

Do You Need to Renew Your Civil Harassment Restraining Order, which is about to expire?

Step 1	<p>Complete the following forms in blue or black ink:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> CV-5014 Declaration Re: Notice Upon Ex Parte Application for Orders for Civil Harassment <input checked="" type="checkbox"/> CH-710 Notice of Hearing to Renew Restraining Order <input checked="" type="checkbox"/> CH-700 Request to Renew Restraining Order <input checked="" type="checkbox"/> Clets-001 Confidential CLETS Information <input checked="" type="checkbox"/> A copy of your current Restraining Order <p><i>Only complete the next form if you want to ask the Sheriff to serve your forms:</i></p> <ul style="list-style-type: none"> <input type="checkbox"/> SER-001 Request for Sheriff to Serve Court Papers
Step 2	<p>Review: Bring your completed form to the Restraining Order Help Center at 201 N. First Street, San Jose to have them reviewed to make sure they are filled out correctly.</p>
Step 3 There is no filing fee.	<p>File: Turn in the original to the Court Specialist located in the Courthouse at: 191 North First Street, San Jose, CA 95113</p> <p>The Clerk's Office opens at 8:30am Monday-Friday, closing times are subject to change, visit www.scscourt.org or call 408-882-2100 for current office hours.</p> <p>The Court Specialist will give you a slip to let you know how to check if your forms are ready. If you lose that slip contact the Court Specialist at (408) 882-2100, option 6, then 5, then 4.</p>
Step 4	<p>Service: After the filed copies are returned to you:</p> <ul style="list-style-type: none"> • Keep for your records—1 filed copy • If you did not ask the Sheriff to serve: At least 5 days before the court date serve 1 filed copy and a blank <i>CH-720 Response to Request to Renew Restraining Order</i> on the other party. "Service" means: someone, NOT you, who is at least 18 years old must hand deliver the filed copies to the restrained person. <p>Whoever does the service must complete the attached <i>Proof of Service (In Person)</i> form (CH-200) and give it back to you. You must file the original and a copy of this form at the Clerk's Office. The clerk will file stamp the copy and give it back to you. Keep this copy for your records.</p> <ul style="list-style-type: none"> • If you asked the Sheriff to serve your forms the court will forward your forms to the Sheriff's office. You can contact the Sheriff's office at (408)808-4800 to see if they were able to serve
Step 5	<p>Go to your court date.</p>

WHAT HAPPENS IF I DO NOT ASK TO RENEW MY RESTRAINING ORDER?

When your original Restraining Order was granted, the Judge set an end date. If you do not apply to renew the restraining order **before** that date, the orders will end and you will no longer have a restraining order protecting you from the other party. If that happens and you still want a restraining order, you will have to file a brand new request and follow the same procedure you went through to get your expired restraining order.

Please turn over for important information →

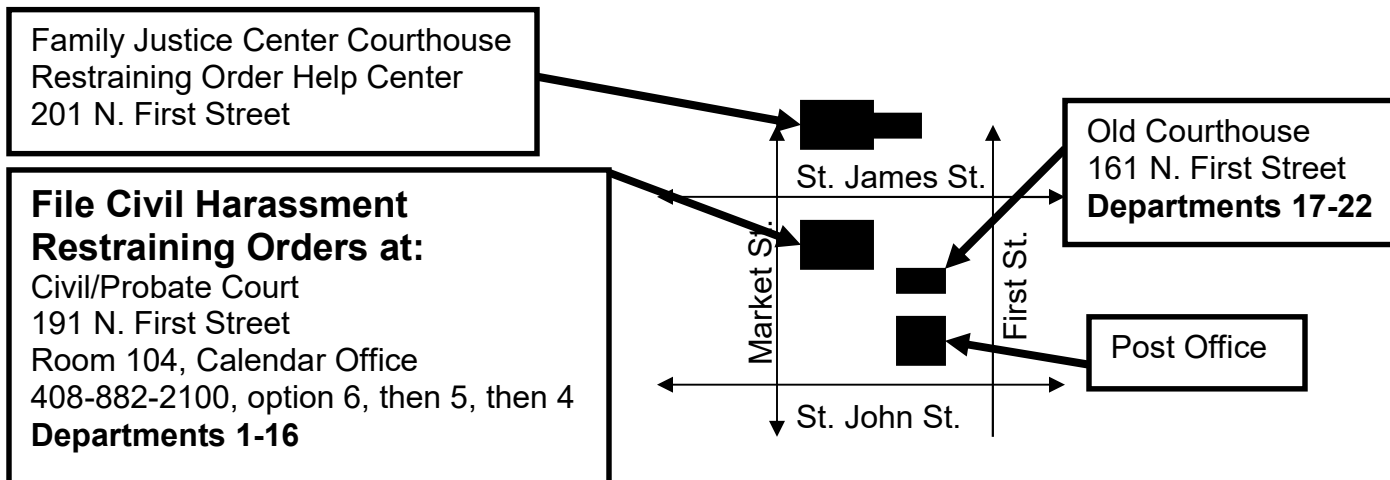
HOW CAN I CHECK THE STATUS OF THE REQUEST TO RENEW A RESTRAINING ORDER I JUST FILED?

When you file your restraining order forms the Court Specialist at the courthouse will give you a slip with instructions on how to find out if your forms are ready. However, if you lose that slip, you can call the courthouse where you filed your forms (408) 882-2100.

HOW LONG CAN I ASK TO RENEW MY RESTRAINING ORDER?

You may only ask the Court to renew your restraining for up to 5 years. Civil Code of Procedure 527.6(j)

WHERE DO I FILE THE FORMS?



HOW CAN I GET HELP?

Here are some ways to get help:

- Go to <http://www.calbar.ca.gov/Public>, then click on "Lawyer Referral services" to hire or consult with a private attorney.
- For free legal advice and information, see our "Do-It-Yourself Resources" flyer. Go to www.scscourt.org, click on "Self-Help" then "Self-Help Flyers".
- The Self Help Center/Family Law Facilitator – See our information flyer:
 - **Contact us:** Go to www.scscourt.org then click "**Contact the Self Help Center**". Walk-in assistance is limited to emergencies so contact us remotely first.
 - **Obtain Forms:** Go to www.scscourt.org then click "**Complete Forms at Home**".
 - **Form Review:** Restraining order forms may be reviewed in person at the Restraining Order Help Center located at 201 N. First Street, San Jose, CA 95113, visit www.scscourt.org for current office hours. If you cannot get to the office in person you may email your forms as a PDF file to SHCDocReview@scscourt.org. Reviews by email will take longer than in-person reviews.
 - Note: We **cannot** help people who have attorneys.

Superior Court, County of Santa Clara
Self Help Center/Family Law Facilitator's Office
 201 N. First Street, San Jose, CA 95113
 408-882-2926

BLANKS

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Please complete the
following forms in blue or
black ink.

NAME AND ADDRESS OF PARTY OR ATTORNEY FOR PARTY:	TELEPHONE NUMBER:	FOR COURT USE ONLY
ATTORNEY FOR (Name): Self-Represented		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA STREET ADDRESS: 191 North First Street, San Jose, CA 95113 MAILING ADDRESS: 191 North First Street CITY AND ZIP CODE: San José, CA 95113 BRANCH NAME: Downtown Courthouse		
Person/Entity Seeking Protection: Person From Whom Protection is Sought:		
DECLARATION IN SUPPORT OF EX PARTE APPLICATION FOR CIVIL RESTRAINING ORDERS		CASE NUMBER: _____ DEPT #: _____

I, the undersigned, declare:

1. I am (choose one):
 - ☐ attorney for Person or Entity Seeking Protection
 - ☒ self-represented Person or Entity Seeking Protection
 - ☐ other (explain): _____
2. **The opposing party is represented by an attorney:** ☐ Yes ☐ No
 (If you checked "yes", fill in the attorney's name, address, and telephone number. If you checked "no", fill in the other party's name address, and telephone number.
 Party/Attorney name: _____
 Address/Telephone number: _____
3. **OTHER CASES:** Have the parties to this case been involved in litigation with each other in another Civil, Family, Probate Juvenile, or Criminal Court Case? ☐ Yes ☐ No If "yes", case(s) number(s): _____
4. **NOTICE**
 - a. **I HAVE given notice to the opposing party and/or their attorney by the following method:**
☐ Personal delivery ☐ Overnight Carrier ☐ First Class Mail ☐ Other: _____
 Date: _____ Time: _____
 I have received confirmation that the other party has received my papers as follows: (describe) _____
 - b. **I HAVE NOT given notice of the request for orders because (Check all that apply. You must explain below):**
☒ This is an application for Civil Harassment Prevention Act, Elder Abuse, Private Postsecondary School Violence, Transitional Housing Misconduct, or Workplace Violence Act restraining orders and:
☒ Great or irreparable injury will result before the matter can be heard on notice.
☐ It is impossible to give notice.
☐ The other party agrees to the orders requested.
☐ Other: _____
 - c. **Explanation:**
☐ A hearing between the parties is already set I am asking that this motion be heard at the same time.
☐ I am unable to serve the other party in the time required by law.
☒ I fear for my physical safety (and that of others, if applicable).
☐ Other: _____

I declare under penalty of perjury that the forgoing is true and correct.

Date

Print Name

Declarant's Signature

INSTRUCTIONS

Please refer to Santa Clara County Local Civil Rules for more information. This form is not for use in restraining order applications filed at Family Court.

This form is required in Santa Clara County, if you are asking the Judge to make immediate orders without the other party being present for a hearing. These orders are called *ex parte* orders. This form must be completed in any case where *ex parte* orders are requested. If you have given notice to the other side of your case, you must state the form of notice given. Notice means providing the other side of the case, either the attorney or a self-represented party, with copies of any papers that you want the Judge to review and any orders that you are requesting. If you have not given notice, you must explain why you have not given notice. There are some circumstances when notice may be waived, such as cases involving allegations of domestic violence where the safety of a party or a child might be at risk if notice is given. It is up to the Judge in your case to determine whether notice will be required or not.

SECTION #1

State whether you are the Petitioner or the Respondent in the case. Once a case is filed, the parties keep the same status in the case. You do not change from the Respondent to the Petitioner by filing a new motion in the case. If you do not have an attorney, you are considered self-represented.

SECTION #2

If the other party is represented by an attorney, you must provide the Court with the attorney's name and address. If the other party is not represented by an attorney, you must provide the Court with the other party's address.

SECTION #3

It is very important to list all other cases in which you and the other party have been involved with the courts. This would include other Family Law, Probate, Juvenile, Restraining Order, Child Support, Civil, or Criminal matters. If you do not have the case number, please put unknown and list the county and the year of the filing, if possible.

SECTION #4A

Unless notice is excused by the Court, you must provide notice of this motion to the other party before you deliver a copy to the Court. When you give such notice, specify how you did it (by courier or personally, for example) and at what time and date. Also, please explain how you know that the other side received copies of your papers and what response you were given.

SECTION #4B

If you did not give notice of this application, explain why in this section. Check as many boxes as apply. You may also write out any further explanation of your reasons for not giving notice.

After this form is completed, attach it to your restraining order application and submit them as follows:

- If Civil Harassment, Workplace Violence, Private Postsecondary School Violence, or Transitional Housing Misconduct; to the Civil Division Clerk's Office at 191 North First Street, San José, CA 95113
- If Elder or Dependant Adult Abuse; to the Family Division Clerk's Office at 201 North First Street, San José, CA 95113

**Notice of Hearing to Renew
Restraining Order**

Clerk stamps date here when form is filed.

Fill in court name and street address:

**Superior Court of California, County of
Santa Clara**
191 North First Street
191 North First Street
San Jose, CA 95113
Civil Division

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: Self-Represented

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:

191 North First StreetSan Jose, CA 95113Civil Division

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 2 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.

Case Number:

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 5 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.

Request to Renew Restraining Order

Clerk stamps date here when form is filed.

1 Protected Person

a. Your Full Name: _____

Your Lawyer (if you have one for this case):

Name: _____ State Bar No.: _____

Firm Name: Self-Represented

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 Santa Clara
 191 North First Street
 191 North First Street
 San Jose, CA 95113
 Civil Division

Court fills in case number when form is filed.

Case Number:**2 Restrained Person**

Full Name: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

3 Request to Renew Restraining OrderI 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.

SEE ATTACHED

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.

SHORT TITLE: _____	CASE NUMBER: _____
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ATTACHMENT (Number) : **3d.** - Reasons to Renew Restraining Order **Page** _____ **of** _____
(This Attachment may be used with any Judicial Council form.) (Add pages as required)

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

CLETS-001 Confidential Information for Law Enforcement

Instructions:

- If you are asking for a restraining order, you must complete this form and give it to the court clerk, along with the other court forms required in your case. For juvenile orders, list the primary protected person's information in ② and ③.
- If the judge grants the restraining order, information you give on this form will be entered into a California database (called CLETS) to help law enforcement enforce the order.
- If information changes later, you may complete this form again and turn it in to the court.

To Court Clerk: Do not file this form. The information on this form must be entered into the protective order registry in CLETS.

Court fills in case number when form is received.

Case Number:

Date received by court: _____

Information that has a star (*) next to it is required. All other information is helpful.

① Person You Want a Restraining Order Against

Address: _____

City: _____ State: _____ Zip: _____

*Name: _____ D.O.B.: _____ Gender: _____

Other names used: _____

Marks, scars, or tattoos: _____

Driver's license (*number and state*): _____ SSN: _____

Vehicle type: _____ Model: _____ Year: _____ Plate number: _____

Telephone: _____

Name of employer and address: _____

Does the person speak English?

☐ Yes

☐ No (*list language*): _____

☐ I don't know

Does the person have any firearms (guns), firearm parts, ammunition, or body armor?

☐ No

☐ I don't know

☐ Yes (*Give any information you have below, like the type, amount, or location of any items, if known.*)

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



2 *Your Name: _____

(Skip 3 and 4 if you are asking for a gun violence (form GV-100) or retail crime (form RT-100) restraining order.)

3 Your Information

*Gender: ☐ M ☐ F ☐ X (nonbinary) Race: _____

*Age: _____

Date of Birth (month, day, year): _____

(If the judge grants your restraining order, your information will be entered into California's law enforcement database. If you give your date of birth, it will also be entered into the federal law enforcement database. If your information is not in the federal law enforcement database, your restraining order may be more difficult to enforce outside of California.)

Telephone: _____

Do you speak English?

☐ Yes

☐ No (list language): _____

4 Other People You Want Protected

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

☐ Check here if you have more people to list. Write them on a separate piece of paper, write "Item 4" at the top, and attach it to this form.

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

Proof of Service

RENEW CHRO

If you want to find someone on your own to serve the forms, your server will complete the following form.

Clerk stamps date here when form is filed.

1 Person Seeking Protection

Name: _____

2 Person From Whom Protection Is Sought

Name: _____

3 Notice to Server

The server must:

- Be 18 years of age or older.
- Not be listed in items ① or ③ of form CH-100.
- Give a copy of all documents checked in ④ to the person in ②. (You cannot send them by mail.) Then complete and sign this form and give or mail it to the person in ①.



Fill in court name and street address:

Superior Court of California, County of Santa Clara
 191 North First Street
 191 North First Street
 San Jose, CA 95113
 Civil Division

Court fills in case number when form is filed.

Case Number:**4 I gave the person in ② a copy of the forms checked below:**

- a. ☐ CH-109, *Notice of Court Hearing*
- b. ☐ CH-110, *Temporary Restraining Order*
- c. ☐ CH-100, *Request for Civil Harassment Restraining Orders*
- d. ☐ CH-120, *Response to Request for Civil Harassment Restraining Orders* (blank form)
- e. ☐ CH-120-INFO, *How Can I Respond to a Request for Civil Harassment Restraining Orders?*
- f. ☐ CH-130, *Civil Harassment Restraining Order After Hearing*
- g. ☐ CH-250, *Proof of Service by Mail* (blank form)
- h. ☐ CH-800, *Receipt for Firearms and Firearm Parts* (blank form)
- i. ☒ Other (specify): Local Form CV-5014 Declaration Ex Parte Application Orders for Civil Harassment; CH-710 Notice of Hearing to Renew Restraining Order, Blank CH-720 Response to Renew Restraining Order

5 I personally gave copies of the documents checked above to the person in ②:

- a. On (date): _____ b. At (time): _____ ☐ a.m. ☐ p.m.
- c. At this address: _____
 City: _____ State: _____ Zip: _____

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

Blank Response

For the Other Party

Leave Blank. These have
to be served (hand
delivered) to the other
side along with a filed
copy of your forms.

Response to Request to Renew Restraining 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.

Fill in court name and street address:

Superior Court of California, County of

Santa Clara
191 North First Street
191 North First Street
San Jose, CA 95113

Civil Division 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.

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.



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