



Civil Harassment Restraining Order

Free

What is this for?	<p>This packet contains the forms you need to ask for a Civil Harassment Restraining Order. Civil Harassment Restraining Orders are filed when the protected and restrained people in the case are not close family members, dating, spouse/partner, co-parents; for example, neighbors, acquaintances or friends. See page 2 for more information.</p>
Step 1: Fill out the forms	<p>Request for Civil Harassment Restraining Orders (CH-100) Notice of Court Hearing (CH-109) Temporary Restraining Order (CH-110)</p>
Step 2: File the forms	<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>No copies are needed for filing.</p>
Filing fee	<p>There is a \$435 filing fee, unless the other party has threatened unlawful violence or stalking. The filing fee may also be waived if you qualify for a fee waiver. If you cannot afford to pay the filing fee, you may apply for a fee waiver by filling out and filing these forms:</p> <p>Request to Waive Court Fees (FW-001) Order on Court Fee Waiver (FW-003)</p>
Wait	<p>When you file the forms 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	<p>Look carefully at the Temporary Restraining Order (CH-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 Civil Harassment Restraining Orders (CH-120). 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 (CH-200) and return it to you.</p> <p>The Sheriff's Civil Division will serve Civil Harassment restraining orders for free if there has been stalking, unlawful violence, or a credible threat of violence or you were granted a fee waiver. 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 (CH-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, daycare, 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

In general, civil harassment is abuse, threats of abuse, stalking, sexual assault, or serious harassment by someone you have not dated and do not have a close relationship with, like a neighbor, a roommate, or a friend (that you have never dated). It is also civil harassment if the abuse is from a family member that is not included in the list under domestic violence. So, for example, if the abuse is from an uncle or aunt, a niece or nephew, or a cousin, it is considered civil harassment and not domestic violence.



The civil harassment laws say “harassment” is:

- Unlawful violence, like assault or battery or stalking, or
- A credible (real) threat of violence, and
- The violence or threats seriously scare, annoy, or harass someone and there is no valid reason for it.

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 Civil Harassment Restraining Order Help Me?](#) (CH-100-INFO)
 - [Privacy Protection for a Minor \(Person Under 18 Years Old\)](#) (CH-160-INFO)
 - [What is "Proof of Personal Service"?](#) (CH-200-INFO)

The following information is for Domestic Violence restraining orders but it generally applies in Civil Harassment restraining order actions, too:

- [Get Ready for the Court Hearing](#) (DV-520-INFO)
- [How to Enforce Your Restraining Order](#) (DV-530-INFO)