

How Do I Ask the Court to Renew My Restraining Order?

What does “renew” mean?

- It is the way the judge can make your current restraining order last longer than the current expiration (end) date.
- If the judge “renews” your *Civil Harassment Restraining Order After Hearing* (form WV-130), it will have a new expiration (end) date.

When do I ask for the renewal?

Anytime within the three months before the date your current order expires. See your *Civil Harassment Restraining Order After Hearing* for your current expiration date.

Follow these steps:

- Fill out all of form WV-700 (*Request to Renew Restraining Order*) and attach a copy of your current *Civil Harassment Restraining Order After Hearing* (form WV-130)
- Make at least two (2) copies.
- Fill out items ① and ② on both form WV-710 (*Notice of Hearing to Renew Restraining Order*) and form WV-730 (*Order Renewing Civil Harassment Restraining Order*).
- File your paperwork with the Court’s Clerk’s Office. The clerk will set your matter for an “ex parte” hearing. If the judge signs form WV-710, the court will give you a new hearing date.
- After your ex parte hearing, the clerk will make up three (3) file-stamped copies for you.
- Have a copy of all court papers served personally on the person to be restrained.
- Ask the person who serves the papers to complete form WV-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 prior to the hearing.
- Go to the hearing. At the hearing, the judge will decide whether or not to renew the restraining order.
- **If the judge renews the restraining order:**
 - o The judge will sign form WV-730 and the clerk will prepare three (3) copies for you.
 - o You must serve form WV-730 on the restrained party, either by mail or in person:
 - **You may serve WV-730 by mail, ONLY if:**
 - The restrained person was at the hearing **or**
 - The restrained person was not at the hearing but the renewed orders are identical to the original orders, excluding the expiration date.
 - Ask the server to complete form WV-260 (*Proof of Service of Order After Hearing by Mail*) and file form WV-260 with the court.
 - **You must serve WV-730 in person if:**
 - The restrained person was not at the hearing and the renewed orders are different from the original orders, excluding the expiration date.
 - Ask the server to complete form WV-200 (*Proof of Service of Order After Hearing by Mail*) and file form WV-200 with the court.
 - o 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.