Civil Harassment Restraining Order Mendocino County

Make sure you qualify to ask for a civil harassment restraining order.

If someone filed against you, click to see how to respond.

Fill out the forms online!

Create an account
Make sure you save your work
You may come to Self Help to print
http://lawhelpinteractive.org/Account/Login

STEP 1

☐ **Ask for an *Ex Parte* Date:**

- Ukiah: In person Room 107 or Telephone (707) 468-2001 from 8:30AM to 3:30PM.
- Fort Bragg: Ten Mile Court Window or Phone (707) 964-3192 between 8:30AM to 1PM.

☐ Write the date the court gives you on the (MMC-120).

STEP 2

☐ **Fill out** all of *Request for Civil Harassment Restraining Order*, CH-100 and CLETS-001.

☐ Fill out: CH-109: **#1 & #2**. CH-110 and CH-130: **#1** & **#2**, & **#3** if it applies. Fill out **#5, #6, #8** & **#9**: Repeat what you requested on your CH-100. Don't check "not requested," "granted" or "denied."

STEP 3

☐ **Deliver** in person, email or text message the MMC-120 and your CH-100 and attachments to the other side **before 10 a.m. one court day before *ex parte* date.**

☐ Fill out *Declaration re. Ex Parte Notice* (MMC-121).

STEP 4:

☐ **Before 11 am on the day of your *ex parte***, turn all your forms in at clerk's window.

☐ The court fee is $435 except in some cases. If you cannot afford it, you can ask for a fee waiver using FW-001 and FW-003.

STEP 5:

☐ **JUDGE REVIEWS YOUR REQUEST.** Judge either:

1. grants or denies temporary order.
2. asks you to meet with the judge and the other side at 4pm that day. A clerk will call or email you by 1:30 to tell you what to do.

☐ **If the court does not call you, go to the court after 1:30** to find out what judge decided.

☐ **Pick up your papers at the court – this will include your next in-person court date.**

15 - 22 days

STEP 6:

☐ **Have restrained person served in person** with a copy of **CH-100**, **CH-109** and **CH-110** (+ blank CH-120). You can ask the sheriff to serve the papers (SER-001)

☐ Have server fill out Proof of Service (CH-200) and you turn in to the clerk.

Usually, at least 5 days before court date

STEP 7:

☐ **GO TO COURT HEARING**

(BE ON TIME and call the clerk at (707) 468-2929 if you are running late.)
There are two possible outcomes after the hearing.

OUTCOME 1:
Restraining Order is ISSUED for up to 5 years

OR

OUTCOME 2:
Restraining Order is DENIED

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➔ **For more info, go to the California Courts Self-Help Center Portal:**
https://selfhelp.courts.ca.gov/CH-restraining-order

Do you qualify to ask for a civil harassment restraining order?

The court can issue a **Civil Harassment Restraining Order** regardless of what relationship you have to the person you need protection from. Other kinds of restraining orders may be better for your situation:

→ If you are closely related to the person you need protection from, or you are or were their intimate partner, you may be able to ask for a *Domestic Violence Restraining Order* instead.

→ If you are over 65 or a dependent adult, you may be able to ask for an *Elder or Dependent Adult Abuse Restraining Order* instead.

→ Choose *Restraining Orders-Help Me Choose the Correct Interview* (https://selfhelp.courts.ca.gov/restraining-orders) to see which type of restraining order you may ask for.

For the Person Responding
If someone has asked for a restraining order against you, you can oppose the request by responding to the court, in writing**.**

1. **File your response by 11AM the day the judge will consider the *ex parte* request (**date on form MMC-120**)** either in person at the clerk's filing window or by email at exparte@mendocino.courts.ca.gov. Use form MC-030 or a sheet of paper to explain your side. Write your and the other side's name, & case number if you have one.
2. Read the information about the Judge reviewing the request on page 1. It applies to you too.
3. After the judge's 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. You can respond, before the court date, using CH-120, before the hearing. If you do, 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 (CH-200 or CH-250).
5. Go to court on the date written on the CH-109 that you were served.