

SAMPLE

EA Renewal Request

Rev. 1/1/2025

Please use the following
samples to help you fill out
the blank forms.

NAME AND ADDRESS OF PARTY OR ATTORNEY FOR PARTY:		TELEPHONE NUMBER:	FOR COURT USE ONLY
Your name Your address			
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: Your name			
Person From Whom Protection is Sought: Restrained Person's name			
DECLARATION IN SUPPORT OF EX PARTE APPLICATION FOR CIVIL RESTRAINING ORDERS			CASE NUMBER: DEPT #: Your Court Case Number

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): _____ **Check one**

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.)
Restrained Person's name (or their attorney's name, if they have one)

Address/Telephone number: **Restrained Person's Address/Phone #**

3. OTHER CASES: Have the parties to this case been involved in litigation with each other in Juvenile, or Criminal Court Case? Yes No If "yes", case(s) number(s): _____ **Check one, if "yes" list the case number(s) here**

4. NOTICE

a. I HAVE given notice to the opposing party and/or their attorney by the following method:

Person:

Date: _____

I have _____

LEAVE BLANK

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.

Today's date
Date

Print your name
Print Name

Sign your 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

EA- 710**Notice of Hearing to Renew
Restraining Order**

Clerk stamps date here when form is filed.

1 Protected Elder or Dependent Adulta. Full Name: **Protected Person's legal name** Person requests a different (person) _____**If you are NOT the protected person listed above, mark this box and write your name.**

Full Name: _____

Lawyer for person named above (*if any for this case*):Name: **Self-Represented** 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: **Protected Person's mailing address**City: **Note: Use a SAFE mailing address.**

Telephone: _____ Fax: _____

E-Mail Address: _____

Court name and street address:

**Superior Court of California, County of
Santa Clara
191 N. First St.
191 N. First St.
San Jose, CA 95113**

Fill in case number:

Your Court Case Number**2 Restrained Person**Full Name: **Name and Address of the Restrained Person**Address (*if known*): _____

City: _____

To the Restrained Person:**3 Court Hearing**The judge has set a court hearing date. *Court will fill in box below.*

The date of the hearing:	LEAVE BLANK	rent from above:
Hearing Date		

At the hearing, the judge can renew the current restraining order for up to another five years or make it permanent. 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 EA-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 person in ① at the address in ① at least **-2-** days before the hearing. Also file Form EA-250, *Proof of Service of Response by Mail*, with the court before the hearing.

This is a Court Order.

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.

- EA-700, *Request to Renew Restraining Order*;
- EA-710, *Notice of Hearing to Renew Restraining Order* (this form);
- EA-720, *Response to Request to Renew Restraining Order* (blank copy);
- EA-130, the current *Elder or Dependent Adult Abuse Restraining Order After Hearing* for which renewal is requested.

After the restrained person has been served, file Form EA-200, *Proof of Personal Service*, with the court clerk. For help with service, read Form EA-200-INFO, *What Is “Proof of Personal Service”?*

Date: _____

LEAVE BLANK**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 below when form is filed.

1 Protected Elder or Dependent Adult

a. Full Name: Person requests

different (per-

If you are NOT the protected person listed
above, mark this box and write your name.

Full Name: _____

Lawyer for person named above (if any for this case):

Name: Self-Represented State Bar No.: _____Firm Name: Self-Representedb. 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:
Note: Use a SAFE mailing address.

City: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Court name and street address:

Superior Court of California, County of
Santa Clara
191 N. First St.
191 N. First St.
San Jose, CA 95113

Fill in case number:

Your Court Case Number

2 Restrained Person

Full Name:

Address (if known): _____

City: _____

ip: _____

3 Request to Renew Restraining Order

I ask the court to renew the *Elder or Dependent Adult Abuse Restraining Order After Hearing* (Form EA-130). A copy of the order is attached.**Date your order expires (Note: You must file before the order expires
and no sooner than 3 months before the expiration date.)**

a. The order ends on (date):

and no sooner than 3 months before the expiration date.)b. This is my first request to renew the order.**Check here if this is your first renewal** The order has been renewed times.c. I want the order to be renewed for five years permanently**Are you asking for 5 more years
or a permanent order?**

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.**This is where you explain why you want the order renewed for the length of time listed
above. Are you in continued fear? Have there been violations of the order?**

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: **Print your name**

Type or print your name

Sign your name

Sign your name

This is not a Court Order.

SHORT TITLE

Your last name v. Restrained Person's last name

Your Court Case Number

ATTACHMENT (Number) : 3d

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

You may use this page to continue your declaration explaining why you need a renewal of the restraining order.

You may use this page to continue your declaration explaining why you need a renewal of the restraining order.

(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)

Form Approved for Optional Use
Judicial Council of California
MC-025 [Rev. July 1, 2009]

ATTACHMENT
to Judicial Council Form

www.courtinfo.ca.gov



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:

**Your Case Number, if you have one
Do NOT list police report #'s**

Date received by court:

**Date this form
is turned in**

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

1 Person You Want a Restraining Order Against

*Name: **Restrained Person's Name and Address**

Address: _____

City: _____

State: _____ Zip: _____

Other names used: **List any other names the Restrained Person uses, DOB and**

D.O.B.: _____

Gender: _____

Marks, scars, _____

Driver's license _____

Vehicle type: _____

Telephone: _____

Name of emp: _____

**Complete as much information as possible
about the restrained person**

Does the person _____

Yes
 No (list later)
 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.)

**If the Restrained Person have any firearms, firearm parts, ammunition or body armor,
describe what items they have in as much detail as possible and indicate where they are kept,
if known.**

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

2 *Your Name: **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:

*Age:

Date of:

(If the database information is not available, leave this blank.)

Telephone:

Do you:

Yes

No *(including language):*

Complete this section about yourself as fully as possible. The items in bold are mandatory.

4 Other People You Want Protected

*Name: **If you asked to protect additional people, you must list them here. Complete the information as fully as possible. The items in bold are mandatory.** b: _____

*Name: **If you asked to protect additional people, you must list them here. Complete the information as fully as possible. The items in bold are mandatory.** b: _____

*Name: **If you asked to protect additional people, you must list them here. Complete the information as fully as possible. The items in bold are mandatory.** *Gender: _____ Race: _____ Date of Birth: _____

*Name: **If you asked to protect additional people, you must list them here. Complete the information as fully as possible. The items in bold are mandatory.** *Gender: _____ Race: _____ Date of Birth: _____

Check here **If you are asking to protect more than 4 additional people, ask** paper, write "Item 4" at the top, and attach **the Restraining Order Help Center staff for an attachment.**

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

Instructions: Each county in California has a sheriff (and sometimes a marshal's office) that can serve different types of court papers, including restraining orders. Note that the sheriff cannot guarantee that they will be successful in finding the person you need served, but they will try to serve based on the information you put on this form.

- Complete this form for each set of papers you need served. You must complete a separate form for each person you need served.
- Find out where the person you need served is located. Give your papers to the sheriff or marshal's office in that county.
- You may have to pay for service of some court papers. For more information, see page 5 of this form, or go to selfhelp.courts.ca.gov/sheriff-serves.
- Do not use this form if you are asking the sheriff to enforce a wage garnishment order on an employer. Instead, use forms WG-001, *Application for Earnings Withholding Order*, and WG-035, *Confidential Statement of Judgment Debtor's Social Security Number*.
- If you want the sheriff to enforce a writ or levy, complete this form and form SER-001A, *Special Instructions for Writs and Levies—Attachment*.

CONFIDENTIAL

To Court Clerk: Do not file this form.

Sheriff File Number (for sheriff to complete, if needed):

LEAVE BLANK

Fill in case number:

Court Case Number:

COURT CASE #'s Only
Do NOT use police card/report #'s

If you are starting a new case, you will be given a case number when you file your Restraining Order forms.

All information is required unless it is listed as optional or does not apply to your case.

1 To the Sheriff or Marshal of (name of county): County where service is requested

2 Your Information

a. Your name (party requesting service): Your name, as listed on the Restraining Order forms

b. Your lawyer's information (if you have one)

Name: Self-Represented

Firm name: _____

c. Court case name: Your last name v. Restrained Person's last name

(example: Garcia v. Smith)

d. Contact information for the sheriff or marshal to reach you

(Give an address where you can receive mail regularly, like a post office box, a Safe at Home address, or another safe address. If you have a lawyer, give the lawyer's information.)

Address to receive mail:

Your mailing address, this should be a safe address where you can reliably receive mail (usually the same address listed on your restraining order forms).

City: _____

Telephone number:

If you want the Sheriff's Office to have your phone number or email so they can contact you, if necessary, list them here.

This is not a court form. Do not file with the court.

Court Case Number:

COURT CASE #'s Only

Do NOT use police card/report #'s

3 Information
(Check a or b)

Complete this section about the Restrained Person. This information will help the Sheriff in trying to locate and serve them, so fill it out as completely as possible.

a. I ask the sheriff to serve a person (complete section below)

(1) Name of person: **Restrained Person's name as listed on your Restraining Order forms**

Nicknames or aliases (optional):

If the Restrained Person uses any other names, list them here

(2) Telephone number (optional):

Restrained Person's phone number, if known

(3) Can you describe the person?

No, **Only check "No", if you cannot provide ANY of the information requested below.**

Yes (complete the section below with any information you have):

General information about the Restrained Person. Write "unk" if the information is unknown.

He/She

Date of birth:

Race:

Special needs:

Vehicle:

Check here if you are including a picture of the person.

(4) Do you know of any safety or accessibility issues?

No **Check "Yes", if any of the items below apply to the**

Yes (complete the section below with any information you have): **Restrained Person then check ALL that apply.**

The person (check all that apply):

Has a gun or other weapon.

Is on probation or parole.

Has a history of violence or abuse.

Has an aggressive animal.

Has special training (examples: military, first responder).

Has mental health issues.

Is deaf or hard of hearing.

Does not speak English (list language): _____

Add any other information about safety or accessibility that you know about:

b. I ask the sheriff to serve a person (complete section below)

(1) Name:

Telephone:

(2) If the person is not home:

(3) If the person is not home:

(4) List:

LEAVE BLANK

CONFIDENTIAL

This is not a court form. Do not file with the court.

Court Case Number:

COURT CASE #'s Only
Do NOT use police card/report #'s

4 Address Where Person or Entity Should Be Served

(The sheriff typically serves during normal business hours. Check with the sheriff's office for the exact times.)

Address: **List the Restrained Person's address. This is where the Sheriff's Office will go to try to serve them, so list the address where they are mostly likely to be found.**

City: _____

Gate code or special instructions **Complete this if it applies** _____ When is the Restrained Person most likely to be at the address provided? _____

Best time to serve at this address (example: 8 a.m.–noon): _____

Che If the Restrained Person is in jail/prison, check here and list the facility. _____

Alternate address (optional)

(If the person cannot be found at the address listed above, some sheriffs may try a second address if it's in the same county. If you have an alternate address, fill in the section below.)

If you have an alternate address for the Restrained Person, fill in this section.

Address: _____

Business _____

City: _____

Gate code: _____

Best time to serve at this address (example: 8 a.m.–noon): _____

5 Information About Your Request

a. What type of court papers are you giving the sheriff to serve (examples: summons, restraining order, eviction, small claims, bank levy, or writ of attachment)?

Restraining Order

b. List all forms or court papers you want served on the person in ③ a. (optional).

(Note: You can list each form by its form number (example: FL-100, SC-100). If there is no form number, give the title of the document. The court may have ordered you to serve certain papers. Look at the court's order and list all forms required. If you do not know which papers you need to serve, ask a lawyer, or contact your local self-help center for free information.)

LEAVE BLANK

c. Is there a court hearing (court date)?

This question depends on what is being served. Unsure? Ask staff for assistance.

Restraining Order Request: You requested a restraining order but your case has not had a trial and been decided by a Judge and there is an upcoming hearing. You will check "Yes" and list the court date here. For new requests, if you are asking for the Santa Clara County Sheriff's Office to serve, court staff will fill in the date for you once the paperwork has been processed.

Restraining Order After Hearing: You already had a hearing and the court granted your request for a longer term restraining order (usually up to 5 years). You will check "No".

Court Case Number:

COURT CASE #'s Only
Do NOT use police card/report #'s

Your Next Steps

- Find out if you need to pay a fee for service by asking the court's self-help center, a lawyer, or the sheriff's office. Here are some situations where you **do not** need to pay for service:
 - If you have a fee waiver in your case (fee waiver granted by a judge on form FW-003 or FW-005).
 - If you are serving a domestic violence, elder abuse, or gun violence restraining order.
 - If you have a civil harassment, workplace violence, or school violence restraining order based on a credible threat of violence or stalking.
- Give this form and a copy of all the court papers you need served to the sheriff or marshal, including a copy of a fee waiver (if you have one). You can turn in your papers in person or send them electronically.
- You should get a form back from the sheriff.
 - If the sheriff was able to serve your court papers, you should receive a form (called a proof of service). **Make sure you get a copy from the sheriff and file it with the court.** Note that if there is a court stamp at the top right corner of the first page, it has already been filed and you do not need to file it with the court.
 - If the sheriff was unable to serve your court papers, you should receive a form (sometimes called declaration of due diligence) that tells you that service was unsuccessful and will give details about when the sheriff tried to serve the person. If the sheriff was unable to serve your papers, you can ask a lawyer or court's self-help center about your next steps.
- To find your local court self-help center, go to selfhelp.courts.ca.gov/. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case. Services are free.

To Sheriff or Marshal

- This form is confidential and must not be made public.
- Any papers submitted with this form should be served and listed on the applicable proof of service form.
- Note that ⑤ b is optional and may help to identify documents that should have been submitted but were not received by your office.
- Under Government Code section 26666.2, once you've received a completed copy of this form and forms for service, you must attempt service unless:
 - Any order submitted does not have a judge's signature or other representation of a judge's signature; clerk's endorsement; or court stamp, seal, or other court endorsement; or
 - A court case number is not listed on the order, summons, or other notice.

CONFIDENTIAL

This is not a court form. Do not file with the court.