

Domestic Violence Restraining Order - Mendocino County

Fill out the forms online!!

Use a computer program to help you with all the forms.



<http://lawhelpinteractive.org/Interview/GenerateInterview/5492/engine>

If you are **RESPONDING** to a DVRO filed against you, you have **2 opportunities to respond**.

See page two for more information.

Do you qualify to ask for a domestic violence restraining order?

You can ask for a domestic violence restraining order when the person abusing you is or was:

- your **intimate partner** (dating or dated, living or lived together, have a child together) **OR**
- a **close relative** (parent, child, brother, sister, grandmother, grandfather, in-law)

→ If the person abusing you doesn't fit this description and you need protection, you may need a [Civil Harassment Restraining Order](#) or an [Elder Abuse Restraining Order](#). The process is similar, but with different forms.

For help with forms & support: [Project Sanctuary 707-462-9196 \(Ukiah\)](#) or [707-961-1507 \(Fort Bragg\)](#)

STEP 1:

- **Ask for an *Ex Parte* date** either in person or by phone 8:30AM to 3:30PM
Ukiah-Room 107 Fort Bragg/Ten Mile Window
(707) 468-2001 (707) 964-3192
- **Write the date** the court gives you on the ([MMC-120](#)).

STEP 2:

- **Fill out** all of *Request for Domestic Violence Restraining Order*, [DV-100](#) and the [CLETS-001](#). If you have children with the other party and want custody orders, fill out [DV-105](#) and attach to DV-100.
- **Fill out** [DV-109](#), #1 & #2.
- **Fill out** [DV-110](#) and [DV-130](#), #1 & #2, & #3. Repeat what you requested in the DV 100 in #6 through #18 and #23 on the DV 110 and DV 130.
- Don't check "not requested," "granted" or "denied."
- **If you filled out DV-105**, fill out & attach a [DV-140](#) to your DV-110 and another to your DV-130.

STEP 3:

- **First Service delivery to the other side**
 - **What:** the MMC-120 and your DV-100 and attachments
 - **How:** either in person, by email, or by text message
 - **When:** before 10AM one court day before the *ex parte* date
- **Fill out** *Declaration re Ex Parte Notice* ([MMC-121](#)) and file with clerk.

STEP 4:

- **Before 11 am on the day of the *ex parte* hearing**, turn in all your forms at clerk's window to show you have notified the other side

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STEP 5:

- **FIRST HEARING** (*ex parte*): THE JUDGE REVIEWS YOUR REQUEST for a temporary order and grants or denies the temporary order **based on the papers you turn in**.
- **You only show up in person for this hearing IF THE COURT CALLS YOU, otherwise pick up your paperwork after 1:30PM** to find out what judge decided.
- The papers will grant or deny the temporary order AND will set the date for the in-person hearing.

STEP 6:

- **Second Service: Have restrained person served in person** with a copy of **DV-100, DV-109** and **DV-110** (+ blank [DV-120](#)). You can ask the sheriff to serve the papers, or anyone who is over 18 years old, but not you.
- The server fills out Proof of Service ([DV-200](#)) and you turn it in to the clerk.

STEP 7:

- **SECOND HEARING (in person):**
 - Go to the court hearing in person; if you cannot attend in person you may attend by Zoom.
 - The Judge will hold a hearing on your request for a permanent order
 - You will explain why you are seeking the order; you may bring witnesses and evidence
 - Any video must be submitted on a USB drive ahead of time
 - Any photos or written evidence must have 3 copies

Restraining Order is
GRANTED

OR

Restraining Order is
DENIED

For the Person Responding if Someone Filed AGAINST You

If someone has asked for a restraining order against you,
you have two (2) opportunities to respond.



1. **Response #1: File your response using a DECLARATION, [MC-030](#)**, either in person at the clerk's filing window or by email at exparte@mendocino.courts.ca.gov. Your declaration must be filed **by 10 a.m. the day the judge will consider the *ex parte* request** this is the date on form [MMC-120](#).
2. **Read** the information about the Judge reviewing the request on page 1. It applies to you too.
3. After the judge's *ex parte* decision, the other side will have to **serve you papers**, in person, by a deadline (usually at least 5 days before the court date).
4. **Response #2: You can respond**, before the second (in person) court date, using [DV-120](#), before the hearing.
5. If you do file a response with the court, have someone 18 or older--not you--**serve a copy** on the person asking for the order. Your server then **fills out a Proof of Service** ([DV-200](#) or [DV-250](#)).
6. **Go to the second, in person, court hearing** on the date written on the DV-109 that you were served. The Judge will ask you to explain your side and you can offer any evidence you have.