

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SONOMA
Family Law Clerk's Office

3055 Cleveland Ave.
Santa Rosa, CA 95403-2122, 707-521-6500
<http://sonoma.courts.ca.gov/>

DOMESTIC VIOLENCE PACKET - NO CHILDREN

(There is no fee to file a Domestic Violence Restraining Order Request.)

Included in this package are the forms you will need to fill out and file to request a Domestic Violence Temporary Restraining Order (TRO). Hand printed forms using either blue or black ink will be accepted for filing as long as they are legible.

Application Process:	Form
Declaration Re: Notice and Delivery of DV Temp Orders	FL-040
Request for Order	DV-100
Description of Abuse	DV-101
Notice of Court Hearing	DV-109
Temporary Restraining Order and Notice of Hearing	DV-110
Proof of Personal Service	DV-200
What is "Proof of Personal Service"?	DV-200-INFO
Confidential CLETS Information	CLETS-001*
How Do I Ask for a Temporary Restraining Order?	DV-505-INFO

Additional Resources:

YWCA Domestic Violence and Sexual Assault Services Program

Crisis: (707) 546-1234
Business: (707) 546-7115

Legal Aid

(707) 542-1290

Legal Services Foundation

(707) 546-2924

CLETS Entry: If a temporary or permanent restraining order is granted, the information contained on the restraining order will be entered into the California Law Enforcement Telecommunications Systems (CLETS) the same date the order is granted if the necessary information is provided on the forms. Be sure to complete the identifying information sections on the restraining orders to ensure prompt entry into CLETS.

Submitting Forms: Your forms must be completed and dropped off at the Clerk's Office, Family Law Division, 3055 Cleveland Ave., Santa Rosa by 8:30 a.m. in order for the Judge to review your paperwork the same day. You can drop off your paperwork during any regular court business hours, however, paperwork submitted after 8:30 am will not be reviewed by the Judge until the next court business day. It is best to personally deliver your paperwork to the clerk so that the clerk can review your forms for completeness.

Temporary Restraining Order Review: Temporary Restraining Orders (TRO) applications are reviewed by a Judge every court business day. You will not be meeting with the Judge at this time. Results will be available after 2:00 p.m. via our website at <http://sonoma.courts.ca.gov/online-services/tentative-rulings/dvexparte> or by calling (707) 521-6676. It is important that you pick up your documents right away even if the Judge denies your request for a TRO. Your case will be set for a permanent restraining order hearing within 20 -25 days. You will need to appear at the hearing unless you sign a hearing waiver at the clerk's office. Your paperwork will be ready for you to pick up between 2:00 p.m. and the close of business day.

Forms Needed to Obtain a Temporary Restraining Order

Complete the following forms and submit to the clerk for review:

1. Declaration Re: Notice and Delivery of DV Temp Orders (Form FL040)

This form is required. The Judge needs to know if you told the other person that you were seeking a restraining order. Normally the Judge requires that the other party receive notice that you are seeking a restraining order. You do not need to give notice to the other party if you fear for your safety or the safety of your children. If you do not give notice, explain on Item 3. of Form FL040 why you feel you should not tell the other person that you are seeking a restraining order. If you give notice, you are required to provide the other person with a copy of the paperwork. If the other person is given the paperwork personally (by you or someone else over 18 by 10 a.m.), the court will hold your request for restraining order for one (1) business day, or (2) business days for Ex Parte requests in order to give the other person a chance to respond. If you mail the paperwork to the other person, the court will hold your request for restraining order for five (5) days for First Class mail and three (3) days for Overnight or Next Day mail in order to give the other person a chance to respond.

2. Request for Order (Form DV-100) and attach Description of Abuse (Form DV-101)

3. Temporary Restraining Order (Form DV-110) and Notice of Hearing (Form DV-109)

These are the forms the Judge will sign if your request for a TRO is granted. You will be assigned a court hearing date which is normally within three weeks. It is important that you complete all of the information next to item #2, especially the Name, Sex, Race, and Date of Birth or Age. If you do not know the date of birth of the person to be restrained, please give your best estimate of their age. This information is necessary to ensure entry into the CLETS System (California Law Enforcement Telecommunications System).

Serving the Temporary Restraining Order: Once the Judge has signed the TRO, you must make sure the person to be restrained is served with the TRO. This means a copy must be provided to the person to be restrained. You may not do this yourself, however, any person over the age of 18 who is not a party to the action may serve the person to be restrained. The person who served the restraining order must complete form DV-200. File the completed form with the Clerk prior to the hearing. The Sheriff will serve the restraining order for free.

Court Hearing (Very Important): Come to court on the day and at the time the Judge indicates on the signed TRO for a hearing before the Judge. If the Judge issues a permanent order, keep a copy of the signed Restraining Order After Hearing with you at all times for your protection.

If the TRO is Not Served: If your TRO is not served before the court hearing date, you may still come to court. Fill out the Request to Continue Hearing Form (Temporary Restraining Order) DV-115 and the Order on Request to Continue Hearing Form (Temporary Restraining Order) DV-116, and bring them with you to Court. After the Judge signs the order and the clerk processes the paperwork, you must arrange to have the restrained party personally served with the Request to Continue Hearing and the Order on Request to Continue Hearing forms and a copy of the Temporary Restraining Order and Notice of Hearing and Request for Order.