



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
SELF-HELP CENTER**

www.occourts.org

**HOW TO CHANGE A HEARING DATE FOR THE HEARING
ON AN ELDER/ DEPENDENT ADULT RESTRAINING
ORDER**

All documents must be typed or printed neatly.

Please use black ink.

Self-Help Center Locations:

Lamoreaux Justice Center

1st Floor

341 The City Drive

Orange, CA



Central Justice Center

Room G-100

700 Civic Center Drive

Santa Ana, CA



Superior Court

Service Center

27573 Puerta Real

Mission Viejo, CA

Harbor Justice Center

Room 150

4601 Jamboree Rd

Newport Beach, CA

North Justice Center

Room 360

1275 N. Berkeley Ave.

Fullerton, CA



Clerk stamps date here when form is filed.

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

1 Party Seeking Continuance

a. Full Name: _____

- I am the elder or dependent adult seeking protection.
 person requesting protection for the elder or dependent adult (*person named in item 3 of form EA-100*):
 party from whom protection is sought.

Lawyer for person named above (*if any 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: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number.

Case Number:

2 Other Party

Full Name: _____

3 Request to Continue Hearing

a. I ask the court to continue the hearing currently scheduled for (*date*): _____

b. I request that the hearing be continued because (*check any that apply*):

- (1) The party from whom protection is sought could not be served before the hearing date.
(2) I am the party from whom protection is sought, and this is my first request to continue the hearing date.
(3) I need more time to hire a lawyer or prepare a response.
(4) Other good cause as stated below on Attachment 3b(4)

This is not a Court Order.

-
- c. (1) This is my first request for a continuance.
(2) The hearing has previously been continued ____ times.

4 Extension of Temporary Restraining Order

- a. A *Temporary Restraining Order* (Form EA-110) was issued on(*date*): _____
Please attach a copy of the order if you have one.

- b. **Notice: If the hearing date is continued, the *Temporary Restraining Order* will remain in effect until the end of the new hearing unless otherwise ordered by the court.**

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

Date: _____

Type or print your name

Attorney Party Without Attorney



Signature

You may need to ask for a new hearing date if:

- You are the person seeking protection and are unable to have form EA-109, *Notice of Court Hearing*, and other papers served in time before the hearing date.
- You are the person to be restrained making your first request for continuance, and you need time to hire an attorney or prepare a response.
- You have a good reason for needing a new hearing date. (The court may grant a request to continue the hearing on a showing of good cause.)

What does Form EA-115 do?

Use form [EA-115](#) to ask the court to “continue” the hearing. If the court continues the hearing and a *Temporary Restraining Order* (TRO; form [EA-110](#)) was issued, the TRO will be extended until the end of the new hearing unless the court decides to modify or terminate it.

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

Follow these steps:

- Fill out all of form [EA-115](#).
- Fill out items ① through ③ on form [EA-116](#), *Order on Request to Continue Hearing*.
- 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.
- After you turn in your forms as required by your local court, check with the clerk’s office to see if the judge approved (granted) your request to continue the hearing.
- If the judge signs form [EA-116](#), the court will give you a new hearing date. If the judge does NOT sign the form, you should go to the hearing at the date, time, and location that is shown on form EA-109.
- Next, file both forms EA-115 and EA-116 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.
- The other party must be served a copy of the court papers as described in item ⑨ on form [EA-116](#).
- Ask the person who serves the papers to complete a proof of service form and give it to you. If service was in person, use form [EA-200](#), *Proof of Personal Service*. If service was by mail, use form POS-040, *Proof of Service—Civil*. Make two copies of the completed forms.
- File the completed and signed proof of service form with the clerk’s office before the hearing.
- If the court continues the hearing date and extends the TRO to the date of the new hearing, the clerk will send the TRO to law enforcement. It will be entered into a statewide computer system that lets police know about the order so that it can be enforced.

Go to the hearing.

- Take at least two copies of your documents and filed forms to the hearing. Include a filed proof of service form. “Documents” may include exhibits, declarations, and financial statements, which the court may enter into evidence at its discretion.
- If you are the person seeking protection and you do not go to the hearing, the Temporary Restraining Order will expire on the date and time of the hearing. If you are the person to be restrained and you do not go to the hearing, the court can still make orders against you that can last for up to five years.

Need help?

Ask the court clerk about free or low-cost legal help that may be available in your county.

Order on Request to Continue Hearing

Clerk stamps date here when form is filed.

Complete items ①, ②, and ③ only.

① Protected Person

Full Name: _____

② Restrained Person

Full Name: _____

③ Person Seeking Continuance

I am the person in ① person in ②

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

Name: _____ State Bar No.: _____

Firm Name: _____

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: _____

Fill in court name and street address:
Superior Court of California, County of

Fill in case number:
Case Number:

④ Order on Request for Continuance

a. The hearing in this matter is currently scheduled for (date): _____ at (time): _____

b. The request for a continuance is DENIED for the reasons set forth below on Attachment 4b

The hearing shall be held as currently scheduled in a, above. The *Temporary Restraining Order* (form EA-110) issued on (date): _____ remains in full force and effect until the hearing date.

c. The request for a continuance is GRANTED as set forth below.

⑤ Order for Continuance and Notice of New Hearing

The court hearing on the *Request for Elder or Dependent Adult Abuse Restraining Orders* (form EA-100) is continued and rescheduled as follows:

<div style="border: 1px solid black; border-radius: 10px; padding: 5px; display: inline-block;"> New Hearing Date </div>	Date: _____	Time: _____	Name and address of court if different from above: _____ _____
	Dept.: _____	Room: _____	

The extended *Temporary Restraining Order* (form EA-110) expires at the end of this hearing.

This is a Court Order.

6 Reason for the Continuance

a. The continuance is needed because:

- (1) The person in ② was not served before the current hearing date.
- (2) The person in ② asked for a first continuance of the hearing.
- (3) The person in ② asked for more time to hire a lawyer or prepare a response.
- (4) Other good cause as stated below on Attachment 6a(4)

b. The court finds good cause and orders a continuance in its discretion.

7 Extension of Temporary Restraining Order

a. No Temporary Restraining Order was issued in this case.

b. Extension of the *Temporary Restraining Order* (TRO; form EA-110) issued on (date): _____ until the new hearing date is:

- (1) GRANTED. There are no changes to the TRO except for the expiration date. The TRO remains in effect until the end of the hearing in ⑤.
- (2) GRANTED AS MODIFIED. The TRO is modified. See the attached modified order. Any orders on the attached form remain in effect until the end of the hearing in ⑤.
- (3) DENIED and the Temporary Restraining Order is TERMINATED for the reasons stated below on Attachment 7b(3)

Warning and Notice to the Person in ②

If ⑦ b(1) or b(2) is checked, you must continue to obey the Temporary Restraining Order until it expires at the end of the hearing scheduled in ⑤.

8 Other Orders (specify):

Other orders are attached at the end of this Order on Attachment 8.

This is a Court Order.



9 Service of Order

- a. No further service of this Order is required because both parties were present at the initial hearing date in item 4a, and both were given a signed copy of this Order.
- b. The court granted the person in (1)'s request to continue the hearing date. A copy of this Order must be served on the person in (2) at least ____ days before the hearing in (5).
 - (1) All other documents requesting elder and dependent adult abuse restraining orders as shown in form EA-109, *Notice of Court Hearing*, item (5) must be personally served on the person in (2).
 - (2) The *Temporary Restraining Order* (form EA-110) has been modified and must be personally served on the person in (2).
 - (3) A copy of the *Temporary Restraining Order* must NOT be served because extension of the order is denied in item 7b(3).
- c. The court granted the person in (2)'s request to continue the hearing date. A copy of this Order must be served on the person in (1) at least ____ days before the hearing in (5). A copy of the *Temporary Restraining Order* (form EA-110) must be personally served if it was modified by the court in item 7b(2).
- d. All documents must be personally served unless otherwise specified below.

10 No Fee to Serve (Notify) Restrained Person

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

11 Mandatory Entry of Order Into CARPOS Through CLETS

If a continuance is granted, the court or its designee will transmit this form within one business day to law enforcement personnel for entry into the California Restraining and Protective Order System (CARPOS) via the California Law Enforcement Telecommunications System (CLETS).

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 or go to www.courts.ca.gov/forms.htm 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 *Order on Request to Continue Hearing* is a true and correct copy of the
[seal] original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.