



How to File for a Restraining Order – Elder or Dependent Adult Abuse

Free

What is this for?	<p>This packet contains the forms you need to ask for an Elder or Dependent Adult Abuse restraining order. See page 2 for more information about this type of restraining order and how they can protect you.</p>
Step 1: Fill out the forms	<p>Confidential CLETS Information (CLETS-001) Request for Elder or Dependent Adult Abuse Restraining Orders (EA-100) Notice of Court Hearing (EA-109) Temporary Restraining Order (EA-110)</p> <p>Make sure that you DESCRIBE IN DETAIL WHY YOU ARE AFRAID of the restrained person. The Judge will read what you write and needs to understand why you need a restraining order to protect you.</p>
Step 2: File the forms Filing fee Wait	<p>Get a number ticket for “Civil” at the kiosk on the 1st floor of the Courthouse. File the forms with the clerk when your number is called.</p> <p>There is no filing fee. No copies are needed for filing.</p> <p>When you file the paperwork with the clerk, you will be given information about how to check when your forms are ready for pick-up. Your forms (with the Judge’s orders) will be in the baskets by the Information Desk near the Deputies at the courthouse door.</p>
Step 3: Review your forms after pick-up	<p>Look carefully at the Temporary Restraining Order (EA-110) you turned in. The Judge reviewed your statements and made an order (or denied your order) on that form. See what orders were made, if any. These are the orders that are in effect immediately and continue until the court hearing.</p>
Step 4: Serve the person you want restrained	<p>You must have a copy of your forms handed (“personally served”) to the person you want restrained, along with a blank Response to Request for Elder or Dependent Adult Abuse Restraining Orders (EA-120) and Proof of Firearms Turned In, Sold or Stored (EA-800). Someone 18 or older must serve the forms for you. You cannot serve the forms yourself.</p>



	<p>Whoever serves the forms must fill out a Proof of Personal Service (EA-200) and return it to you.</p> <p>The Sheriff's Civil Division will serve elder or dependent adult restraining orders for free. Take your forms for service to their office at: 2929 Richardson Drive Auburn, CA 95603</p> <p>Talk to the Sheriff's Office about whether they <i>or</i> you will need to file the proof of service they fill out after they serve the forms on the person you want to restrain.</p>
Step 5: File the Proof of Service	<p>Make 1 copy of the Proof of Personal Service (EA-200). Get a number ticket for "Civil" at the kiosk on the 1st floor of the courthouse to file the original and copy. Keep the filed copy for your records.</p>
Next steps:	<p>Come to your court hearing prepared to tell the Judge why they should make the court orders you've asked for in your legal forms. Know that you can only ask the Judge to make orders or use information you included in your filing.</p> <p>You will be in court for up to 4 hours.</p> <p>If the Judge denies your restraining order you can leave the courthouse after the hearing.</p> <p>If the Judge extends the court date ("continues") or makes an order that day, make sure you don't leave the courthouse until you have a filed copy of your order that shows the new court date and/or the order. Make copies and give them to anyone who needs to know you're protected (job, school, etc)</p> <p>If the restrained person isn't in court and the Judge makes orders, have someone serve them with the Judge's orders to make sure the orders are enforceable by law enforcement.</p>

Important Things to Know

Abuse of an elder or a dependent adult is abuse of:

- Someone 65 years old or older; or
- A dependent adult, who is someone between 18 and 64 that has certain mental or physical disabilities that keep him or her from being able to do normal activities or protect himself or herself.

The law says elder or dependent adult abuse is:



- Physical abuse, neglect, financial abuse, abandonment, isolation, abduction (taking the person out of the state against his or her will), or other behavior that causes physical harm, pain, or mental suffering; OR
- Deprivation by a caregiver of things or services that the elder or dependent adult needs to avoid physical harm or mental suffering.

Where can I get the forms?

1. **For an app that helps you fill out the forms to start a case, go to caguideandfile.com**
 - Click “Start Your Legal Process”, then
 - Click “Restraining Orders”
 - Answer the questions, save your work, and at the end you can print out the forms.
2. The blank forms listed in these instructions can be found **online** at www.courts.ca.gov/forms
3. You can get the form packets through the court’s **Self-Help Center** or buy them at the **Court Clerk’s counter**.

Where can I get help or more information?

- You can hire a private attorney for a free or low-cost consultation.
- If you do not have an attorney, you can get help from the court’s Self-Help Center located at the Gibson Courthouse, 10820 Justice Center Dr., Roseville. Online appointments and limited walk-ins are available Monday to Friday, 8:00 a.m. to 12:00 noon (Wednesday open until 3:00 p.m.). Schedule online appointments at www.placer.courts.ca.gov and search for **online appointments**.
- Visit www.courts.ca.gov
 - Click “Self-Help” on the tabs and select “Abuse & Harassment” in the dropdown menu
- Read:
 - [Can a Restraining Order To Prevent Elder or Dependent Adult Abuse Help Me?](#) (EA-100-INFO)
 - [What Is “Proof of Personal Service”?](#) (EA-200-INFO)
- Contact Stand Up Placer’s 24-hour Crisis Line: 800-575-5352