

ATTORNEY OR PARTY WITHOUT ATTORNEY <i>(Name, state bar number, and address):</i>  <hr style="width: 20px; margin-left: 0;"/>  TELEPHONE NO. <i>(Optional):</i> _____ FAX NO. <i>(Optional):</i> _____ E-MAIL ADDRESS <i>(Optional):</i> _____ ATTORNEY FOR <i>(Name):</i> _____	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER:  RESPONDENT:	
<b>ORDER TO SHOW CAUSE                  AND TEMPORARY RESTRAINING ORDER                  (Elder or Dependent Adult Abuse) (CLETS)</b>	CASE NUMBER:

**ORDER TO SHOW CAUSE**

1. To *(name of person to be restrained)*:
2. YOU ARE ORDERED to appear in this court at the date, time, and place shown in the box below to give any legal reason why the orders sought and the other relief requested in the petition should not be granted.

**NOTICE OF HEARING**

a. Date:	Time:	Dept.:	Room:
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b. The address of the court where the hearing will be held  is shown above  is *(specify)*:

***A court hearing has been set at the time and place indicated above. You may attend this hearing, with or without an attorney, to give any legal reason why the orders requested in the attached petition should not be granted. Before preparing your response, you should read the INSTRUCTIONS FOR THE RESPONDENT on page four of this document. If you do not appear at the court hearing at the date, time, and place indicated in this notice, the court may grant the requested orders for up to three years without further notice to you.***

Date: \_\_\_\_\_

\_\_\_\_\_  
JUDICIAL OFFICER

**TEMPORARY RESTRAINING ORDER**

**THIS ORDER SHALL EXPIRE AT THE DATE AND TIME OF THE HEARING SHOWN IN THE BOX ABOVE UNLESS EXTENDED BY THE COURT.**

**THE COURT FINDS**

3. a. The restrained person is *(name)*:
- b. The restrained person is described as follows:

Sex:  M  F    Ht.: \_\_\_\_\_ Wt.: \_\_\_\_\_ Hair color: \_\_\_\_\_ Eye color: \_\_\_\_\_ Race: \_\_\_\_\_ Age: \_\_\_\_\_ Date of birth: \_\_\_\_\_

4. The protected person is *(name)*:

PETITIONER:	CASE NUMBER:
RESPONDENT:	

**UNTIL THE TIME OF HEARING, IT IS ORDERED**

5. a. **PERSONAL CONDUCT ORDER**

The restrained person shall not abuse, intimidate, molest, attack, strike, stalk, threaten, sexually assault, batter, harass, telephone, destroy the personal property of, contact directly or indirectly by mail or otherwise, or disturb the peace of the protected person.

b. **RESIDENCE EXCLUSION ORDER**

The restrained person **must** immediately move from the protected person's residence located at (*address*):

and may take only personal clothing and effects needed until the hearing.

c. **STAY-AWAY ORDER**

The restrained person shall stay at least (*specify*): \_\_\_\_\_ yards away from the protected person and the following places:

- (1)  The protected person's residence listed in item 5.b above.
- (2)  The protected person's place of work is located at (*address*):
  
- (3)  The protected person's vehicle (*specify*):
  
- (4)  Other (*specify*):

6. There are no fees for filing these restraining orders.

7.  Fees for service of this order by law enforcement are waived.

8. **OTHER ORDERS** (*specify*):

9. **ORDER SHORTENING TIME**

The request for an order shortening time for service is granted. The documents listed below shall be personally served on the restrained person no fewer than (*specify number*): \_\_\_\_\_ days before the time set for hearing. The response shall be filed and served no fewer than (*specify number*): \_\_\_\_\_ days before the time set for hearing.

- a.  *Petition for Protective Orders (Elder or Dependent Adult Abuse) (CLETS).*
- b.  *Order to Show Cause and Temporary Restraining Order (Elder or Dependent Adult Abuse) (CLETS).*
- c.  *Blank Response to Petition for Protective Orders (Elder or Dependent Adult Abuse) (CLETS).*
- d.  Other (*specify*):

10. **DELIVERY TO LAW ENFORCEMENT**

A copy of this order and any proof of service shall be delivered to the law enforcement agencies listed below by the following means:

- a.  The protected person shall deliver.
- b.  The protected person's attorney shall deliver.
- c.  The clerk of the court shall deliver.

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10. (Continued)

Law enforcement agency

Address

Date:

\_\_\_\_\_  
JUDICIAL OFFICER

**NOTICES TO THE RESPONDENT**

**IMPORTANT INFORMATION FOR RESTRAINED PERSON**

Carefully read these and all other papers served on you. The *Order to Show Cause and Temporary Restraining Order (Elder or Dependent Adult Abuse)* [OSC] tells you when to appear in court and may contain a temporary restraining order forbidding you from doing certain things. If you disobey the court's orders, criminal charges may be filed against you.

If you want to respond to or oppose the *Petition for Protective Orders (Elder or Dependent Adult Abuse)* [Petition], you should file a *Response to Petition for Protective Orders* [Response] (Form EA-110). Read the *Instructions for the Respondent* on the next page for information on how to complete your Response.

**NOTICE REGARDING ENFORCEMENT OF THIS ORDER**

This order is effective when made. It is enforceable anywhere in California by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received, and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and shall enforce it.

Violation of this restraining order may be punished as a contempt of court, a misdemeanor, punishable by one year in jail or a \$1,000 fine, or both.

[SEAL]

**CLERK'S CERTIFICATE**

I certify that the foregoing *Order to Show Cause and Temporary Restraining Order (Elder or Dependent Adult Abuse)* (CLETS) is a true and correct copy of the original on file in the court.

Date:

Clerk, by \_\_\_\_\_, Deputy

PETITIONER: RESPONDENT:	CASE NUMBER:
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## INSTRUCTIONS FOR THE RESPONDENT

- A. If you are served with an *Order to Show Cause and Temporary Restraining Order (Elder or Dependent Adult Abuse)* [**OSC**] (Form EA-120) and a *Petition for Protective Orders (Elder or Dependent Adult Abuse)* [**Petition**] (Form EA-100), you should promptly seek legal advice. If you have no attorney, the attorney referral service of your local bar association may be of assistance.
- B. If you wish to respond to or oppose the **Petition**, you should file a *Response to Petition for Protective Orders* [**Response**] (Form EA-110). An original **Response** must be filed with the court and a copy served on the petitioner or the petitioner's attorney. You do not have to pay any fee to file your **Response**.

In addition to the **Response**, you may file and serve declarations signed by you and other persons who have personal knowledge of the facts. A declaration form (Form MC-031) is available from the clerk's office of the court shown on page one of this form. If you do not know how to prepare a declaration, you should see an attorney. After you have filed the **Response** with the clerk of the court, a copy must be delivered personally or by mail to the petitioner or the petitioner's attorney.

You cannot serve the petitioner yourself. The person who serves the petitioner should complete and sign a *Proof of Service* (Form EA-141). You should take the completed form back to the court clerk before the hearing date or bring it with you to the hearing.

- C. If you wish to oppose the **Petition**, in addition to filing a **Response** you should be present at the hearing. If you have any witnesses, they must also be present at the hearing.