

****This form will be issued back to you completed by the court AFTER your hearing and if your request for a protective order is approved****

EA-130

Order After Hearing Restraining Elder or Dependent Adult Abuse

Clerk stamps date here when form is filed.

1 Name of person asking for protection:

1) List the name, address and telephone number of the person asking for protection. If you want the address to be private then you may include an address where you receive mail but do not actually live.

Address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):

City: _____ State: _____ Zip: _____

Your telephone number (optional): (_____) _____

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number): _____

Fill in court name and street address:

Superior Court of California, County of _____

Fill in case number:

Case Number: _____

2 Name of person to be restrained:

2) List the name of the person you are requesting protection from (the abuser). This section should also include a detailed physical description of that person as well as their home and work addresses. List all information you have here, if you do not have a certain piece of information that is OK, just list as much as you have.

Description of that person:

Sex: M F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

Home Address (if known): _____

City: _____ State: _____ Zip: _____

Work Address (if known): _____

City: _____ State: _____ Zip: _____

3 Hearing

3) You do not need to fill anything here. This will be completed by the court clerk after your hearing.

There was a hearing:

on (date): _____ at (time): _____ a.m. p.m. Dept.: _____ Rm: _____

_____ made the orders at the hearing.

(Name of judicial officer)

These people were at the hearing:

a. The person in ①. c. Lawyer of the person in ① (name): _____

b. The person in ②. d. Lawyer of the person in ② (name): _____

4 Expiration Date of Order

4) You do not need to fill anything here. This will be completed by the court clerk after your hearing.

This Order, except for an award of lawyer's fees, expires at: (time): _____ a.m. p.m. or midnight on (date): _____

If no expiration date is written here, this Order expires three years from the date of issuance.

This renewal Order remains in effect permanently.

This is a Court Order.

Orders Against the Restrained Person

(Write the name of the person in ②): _____

Write the name of the person you are requesting protection from. This will be the same name as the person you listed in section 2.

****Sections 5-12 should match the answers which you gave on the form EA-100... there should be no contradictory information****

⑤ This Is a Court Order

5) You do not need to fill in anything here.

To the person in ②: You must obey all the orders indicated below. If you do not obey these orders, you can be arrested and charged with a crime. You may have to go to jail, pay a fine of up to \$1,000, or both.

⑥ Personal Conduct Orders

6) Check the bold box which says "Personal Conduct Orders"

You **must not** do the following things to the person listed in ①:

a. Physically abuse, financially abuse, intimidate, molest, attack, assault (sexually or otherwise), hit, follow, stalk, threaten, harass, destroy personal property, keep under surveillance, or block movements.

6a) Check BOX A if you want the person you are requesting this order of protection from to stop any type of physical abuse, financial abuse, intimidation, molestation, attacking or assaulting (sexually or otherwise), hitting, threatening, harassing etc

b. Contact (directly or indirectly), telephone, send messages, mail, or e-mail.

6b) Check BOX B if you want the person you are requesting an order of protection from to stop contacting you (directly or indirectly) by any means. Essentially if you check this box the other party will not be able to contact you in any way.

c. Take any action to obtain the address or location of the person in ① or of that person's family or caretakers.

6c) Check Box C if you do not want the person you are requesting protection from to try to obtain information about you (or your caretakers) whereabouts

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

⑦ Stay-Away Orders

7) Check the bold box which says "Stay -Away Orders"

You **must** stay at least (specify): _____ yards away from:

Mark "100" yards away from me in the box which indicates how far this person is to stay away from you. Then check ALL the boxes which you want to apply, if you want your person to stay away from your home, work, and vehicle then mark the applicable boxes.

If the court issues these protective orders to stay away from the places you requested above, will they still be able to get to work and home? If yes, select YES, if no then explain below why they would not be able to. For example if this is a co-worker and you have are asking them to stay away from you at work then you would need to indicate that here.

a. The person listed in ①

d. Vehicle of person in ①

b. The home of the person in ①

e. Other (specify): _____

c. Job or workplace of the person in ①

⑧ Move-Out Order

You must move out immediately from and not return to (address): _____

Fill out this section if you are currently living with the person you are requesting protection from. You will list the address of the residence which you want the person to move away from.

⑨ No Guns or Other Firearms

9) SELECT THIS BOX "ORDER ABOUT GUNS OR OTHER FIREARMS" You do not need to do anything else in this section.

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

⑩ Turn In or Sell Guns or Firearms

10) SELECT THIS BOX "TURN IN OR SELL GUNS OR FIREARMS" You do not need to do anything else in this section.

You must:

• Sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 24 hours of being served with this order.

• File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (You may use Form EA-145 for this.)

⑪ Financial Abuse

11) If your order of protection relates ONLY to financial abuse (meaning no physical or emotional abuse was also involved) then select the DOES box, if not then select DOES NOT

This case does not does involve solely financial abuse unaccompanied by force, threat, harassment, intimidation or any other form of abuse.

⑫ Other Orders (specify): _____

12) If you marked any other orders you want the court to approve on the previous form then list those here as well (this would have been in section 14 on the EA-100 form)

Your name: _____

Instructions for the Protected Person

To the person in ① (Write the name of the person in ①): _____

Write the name of the person asking for protection here, this should be you or the person you are filing this form on behalf of

⑬ **Delivery to Law Enforcement Agency**

13) Select the Box "Delivery to Law Enforcement"

If the court issues restraining orders, by the close of business on the date this Order is made, you or your attorney must deliver a copy of this Order and any proof of service forms to each law enforcement agency listed below:

Name of Law Enforcement Agency

Fresno County Sherriff's Department

Address (City, State, Zip)

2200 Fresno St.Fresno, CA 93721

Form Done. The remainder will be completed by the court.

⑭ **No Fee to Notify (Serve) Restrained Person**

If the sheriff or marshal serves this Order, he or she will do so for free.

Date: _____

Judicial Officer

Warnings and Notices to the Restrained Person in ②

You Cannot Have Guns or Firearms

If the court orders, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control in accordance with ⑩ above. The court will require proof that you did so. If you do not obey this Order, you can be charged with a crime.

Instructions for Law Enforcement Agencies

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an Order of that jurisdiction by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

(Clerk will fill out this part.)

Clerk's Certificate

Clerk's Certificate
[seal]

I certify that this *Order After Hearing Restraining Elder or Dependent Adult Abuse* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.