
|---|
| Case Number (<i>if you know it</i>): _____ |
|---|

1 Person to Be Protected (*Name*): _____

Sex: M F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

Mailing Address (*listed on restraining order*): _____

City: _____ State: _____ Zip: _____ Telephone (*optional*): _____

Vehicle (*Type, Model, Year*): _____ (*License Number and State*): _____

2 Person to Be Restrained (*Name*): _____

Sex: M F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

Residence Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Business Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Employer: _____

Occupation/Title: _____ Work Hours: _____

Driver's License Number and State: _____ Social Security Number: _____

Vehicle (*Type, Model, Year*): _____ (*License Number and State*): _____

Describe any marks, scars, or tattoos: _____

Other names used by the restrained person: _____

3 Guns or Firearms Describe any guns or firearms that you believe the person in **2** owns or has access to (*Number, types, and locations*):

4 Other People to Be Protected

| <u>Name</u> | <u>Date of Birth</u> | <u>Sex</u> | <u>Race</u> | <u>Relation to Person in 1</u> |
|-------------|----------------------|------------|-------------|--------------------------------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

Additional persons to be protected are listed on Attachment 4.

This is not a Court Order—Do not place in court file.

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

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: _____
E-Mail Address: _____

2 Restrained Person

- Full Name: _____
- Address (if known): _____
- City: _____ State: _____ Zip: _____

3 Request to Renew Restraining Order

I ask the court to renew the *Civil Harassment Restraining Order After Hearing* (form CH-130). A copy of the order is attached.

- a. The order ends on (date): _____
- b. This is my first request to renew the order.
 The order has been renewed _____ times.
- c. I want the order to be renewed for five years other (specify): _____
- d. I ask the court to renew the order because (explain below):
 Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 3d—Reasons to Renew Order" for a title. You may use form MC-025, Attachment.

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 your name


Sign your name

This is not a Court Order.

Clerk stamps date here when form is filed.

Fill in court name and street address:
Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

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: _____

E-Mail 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:

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, the current *Civil Harassment Restraining Order After Hearing* 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 www.courts.ca.gov/forms for *Request for Accommodations by Persons with Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

This is a Court Order.

Use this form to respond to the Request to Renew Restraining Order (Form CH-700)

- Fill out this form and then take it to the court clerk.
- Have someone age 18 or older—**not the restrained person**—serve the protected person by mail with a copy of this form and any attached pages. (Use form CH-250, Proof of Service of Response by Mail.)

Clerk stamps date here when form is filed.

1 Protected Person (Form CH-700, item 1)

Name: _____

2 Restrained Person

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 e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

3 Response

- a. I agree to extend the order.
- b. I do not agree to extend the order.
- c. I agree to the following order instead (specify below):
 - Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 3c—Order Requested" for a title. You may use form MC-025, Attachment.

- d. I ask the court not to renew the order for the following reasons (specify below):
 - Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 3d—Reasons Not to Renew" for a title.

Fill in court name and street address:

Superior Court of California, County of TRINITY
11 Court Street
PO Box 1258
Weaverville, CA 96093

Court fills in case number when form is filed.

Case Number:

The court will consider your *Response* at the hearing. Write your hearing date, time, and place from Form CH-710 item 3 here.

Hearing Date → Date: _____
Time: _____

Dept.: _____ Room: _____

You must continue to obey the current restraining order until the hearing. At the hearing, the court can extend the order against you for up to another five years.



Case Number: _____

Date: _____

Lawyer's name, if you have one

▶ _____
Lawyer's signature

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 your name

▶ _____
Sign your name

1 What is a firearm?

A firearm is a:

- Handgun
- Rifle
- Shotgun
- Assault weapon

**2 If you own or have a firearm you must:**

- Turn it in to local law enforcement
- Sell it to a licensed firearms dealer, or
- Store it with a licensed firearms dealer

3 How do I sell or store my firearm?

Find a California licensed firearms dealer in your area.

Look under “Firearms Dealers” in your local Yellow Pages or on the Internet. Make sure the dealer is licensed.

4 How do I take my firearm to law enforcement?

Call your local law enforcement agency to ask about their procedures. Take a copy of the restraining order with you. Go directly to the law enforcement agency. Do not go anywhere else with firearms in your vehicle!

5 If I turn my firearm in to law enforcement, how long will they keep it?

Ask the law enforcement agency.

6 After I give my firearm to law enforcement, can I change my mind?

Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

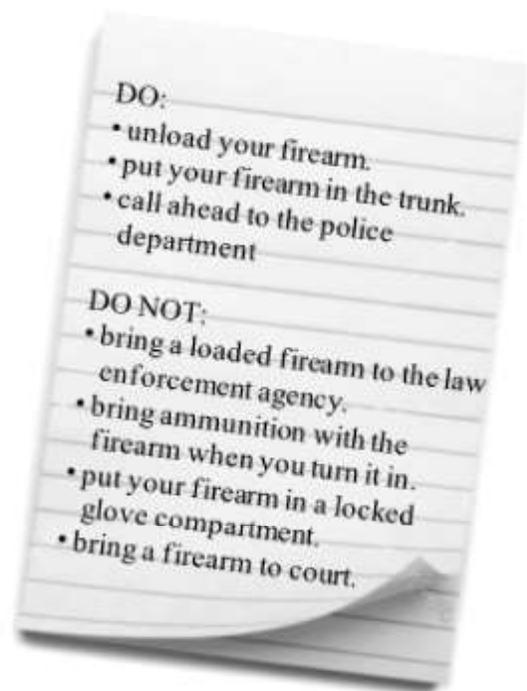
7 Do I have to pay the law enforcement agency to keep my firearm?

You may have to pay the agency for keeping your firearm. Contact your local law enforcement agency and ask if a fee is charged. The agency will tell you how much you need to pay.

8 Questions?

Call your local law enforcement agency:

(Insert local information here.)



Fill in court name and street address:

Superior Court of California, County of TRINITY
 11 Court Street
 PO Box 1258
 Weaverville, CA 96093

Court fills in case number when form is filed.

Case Number:**1 Protected Person**

Name: _____

2 Restrained Person

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 e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

3 To the Restrained Person:

If the court has ordered you to turn in, sell, or store your firearms, you may use this form to prove to the court that you have obeyed its orders. When you deliver your unloaded weapons, ask the law enforcement officer or the licensed gun dealer to complete item 4 or 5 and item 6. After the form is signed, file it with the court clerk. Keep a copy for yourself. For help, read Form CH-800-INFO, *How Do I Turn in, Sell, or Store My Firearms?*

4 To Law Enforcement

Fill out items 4 and 6 of this form. Keep a copy and give the original to the person who turned in the firearms.

The firearms listed in 6 were turned in on:

Date: _____ at: _____ a.m. p.m.To: _____
*Name and title of law enforcement agent*_____
*Name of law enforcement agency*_____
Address

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

▶ _____
Signature of law enforcement agent

5 To Licensed Gun Dealer

Fill out items 5 and 6 of this form. Keep a copy and give the original to the person who sold you the firearms or stored them with you.

The firearms listed in 6 were

 sold to me transferred to me for storage on:Date: _____ at: _____ a.m. p.m.To: _____
*Name of licensed gun dealer*_____
*License number Telephone*_____
Address

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

▶ _____
Signature of gun dealer



6 Firearms

| | <u>Make</u> | <u>Model</u> | <u>Serial Number</u> |
|----|-------------|--------------|----------------------|
| a. | _____ | _____ | _____ |
| b. | _____ | _____ | _____ |
| c. | _____ | _____ | _____ |
| d. | _____ | _____ | _____ |
| e. | _____ | _____ | _____ |

Check here if you turned in, sold, or stored more firearms. Attach a sheet of paper and write "CH-800, Item 6—Firearms Turned In, Sold, or Stored" for a title. Include make, model, and serial number of each firearm. You may use Form MC-025, Attachment.

7 Do you have, own, possess, or control any other firearms besides the firearms listed in 6? Yes No
If you answered yes, have you turned in, sold, or stored those other firearms? Yes No

If yes, check one of the boxes below:

- a. I filed a *Proof of Firearms Turned In, Sold, or Stored* for those firearms with the court on (date):
- b. I am filing the proof for those firearms along with this proof.
- c. I have not yet filed the proof for the other firearms. (Explain why not):

Check here if there is not enough space below for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 7c" for a title.

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 your name

 _____
Sign your name