

How to Ask for a New Hearing Date

You may need to ask for a new hearing date

If you are unable to have form EA-109 (*Notice of Court Hearing*) and other papers served in time before the hearing date, prepare form EA-115 (*Request to Continue Court Hearing and to Reissue Temporary Restraining Order*) and file it with the court on or before your hearing date.

What does form EA-115 do?

On form EA-115, you are asking the judge to “continue” the court hearing and to “reissue” any temporary restraining orders on form EA-110 (*Temporary Restraining Order*).

- “Continue” the hearing means to give you a new hearing date.
- “Reissue” 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 and ② on form EA-116 (*Notice of New Hearing Date and Order on Reissuance*).
- The judge will need to review your papers. You will need to file your paperwork with the Clerk’s Office prior to your set hearing or, on the day of your hearing, take your paperwork with you to court and file it there.
- If the judge signs form EA-116, the court will give you a new hearing date.
- The clerk will make up three (3) file-stamped copies for you. Keep at least one copy with you.
- Have a copy of all court papers served personally on the person to be restrained.
- Now the temporary orders, if any, will last until the new hearing date.
- Ask the person who serves the papers to complete form EA-200 (*Proof of Personal Service*) and to give it to you. Make two (2) copies and bring them all to the court to be filed. You may file them prior to the hearing, which is preferable, or on the day of the hearing in court.
- The clerk will send the restraining order to CLETS for you. CLETS is a statewide computer system that lets police know about the order.

Bring a copy of all of your papers to the court hearing.