



<b>Cover Sheet:</b>	<b>Request for Elder or Dependent Adult Restraining Order Allowing Contact</b>
<b>Effective Date:</b>	January 1, 2023
<b>Last Revision Date:</b>	April 15, 2024
<b>Purpose:</b>	<p>An Elder or Dependent Restraining Order Allowing Contact seeks to permit contact between persons over 65 or Dependent Adults and someone with a pre-existing relationship who has been prevented from having contact.</p> <p>Review the forms closely or contact the <u>Self Help Center</u> to determine if this is the correct type of Restraining Order for your situation.</p>
<b>Assistance:</b>	Parties who are acting as their own attorneys may receive help from the Self Help Center to complete these forms. You may contact the Self Help Center through the Court's website, by creating an e-Correspondence account, or visit the Self Help Center in person, Monday through Thursday.
<b>Required Forms:</b>	<p>All forms are Judicial Council forms, unless otherwise indicated:</p> <ul style="list-style-type: none"><li>• Family Law Case Participant Enrollment Form (Party), local form FL/E-LP-665</li><li>• Request for Elder or Dependent Adult Restraining Order Allowing Contact, EA-300</li><li>• Notice of Court Hearing to Allow Contact, EA-309 (complete items 1-4 only)</li><li>• Elder or Dependent Adult Restraining Order Allowing Contact After Hearing, EA-330</li><li>• Document Drop-Off Sheet for Domestic Violence and Elder Abuse Restraining Orders, and Ex Parte Applications (Family Law and Probate), local form FL-E/LP-668</li></ul>
<b>Optional Forms:</b>	<p>This form is needed only if you need additional space to complete your responses to the questions on form EA-100:</p> <ul style="list-style-type: none"><li>• Attachment to Judicial Council Form, MC-025</li></ul>
<b>Filing Fee:</b>	None.
<b>Copies:</b>	The Court does not require additional copies of these forms.
<b>Before You File:</b>	The Court requires that you include an address on your forms where you can receive mail regarding the case you are filing. <b>This address does not have to be the place where you live.</b> Court documents and court files are public record and <b>whatever address is included on your forms will be seen by the other party and</b>



	<b>anyone else who looks at the Court file.</b>
<b>Filing:</b>	<p>All forms must be typewritten or printed in blue or black ink. (See California Rules of Court, Rules 2.100-2.119)</p> <p>Forms may be filed electronically or in person as follows:</p> <p><b>e-Delivery:</b> Instructions on how to submit them electronically can be found at <a href="https://www.saccourt.ca.gov/restraining-orders/elder-dependent-abuse.aspx">https://www.saccourt.ca.gov/restraining-orders/elder-dependent-abuse.aspx</a></p> <p><b>In Person:</b> Forms may be filed in person between the hours of 8:30 am and 4:00 pm. You must make an appointment online or obtain a ticket from Reception to file in person.</p> <p>If the forms are filed before 1:00 pm, you will receive a response from the Judge on the same day.</p>
<b>Next Steps:</b>	<p>After filing these documents, you will be contacted by telephone with instructions on how to retrieve the temporary order and attend the court hearing.</p> <p>If you will need an interpreter at the hearing, please call (916) 875-2620 at least 10 days before the hearing. You will be asked to provide your name, case number, and the language needed.</p>

# Important Notice about Access to Your Case

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Court orders, minute orders, and child custody mediation reports are available online using our Public Case Access System. Access to court orders and minute orders provides you with information on what the court ordered in your case. Access to child custody mediation reports is necessary so that you know what child custody, visitation, or other suggestions the mediator recommended to the court.

To get secure access to your case online, you must complete and submit to the court the attached Family Law Case Participant Enrollment Form - Party, along with a copy of your driver's license, to create or update an account on our Public Case Access System. A separate form must be filed for each case or when you change your email address.

Once you complete the form, you may submit it in person at the courthouse at the public service counter or use the Drop Box. You may also submit it by US Mail at 3341 Power Inn Road, Sacramento, CA 95826.

Submitting the form as soon as possible is important because it may take two to five days to be processed from the date of receipt.

Once your access is set up you will receive an email letting you know that you are subscribed to your case. If you do not receive an email notifying you that you are subscribed to your case during the timeframes identified above, please inform the court using our Contact Us page at:

<https://www.saccourt.ca.gov/contact.aspx>

**CONFIDENTIAL**

<p>CASE PARTICIPANT NAME: STREET ADDRESS: CITY/STATE/ZIP CODE: TELEPHONE NO.: E-MAIL ADDRESS (<i>must be legible</i>)</p>	<i>FOR COURT USE ONLY</i>
<p><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO</b> STREET ADDRESS: 3341 Power Inn Road CITY AND ZIP CODE: Sacramento, CA 95826 BRANCH NAME: William R. Ridgeway Family Relations Courthouse</p>	
<p>PETITIONER/PLAINTIFF:  RESPONDENT/DEFENDANT:  CLAIMANT:</p>	
<p><b>FAMILY LAW CASE PARTICIPANT ENROLLMENT FORM (PARTY)</b></p>	CASE NUMBER:

You may access orders for law and motion hearings, and mediation reports prepared by Family Court Services using the court's online Public Case Access System. Access is available at no charge from the time the court creates your case subscription.

**INSTRUCTIONS**

To setup your account you must:

- File this form with the court with a copy of your **driver license or a state or federal issued photo identification card**.
- A separate form must be filed for each of your Family Law cases.
- Once the court has created your subscription to your case, you will receive a confirming email. You must follow the instructions in that email to complete the process.
- Once your subscription is completed, you will receive an email notification each time an order or report is added to your case.

I, \_\_\_\_\_, request that the court create an account and/or subscription to my Family Law case.

I declare that my private email address is (*must be legible*):

\_\_\_\_\_

(Please use Ø for zero, 1 for one and clearly differentiate i, L, S, 5, 3, and 8's)

I understand if I change my e-mail address I must file a new enrollment form with the court.

I acknowledge that confidential mediation reports contain private information that is not part of the public court file. I understand that without a court order, I must not disclose any contents of the Report to anyone (including any minor children) other than the parties to my case (Petitioner/Respondent/Claimant), their attorneys and court professionals. I acknowledge that the court may impose a penalty for any unauthorized disclosure of any content of the Family Court Services report.

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)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

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

### **What is a restraining order allowing contact?**

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

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

The court will grant a restraining order allowing contact if:

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

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

### **How will the order help me?**

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

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

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

- 1 A conservator or trustee of the elder or dependent adult;

- 1 An attorney-in-fact of an elder or dependent adult who acts within the authority of the power of attorney;
- 1 A person appointed as a guardian ad litem for the elder or dependent adult;
- 1 An individual with a preexisting relationship who the elder or dependent adult wishes to have contact with, but is being prevented from doing so; and
- 1 Any other person legally authorized to seek such relief.

### **How much does it cost?**

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

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

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

### **Where can I get these forms?**

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

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

You must go to the superior court in the county where the prevention of contact took place or where the person preventing contact lives. At the court, ask where you should file your request for a 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.



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

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

**How long does the order last?**

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

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

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

**Do I have to go to court?**

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

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

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

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

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

**Do I need a lawyer?**

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

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

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

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

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

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

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

**What if I have a disability?**

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

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

*[Local information may be inserted.]*

Use this form to obtain an order allowing contact between an elder or dependent adult and another person.

- Read *Can an Elder or Dependent Adult Restraining Order Allowing Contact Help Me?* (form EA-300-INFO) before completing this form.
- **Note:** This order cannot be issued if the elder or dependent adult lives in a long-term care or residential facility or is a patient at a hospital.
- If you want a restraining order for other abuse, such as physical or financial abuse, use *Request for Elder or Dependent Adult Abuse Restraining Orders* (form EA-100). Read *Can a Restraining Order to Prevent Elder or Dependent Adult Abuse Help Me?* (form EA-100-INFO) for more information.

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:****1 Elders or Dependent Adults**

(List each elder or dependent adult in the same household who wants to have contact with the person named in ③ and their age below.)

<u>Full Name</u>	<u>Age</u>
_____	_____
_____	_____
_____	_____

- Check here if there are more elders or dependent adults in the same household who also want to have contact with the person named in ③. List those persons and their ages on an attached sheet of paper and write "Attachment 1—Additional Elders or Dependent Adults" for a title. You may use form MC-025, Attachment.

**2 Person Alleged to Be Preventing Contact**

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

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

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

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

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

b. Describe this person's preexisting relationship to the elders or dependent adults named in ①:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

- 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 3—Preexisting Relationship" for a title.

**This is not a Court Order.**

**4 Person Requesting Order**

Who is asking the court for an order? (Check a, b, c, or d):

- a.  The elders or dependent adults named in ①.
- b.  The person named in ③ who wants contact with the elders or dependent adults.
- c.  Name: \_\_\_\_\_,  
 conservator of the  person  estate  person and estate  
 named in ①, appointed by (name of court):  
 \_\_\_\_\_  
 Case No.: \_\_\_\_\_
- d.  Other person legally authorized to make this request (name):  
 \_\_\_\_\_

(Show this person's legal authority to make this request on an attached sheet of paper. Write "Attachment 4d—Information About Person Requesting Order" for a title. You may use form MC-025, Attachment.)

**5 Contact Information**

Contact information for the person asking the court for an order

- a. 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.)

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

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

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

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

**6 Description of Elders or Dependent Adults**

The person or persons named in ① are residents of California and (check a, b, or c):

- a.  Are all age 65 or older.
- b.  Are all under age 65 and have physical or mental limitations that restrict their ability to carry out normal activities or to protect their rights. (Briefly describe limitations on the attached sheet of paper or form MC-025. Write "Attachment 6b—Description of Elders or Dependent Adults" for a title.)
- c.  Include some adults age 65 or older and some are adults under age 65. The adults under age 65 have physical or mental limitations that restrict their ability to carry out normal activities or to protect their rights. (Identify which persons are 65 or older and identify and briefly describe the limitations of those under age 65 on the attached sheet of paper or form MC-025. Write "Attachment 6c—Description of Elders or Dependent Adults" for a title.)

**This is not a Court Order.**



**7 Relationship to Person Alleged to be Preventing Contact**

How do the elders or dependent adults 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 7—Relationship to Respondent" for a title.

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**8 Facts Supporting Order Allowing Contact**

The person requesting the order must show that:

- The elders or dependent adults expressly desire contact with the person named in (3);
- The person in (2) has repeatedly prevented that contact;
- The prevention of contact was not in response to an actual or threatened abuse of the elders or dependent adults by the person named in (3); and
- The prevention of contact was not in response to the desire of the elders or dependent adults to not have contact with the person named in (3).

a. Describe the desire of the elders or dependent adults to have contact with the person named in (3) and attach any documentation demonstrating such desire:

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Check here if documentation is attached or 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 8a—Describe Desire to Contact" for a title.

b. (1) When has the person in (2) prevented the person named in (3) from seeing the elders or dependent adults? (Provide dates or estimated dates):

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(2) Describe how the person in (2) has prevented the person named in (3) from seeing the elders or dependent adults.

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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 8b—Describe Prevention" for a title.

**This is not a Court Order.**

**9 Venue**

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

- a.  The person in ② lives in this county.
- b.  The person in ② prevented the person in ③ from seeing the elders or dependent adults in this county.
- c.  Other (specify): \_\_\_\_\_

**10 Other Court Cases**

a. Has the person in ② or the person in ③ been involved in another court case with the elders or dependent adults?  No  Yes (If yes, specify the kind of each 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"/> Elder or Dependent Adult Abuse	_____	_____	_____
(2)	<input type="checkbox"/> Civil Harassment	_____	_____	_____
(3)	<input type="checkbox"/> Domestic Violence	_____	_____	_____
(4)	<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
(5)	<input type="checkbox"/> Paternity, Parentage, Child Custody	_____	_____	_____
(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 any protective or restraining orders now in effect relating to the elders or dependent adults and the person in ② or the person in ③?  No  Yes (If yes, attach a copy if you have one.)

**11 Order Allowing Contact**

I ask the court to order the person in ② to allow the person in ③ to contact the elders or dependent adults, with the following terms:

- a.  The person in ② may not prevent the person named in ③ from in-person or remote online or telephonic visits with the elders or dependent adults named in ①.
- b.  Other terms requested for the order allowing contact (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 11b—Other Order Terms" for a title.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**This is not a Court Order.**

**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. (Read form EA-200-INFO, What Is "Proof of Personal Service"?, to learn about serving legal papers. Form EA-200, Proof of Personal Service, may be used to show the court that the papers have been served.)

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

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**  **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 13—Lawyer's Fees and Costs" for a title.

**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*

▶ \_\_\_\_\_  
*Signature of person making this request*

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

\_\_\_\_\_  
*Type or print your name*

▶ \_\_\_\_\_  
*Signature of person making this request*

**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**

Court fills in case number when form is filed.

**Case Number:**

**1 Elders or Dependent Adults**

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

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

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

**2 Person Alleged to Be Preventing Contact**

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

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

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

**4 Person Requesting Order**

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

Lawyer for person requesting order:

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

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

b.  Address for the person requesting order (If you have a lawyer, give your lawyer's information. If you want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)

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

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

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

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

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

**5 Notice of Hearing**

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

<b>Hearing Date</b>	Date: _____	Time: _____	Name and address of court if different from above: _____ _____ _____
	Dept.: _____	Room: _____	
	_____		



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

At least  five  \_\_\_\_\_ days before the hearing, someone age 18 or older—**not you or anybody else involved in the case**—must personally give (serve) a court file-stamped copy of this form EA-309, *Notice of Court Hearing to Allow Contact*, to the person in 2 along with a copy of all the forms indicated below:

- a. EA-300, *Request for Elder or Dependent Adult Restraining Order Allowing Contact* (file-stamped)
- b. EA-320, *Response to Request for Elder or Dependent Adult Restraining Order Allowing Contact* (blank form)
- c. EA-320-INFO, *How Can I Respond to a Request for an Elder or Dependent Adult Restraining Order Allowing Contact?*
- d. EA-250, *Proof of Service of Response by Mail* (blank form)

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

\_\_\_\_\_  
*Judicial Officer***To the Person in 4 :**

- The court cannot make the restraining order requested unless the person in 2 has been personally given (served) a copy of your request. To show that the person in 2 has been served, the person who served the forms must fill out a proof of service form. Form EA-200, *Proof of Personal Service*, may be used.
- For information about service, read form EA-200-INFO, *What Is “Proof of Personal Service”?*
- If you are unable to serve the person in 2 in time, you may ask for more time to serve the documents. Use form EA-315, *Request to Continue Court Hearing on Request to Allow Contact*.

**To the Person in 2 :**

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



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

*(Clerk will fill out this part.)*

### —Clerk's Certificate—

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

*Clerk's Certificate*  
*[seal]*

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

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

Person in ④ must complete items ①, ②, ③, and ④ only.

**① Elders or Dependent Adults**

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

**② Person Preventing Contact**

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

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

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

**④ Person Requesting Order**

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

Lawyer for person requesting order (if any for this case):

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

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

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)

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

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

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

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

**⑤ 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.

Fill in court name and street address:

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

Court fills in case number when form is filed.

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

**This is a Court Order.**



**6 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 elders or dependent adults to receive contact
  - (2)  The lawyer for the elders or dependent adults *(name)*: \_\_\_\_\_
  - (3)  The person in ④ requesting the order *(name)*: \_\_\_\_\_
  - (4)  The lawyer for the person in ④ requesting the order *(name)*: \_\_\_\_\_
  - (5)  The person in ② *(name)*: \_\_\_\_\_
  - (6)  The lawyer for the person in ② *(name)*: \_\_\_\_\_  
 Additional persons present are listed at the end of this Order on Attachment 6.
- 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.

**7  Order Allowing Contact**

- a.  You may not prevent the person in ③ from in-person or remote online or telephonic visits with the elders or dependent adults in ①.
- b.  Other terms of order allowing contact *(specify)*:

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**8  Other Orders *(specify)*:**

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- Additional orders are attached at the end of this Order on Attachment 8.

**This is a Court Order.**



**9**  **Lawyer's Fees and Costs**

You must pay to the person who requested the order the following amounts for  lawyer's fees  costs:

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

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

**To the Person in 4 :**

**10 Service of Order**

- a.  The person in 2 personally attended the hearing. No other proof of service is needed.
- b.  The person in 2 was not at the hearing. Someone—but not anyone in 1 or 4—must personally serve a copy of this Order on the person in 2.

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

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

**12** Number of pages attached to this Order, if any: \_\_\_\_\_

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

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

**Instructions for Law Enforcement**

**Enforcing the Restraining Order**

This order is enforceable by any law enforcement agency that has received the order or is shown a copy of the order. 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 Order**

This order *starts* on the date next to the judge's signature on page 3. The order *ends* on the expiration date in item 5 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.

**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.

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.

**Conflicting Orders—Priority of Enforcement**

**If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority** (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

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

Clerk’s Certificate  
[seal]

(Clerk will fill out this part.)  
—Clerk's Certificate—

I certify that this *Elder or Dependent Adult Restraining Order Allowing Contact 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.**





**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SACRAMENTO  
FAMILY LAW & PROBATE DIVISION**

**DOCUMENT DROP-OFF SHEET FOR  
DOMESTIC VIOLENCE AND EX PARTE APPLICATIONS  
(FAMILY LAW AND PROBATE CASES)**

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

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

Moving/Filing Party's Name: \_\_\_\_\_

Moving/Filing Party's Contact Phone Number: \_\_\_\_\_

Moving/Filing Party's Email Address: \_\_\_\_\_

I need an interpreter at the hearing for the following language: \_\_\_\_\_

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The following must be completed for Ex Parte Applications only.

Opposing/Responding Party's Name: \_\_\_\_\_

Opposing/Responding Party's Phone Number: \_\_\_\_\_

Opposing/Responding Party's Email Address: \_\_\_\_\_

When orders are ready for pick up the court will contact you by telephone with instructions.

SHORT TITLE: <hr/>	CASE NUMBER:
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**ATTACHMENT** (Number): \_\_\_\_\_

*(This Attachment may be used with any Judicial Council form.)*

*(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)*

Page \_\_\_\_\_ of \_\_\_\_\_

*(Add pages as required)*