

You may need to ask for a new hearing date

If you are unable to have Form DV-109 (*Notice of Court Hearing*) and other papers served in time before the hearing date, use Form DV-115, *Request to Continue Court Hearing and Reissue Temporary Restraining Order*.

What does Form DV-115 do?

On Form DV-115 you ask the judge to “continue” the court hearing and “reissue” any temporary restraining orders on Form DV-110, *Temporary Restraining Order*.

- “Continue” the hearing means to give you a new hearing date.
- “Reissue” means to keep any temporary orders in effect until the new hearing date.

Follow these steps:

- Fill out all of Form DV-115.
- Fill out items ① and ② on Form DV-116, *Notice of New Hearing Date and Order on Reissuance*.
- The judge will need to review your papers. In some courts, you must give your papers to the clerk. Ask the court clerk for information on how you ask the judge to review your papers.
- If the judge signs Form DV-116, the court will give you a new hearing date.
- File both forms with the clerk. The clerk will make up to three file-stamped copies for you. Keep at least one copy to bring to court on the hearing date.
- Have a copy of all court papers served personally on the person to be restrained by the time listed in item ⑦(c) on Form DV-116.
- Now the temporary orders, if any, will last until the new hearing date.
- Ask the person who serves the papers to complete Form DV-200, *Proof of Personal Service*, and give it to you. Make two copies and bring them all to court on the hearing date.
- The clerk will send the restraining order to law enforcement or CLETS for you. CLETS is a statewide computer system that lets police know about the order.

Bring a copy of all of your papers and the original Form DV-200, *Proof of Personal Service*, to the court hearing.

Need help?

Ask the court clerk about free or low-cost legal help.

For a referral to a local domestic violence or legal assistance program, call the National Domestic Violence Hotline:

1-800-799-7233

TDD: 1-800-787-3224

It's free and private.

They can help you in more than 100 languages.

Clerk stamps date here when form is filed.

Use this form to change the hearing date listed on Form DV-109, *Notice of Court Hearing*. (Read DV-115-INFO, How to Ask for a New Hearing Date for more information).

1 Name of Person Asking for Protection:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your 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

Fill in case number:

Case Number:

2 Name of Person to Be Restrained:

Mailing Address (if known): _____

City: _____ State: _____ Zip: _____

3 Request to Continue Hearing and Reissue Temporary Restraining Order

- a. The hearing date is (date): _____
- b. The *Notice of Court Hearing* (Form DV-109) and any temporary restraining orders have been reissued _____ times.
- c. I ask the judge to continue the *Notice of Court Hearing* (Form DV-109) and reissue any temporary restraining orders granted on *Temporary Restraining Order* (Form DV-110) because:
 - 1. I could not get the papers served before the hearing date.
 - 2. Other (specify): _____

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

Date: _____

Lawyer's name, if you have one

▶ _____
Lawyer's signature

This is a not a Court Order.

Clerk stamps date here when form is filed.

1 Name of Person Asking for Protection:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your 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

Fill in case number:

Case Number:

2 Name of Person to Be Restrained:

(Court will fill out all sections below.)

3 New Hearing Date

A new hearing date is scheduled because (check the boxes that apply):

- a. The person in ② was not served before the current hearing date.
- b. The parties were referred to Family Court Services.
- c. The person in ② asked for time to hire a lawyer or prepare a response.
- d. Other (specify):

4 Order for Continuance and Notice of Hearing

The Notice of Court Hearing (Form DV-109) is reset for hearing in this court on this new date:

New Hearing Date →	Date: _____	Time: _____	Name and address of court if different from above:
	Dept.: _____	Room: _____	_____

This is a Court Order.

5 Reissue Temporary Restraining Order

- a. No temporary restraining order was issued in this case.
- b. The request to reissue the temporary restraining order is **GRANTED**.
The attached *Temporary Restraining Order* (Form DV-110) is reissued. Any orders listed on that form remain in effect until the end of the hearing in **4**.
- c. The request to reissue the temporary restraining order is **DENIED** until the hearing.
Reason for denial:

Warning and Notice to the Person in 2

If the request to reissue the Temporary Restraining Order is **GRANTED** in **5(b)**, you must continue to obey the attached Temporary Restraining Order until the end of the hearing scheduled in **4**.

6 Expiration Date

If **5(b)** is checked, the attached *Temporary Restraining Order* (Form DV-110) expires at the end of the hearing scheduled in **4**.

7 Service of Order

- a. No further service of this Order is required because both parties were present at the hearing when the new hearing date was ordered.
- b. A copy of this Order must be served on the person in **1** at least ____ days before the hearing.
- c. A copy of this Order must be served on the person in **2** at least ____ days before the hearing, along with all other documents requesting domestic violence restraining orders. If the reissuance is denied in item **5(c)**, a copy of the Temporary Restraining Order must **not** be attached or served.

8 No Fee to Serve (Notify) Restrained Person

If the sheriff or marshal serves this order, he or she will do it for free.

Date: _____

Judicial Officer

This is a Court Order.



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 for *Request for Accommodations by Persons with Disabilities and Response* (Form MC-410). (Civ. Code, § 54.8)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate

I certify that this *Notice of New Hearing Date and Order on Reissuance* is a true and correct copy of the original on file in the court.

[seal]

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

- 1 **What does “renew” mean?**
 - It is the way the judge can make your current restraining order last longer than the current expiration (end) date.
 - If the judge “renews” your *Restraining Order After Hearing* (Form DV-130), it will have a new expiration (end) date.
- 2 **When do I ask for the renewal?**

Anytime within the three months before the date your current order ends (see Form DV-130).
- 3 **How long can the new order last?**

The order can last for five years or permanently.
- 4 **What will the judge want to know?**

The judge may renew a restraining order without a showing of any abuse since the original order. However, you must show a reasonable fear of abuse in the future.
- 5 **How much does it cost?**

Nothing.
- 6 **Do I have to go to court?**

Yes. Go to court on the date the clerk gives you. If you do not, your restraining order will end.
- 7 **What are the steps?**
 - Fill out:
 - Form DV-700 (*Request to Renew Restraining Order*)
 - Form DV-710 (*Notice of Hearing to Renew Restraining Order*)
 - Attach a copy of your current *Restraining Order After Hearing* (Form DV-130) to Form DV-700.
 - Make at least 3 copies of all forms.
 - Take the forms to the court clerk.
 - The clerk will give your forms to the judge for signature. Sometimes the judge may want to talk to you. If so, the clerk will tell you. If the judge signs Form DV-710, the court will send it to law enforcement or CLETS for you. CLETS is a statewide computer system that lets law enforcement know about your order.

- 8 **The clerk or judge will set a hearing date.**

You must go to the hearing. Form DV-710 will tell you when and where it will be.

- 9 **Have someone age 18 or older personally serve the restrained person with a copy of these forms:**
 - DV-700 (*Request to Renew Restraining Order*)
 - DV-710 (*Notice of Hearing to Renew Restraining Order*)
 - Your current DV-130 (*Restraining Order After Hearing*)
 - DV-720 (*Response to Request to Renew Restraining Order*)—leave it blank for the restrained person to answer.

For information on “service,” read Form DV-200-INFO (*What Is “Proof of Personal Service”?*). Someone 18 or older—not you or anyone protected by the restraining order—can serve the order. The person who serves the forms must complete the *Proof of Personal Service* (Form DV-200).

This is not a Court Order.

- 10** **File the *Proof of Personal Service*.**
- The *Proof of Personal Service* (Form DV-200) shows the judge that the restrained person knows about the hearing date.
 - Make 3 copies of the original *Proof of Personal Service*.
 - Take the original and the copies to the court clerk at least 2 days before your hearing. The clerk will file the original and give you back the copies stamped "Filed."
 - The clerk will send the *Proof of Personal Service* to law enforcement or CLETS for you. CLETS is a statewide computer system that lets police know about your order.

- 11** **Go to the court hearing.**
- At the hearing, the judge will decide whether or not to renew the order. Bring a copy of the *Proof of Personal Service* (Form DV-200) with you.

- 12** **If the judge renews the order at the hearing . . .**
- The form *Order to Renew Domestic Violence Restraining Order* (Form DV-730) will need to be filled out. Some courts will do this for you. In other courts, you will have to do it yourself. Ask the court clerk for information on the local process. The judge will sign Form DV-730 after it is filled out.
 - The clerk will file the original and give you up to 3 stamped copies.
 - The court will send Form DV-730 to law enforcement or CLETS for you. CLETS is a statewide computer system that lets law enforcement know about the order.

- 13** **Serve the Papers**
- You must have Form DV-730 served, either by mail or in person.
- You can have Form DV-730 served by mail only if:
 1. The restrained person was at the hearing **or**
 2. The restrained person was not at the hearing but the renewed orders are identical to the orders on Form DV-130, except for the end date.
- Ask the server to complete Form DV-250 (*Proof of Service by Mail*) and give it to you.
- You must have Form DV-730 served in person if:

The restrained person was not at the hearing and the renewed orders are different from the orders on Form DV-130, except for the end date.
- Ask the server to complete Form DV-200 (*Proof of Personal Service*) and give it to you.

- 14** **File your *Proof of Service*.**
- Make 3 copies of the completed *Proof of Service* (Form DV-200 or DV-250).
 - Mail or take the original and the copies to the court clerk. The clerk will file the original.
 - Keep one copy with you and another in a safe place in case you need to show it to the police.
 - The court or the sheriff (if the sheriff serves the order) will send the *Proof of Service* to CLETS for you.

This is not a Court Order.

Clerk stamps below when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

1 Name of Protected Person:

Your lawyer in this case (if you have one):

Name: State Bar No.:

Firm Name:

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address:

City: State: Zip:

Telephone: Fax:

E-Mail Address:

2 Name of Restrained Person:

Describe that person: Sex: M F Ht.: Wt.: Race: Hair Color: Eye Color: Age: Date of Birth:

3 I ask the court to renew the Restraining Order After Hearing (Form DV-130). A copy of the order is attached.

- a. The order ends on (date):
b. The order has been renewed times.
c. I want the order to be renewed for (check one):
5 years permanently

4 I ask the court to renew the order because: (Check all that apply. Explain why you are afraid of abuse in the future):

- a. The person in 2 has violated the order (explain what happened and when):
b. I am afraid that the person in 2 will abuse me in the future because:
c. Other (explain):
Check here if you need more space. Attach a sheet of paper and write "Form DV-700, Other" for a title.

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.

Clerk stamps date here when form is filed.

1 Name of Protected Person:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your 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

Fill in case number:

Case Number:

2 Name of Restrained Person:

Description of restrained person:

Sex: M F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Race: _____ Age: _____ Date of Birth: _____

Mailing Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to protected person: _____

Court will fill in the rest of this form.

3 Court Hearing

The judge has set a court hearing date.

The restraining order (Order of Protection) stays in effect until the hearing date.

Name and address of court if different from above:

New Hearing Date

→ Date: _____ Time: _____

Dept.: _____ Rm.: _____

To the person in 2:

At the hearing, the judge can renew the current restraining order for another 5 years or permanently. Before the hearing, you can file a response on form DV-720. You *must* continue to obey the current restraining orders until the hearing. At the hearing, you can tell the judge why you agree or disagree with the request to renew the orders. If the restraining orders are renewed, you *must* obey the orders even if you do not attend the hearing.

This is a Court Order.



4 Service and Response**To the Person in ①**

Someone 18 or over—**not you or anyone else protected by the restraining order**—must personally “serve” a copy of the following forms on the person in ② at least _____ days before the hearing.

- DV-700, *Request to Renew Restraining Order* (file stamped);
- DV-710, *Notice of Hearing to Renew Restraining Order* (this form);
- DV-720, *Response to Request to Renew Restraining Order* (blank copy);
- DV-130, the current *Restraining Order After Hearing (Order of Protection)* that you want to renew.

After the person in ② has been served, file Form DV-200, *Proof of Personal Service*, with the court clerk. For help with service, read Form DV-200-INFO, *What Is “Proof of Personal Service”?* **Bring a copy of Form DV-200, Proof of Personal Service, to the court hearing.**

To the Person in ②

If you want to respond in writing to the request to renew the restraining order, fill out form DV-720, *Response to Request to Renew Restraining Order*. File the original with the court, and have someone 18 or over—**not you**—mail a copy of it to the person in ① before the hearing. Also file form DV-250, *Proof of Service by Mail*, with the court before the hearing. **Bring a copy of Form DV-250, Proof of Service by Mail, to the court hearing.**

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.)

Clerk stamps date here when form is filed.

1 Name of Protected Person:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your 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

Fill in case number:

Case Number:

2 Name of Restrained Person:

Description of restrained person:

Sex: M F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Race: _____ Age: _____ Date of Birth: _____

Mailing Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to protected person: _____

3 Hearing

There was a hearing on (date): _____ at (time): _____ a.m. p.m. Dept. ____ Room: _____

These people were at the hearing:

a. The person in ① c. The lawyer for the person in ① (name): _____

b. The person in ② d. The lawyer for the person in ② (name): _____

4 Renewal and Expiration

The request to renew the attached restraining order, issued on (date): _____ is:

a. GRANTED. The attached restraining order is renewed and will now be in effect for:

5 years permanently (the renewed restraining order must be attached to this form.)

The attached order will expire on:

(date): _____ (time): _____ a.m. p.m. or midnight

(Child custody, visitation, and support orders may have been modified and may be different from those issued on the attached restraining order).

b. DENIED. The attached restraining order expires as stated in that order.

Number of pages attached: _____

Date: _____

Judicial Officer

This is a Court Order.

SHORT TITLE: 	CASE NUMBER:
----------------------	----------------------

ATTACHMENT (Number): _____

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

(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)

What is “service”?

Service is the act of giving your legal papers to the other person. There are many kinds of service—in person, by mail, and others. This form is about personal or “in-person” service. The *Notice of Court Hearing* (Form DV-109), *Request for Domestic Violence Restraining Order* (Form DV-100) and *Temporary Restraining Order* (Form DV-110) must be served “in person.” That means someone—not you or anyone else protected by the order—must personally “serve” (give) the person to be restrained a copy of the forms. You cannot send them by mail.

Service lets the other person know:

- What orders you are asking for
- The hearing date
- How to respond



Why do I have to get the orders served?

- The *police cannot arrest* anyone for violating an order *unless* the restrained person knows about the order.
- The *judge cannot make the orders permanent* unless the restrained person was served.

Who can serve?

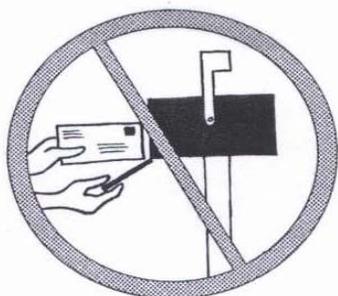
Ask someone you know, a process server, or a law enforcement agency (for example, a sheriff) to personally serve (give) a copy of the orders to the person to be restrained. You *cannot* send the forms to that person by mail.

The server must:

- Be 18 years of age or over
- Not be you or anyone to be protected by the orders

A sheriff can serve the order at no cost to you.

A “registered process server” is a business you pay to deliver court forms. Look for “Process Serving” in the Yellow Pages or on the Internet. (If a law enforcement agency or the process server uses a different Proof of Service form, make sure it lists the forms served.)



Don't serve it by mail!

How to Serve

Ask the server to:

- Walk up to the person to be served.
- Make sure it's the right person. Ask the person's name.
- Give the person copies of all papers checked on Form DV-200, *Proof of Personal Service*.
- Fill out and sign Form DV-200.
- Give the signed Form DV-200 to you.

What if the person won't take the papers or tears them up?

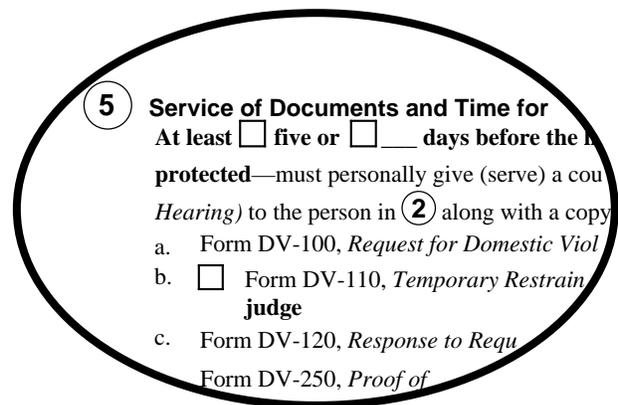
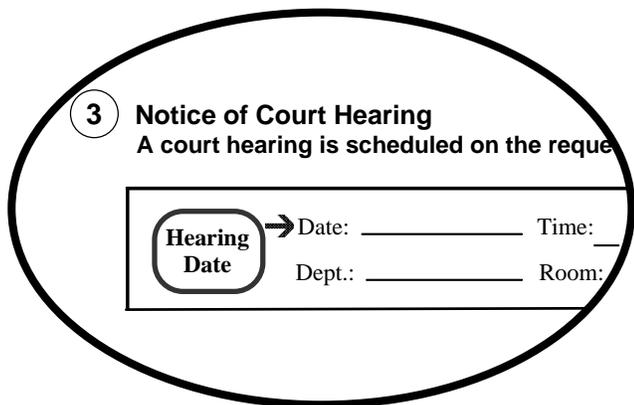
- If the person won't take the papers, just leave them near him or her.
- It doesn't matter if the person tears them up.



When do the orders have to be served?

It depends. To know the exact date, you have to look at two things on Form DV-109:

First, look at the hearing date on page 1 of Form DV-109. Next, look at the number of days written in item ⑤ on page 2.



Look at a calendar. Subtract the number of days in item ⑤ from the hearing date. That’s the final date to have the orders served. It’s always OK to serve earlier than that date.

If nothing is written in item ⑤ you must have the papers served at least 5 days before the hearing.

Who signs the *Proof of Personal Service*?

Only the person who serves the orders can sign the *Proof of Personal Service* (Form DV-200). You do not sign it. The person to be restrained does not sign it.

What happens if I cannot get the papers served before the hearing date?

Before your hearing, fill out and file a *Request to Continue Hearing and Reissue Temporary Restraining Order* (Form DV-115) and *Notice of New Hearing Date and Order on Reissuance* (Form DV-116). These forms ask the judge for a new hearing date and make any temporary orders last until then. Ask the clerk for the forms or go to www.courts.ca.gov.

You **must** attach a copy of Form DV-115 and DV-116 to a copy of your original order. That way, the police will know your orders are still in effect. And the restrained person will be served with notice of the new hearing date. For more information on getting a new hearing date, read Form DV-115-INFO, *How to Ask for a New Hearing Date*.

What do I do with the completed *Proof of Personal Service*?

Bring a copy of the original *Proof of Personal Service* (Form DV-200) to your hearing.

If the sheriff serves the orders, he or she will send the *Proof of Personal Service* to the court and CLETS (California Law Enforcement Telecommunications System), a statewide computer system that lets police know about your order, for you.

If someone other than the sheriff serves the orders, you should:

- If possible, file the original *Proof of Personal Service* (Form DV-200) with the court at least 2 days before your hearing. If you were unable to do this, bring the original *Proof of Personal Service* to your hearing.
- The clerk will send it to CLETS.
- Always keep an extra copy of the restraining orders with you for your safety.

Clerk stamps date here when form is filed.

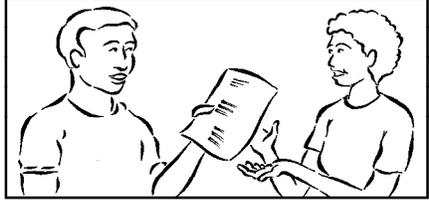
1 Name of Person Asking for Protection: _____

2 Name of Person to Be Restrained: _____

3 **Notice to Server**

The server must:

- Be 18 years of age or older.
- Not be listed in items 1 or 3 of form DV-100, *Request for Domestic Violence Restraining Order*.
- Give a copy of all documents checked in 4 to the restrained 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 _____

Fill in case number:

Case Number: _____

- 4 I gave the person in 2 a copy of all the documents checked:
- a. DV-109 with DV-100 and a blank DV-120 (*Notice of Court Hearing; Request for Domestic Violence Restraining Order; blank Response to Request for Domestic Violence Restraining Order*)
 - b. DV-110 (*Temporary Restraining Order*)
 - c. DV-105 and DV-140 (*Request for Child Custody and Visitation Orders, Child Custody and Visitation Order*)
 - d. FL-150 with a blank FL-150 (*Income and Expense Declaration*)
 - e. FL-155 with a blank FL-155 (*Financial Statement (Simplified)*)
 - f. DV-115 (*Request to Continue Hearing and Reissue Temporary Restraining Order*)
 - g. DV-116 (*Notice of New Hearing Date and Order on Reissuance*)
 - h. DV-130 (*Restraining Order After Hearing*)
 - i. Other (*specify*): _____

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

a. Date: _____ b. 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: _____

7 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

Use this form to respond to the Request to Renew Restraining Order (Form DV-700)

- Fill out this form and then take it to the court clerk.
- Have someone—**age 18 or older**—not you or anyone in **(3)** on Form DV-130 serve the person in **(1)** by mail with a copy of this form and any attached pages. (*Use Form DV-250, Proof of Service by Mail.*)

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

(1) Protected Person (*See Form DV-700, item (1):*)

(2) Restrained Person:

Your lawyer in this case (*if you have one*):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (*If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.*):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

(3) Response

- a. I agree to renew the order.
- b. I do not agree to renew the order.

(4) I ask the court not to renew the order because (*specify*):

Check here if you need more space. Attach a sheet of paper and write "DV-720, Reason to Not Renew" for a title.

The court will consider your Response at the hearing. Write your hearing date, time, and place from Form DV-710, item **(3)** here:

Hearing Date → Date: _____
Time: _____

Dept.: _____ Room: _____

You must continue to obey the current restraining order on Form DV-130 (Restraining Order After Hearing) until the hearing. If you do not come to the hearing, the court may renew the order against you 5 years or permanently.

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

Date: _____

Your lawyer's name, if you have one

▶ _____
Lawyer's signature