Elder or Dependent Adult Abuse Restraining Order

Mendocino County

Make sure you qualify to ask for an elder or dependent adult abuse restraining order.

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

Fill out the forms online!!
Use a computer program to help you with all the forms.
➡ Take me to Online Program

☐ Ask for an *Ex Parte* Date:
- In person at Ukiah, Room 107 or Fort Bragg Window from 8:30 a.m. to 3 p.m.
- Phone (707) 468-2001 in Ukiah or (707) 964-3192 for Fort Bragg between 8:30a and 1 p.

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

☐ Fill out all of *Request for Elder Abuse Restraining Order*, EA-100 and CLETS-001.

☐ Fill out: EA-109: **#1 & #2**. EA-110 and EA-130: **#1** & **#2**, & **#3** if it applies**.** Fill out **#5, #6, #7, #10 & #11**: Repeat what you requested on your EA-100. Don't check "not requested," "granted" or "denied."

☐ Deliver in person, email or text message the MMC-120 and your EA-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).

☐ **Before 10 am on the day of your *ex parte***, turn all your forms in at clerk's window.

☐ **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.**

COURT DATE IS SCHEDULED

15 - 22 days

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

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

Usually, at least 5 days before court date

☐ **GO TO COURT HEARING**

Restraining Order is ISSUED for up to 5 years

OR

Restraining Order is DENIED

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

Do you qualify to ask for an elder or dependent adult abuse restraining order?

The court can issue an elder or dependent adult abuse restraining order when the person being abused is at least 65 years old, or a dependent adult. The abuse might be physical, emotional, or financial.

→ If the person needing protection is not 65 or older, or is not a dependent adult, you may need a Domestic Violence Restraining Order or a Civil Harassment Restraining Order instead.

→ Choose Restraining Orders-Help Me Choose the Correct Interview 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 10 a.m. 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 EA-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 (EA-200 or EA-250).
5. Go to court on the date written on the EA-109 that you were served.