

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE**

CIVIL HARASSMENT CHECKLIST

Family Law and Domestic Violence matters are filed at the Lamoreaux Justice Center.

If issued, a temporary civil harassment restraining order will remain in effect until a hearing can be held to determine whether you should have a permanent restraining order. A civil harassment restraining order cannot be used to prevent a person from entering or remaining in his or her own residence. Before the initial hearing can be held, there are certain steps that **must** be followed.

☐ FILE AT THE CORRECT JUSTICE CENTER

Where you can file your case is determined by where the defendant lives or where the alleged violence took place, if this area is:

- ✓ Santa Ana, Orange, Tustin, Villa Park, or other surrounding unincorporated areas you will file at the Central Justice Center.
- ✓ Anaheim, Brea, Buena Park, Fullerton, La Habra, La Palma, Placentia, Yorba Linda, or other surrounding unincorporated areas you will file at the North Justice Center.
- ✓ Costa Mesa, Cypress, Fountain Valley, Garden Grove, Huntington Beach, Los Alamitos, Seal Beach, Stanton, Westminster, or other surrounding unincorporated areas you will file at the West Justice Center.
- ✓ Aliso Viejo, Dana Point, Laguna Beach, Laguna Hills, Laguna Niguel, Laguna Woods, Lake Forest, Mission Viejo, Rancho Santa Margarita, San Clemente, San Juan Capistrano, Irvine, Newport Beach, or other surrounding unincorporated areas you will file at the Harbor Justice Center.

☐ COMPLETE FORMS

The forms are contained in the "Civil Harassment Booklet." Included in the booklet are step-by-step instructions. You must complete all paragraphs on each form used.

☐ NOTICE OF THE HEARING

You must give written or telephonic "notice" to the defendant of when and where you will be seeking a Temporary Restraining Order, or give the court a good reason why you could not give such notice. (Section 527.6 of the California Code of Civil Procedure)

☐ WHAT DAY AND TIME WILL THE TEMPORARY RESTRAINING ORDER BE HEARD?

Central Justice Center:	Monday – Friday
North Justice Center:	Monday – Friday
West Justice Center:	Monday – Friday
Harbor Justice Center:	Monday – Friday

Final check-in at Clerk's Office is 4:00 PM. All parties should appear in the Clerk's Office no later than 3:30 PM to complete the paperwork.

☐ INTERPRETERS

Court proceedings are conducted in English. The Court cannot always provide interpreters for civil harassment proceedings. If you will need an interpreter to understand the proceedings and assure that the judicial officer will be able to understand what you have to say, you should arrange to have an interpreter present.

☐ COST

Payment may be cash, personal check made payable to "Clerk of the Court," or by one of the following credit cards: MasterCard, Visa, American Express, or Discover. This fee may be excused. See #16 of the Request for Orders to Stop Harassment.

INSTRUCTIONS TO FOLLOW AFTER THE INITIAL TEMPORARY RESTRAINING ORDER HEARING

Officer.

- ❑ **Give Copies of the Following Forms to Each Law Enforcement Agency Listed on the Order by Midnight of the Day on Which the Order Was Issued.**

- ✓ Certified copy of the Temporary Restraining Order

- ❑ **Have a Copy of the Court Papers Delivered to the Other Party.**

You must arrange to have the court papers delivered to the defendant at least 5 days prior to the hearing, unless the Judge has shortened the time for service. This is commonly called "service." The scheduled hearing cannot proceed unless the other side has received copies of all documents.

You cannot give the papers to the defendant yourself. The court papers may be delivered (served) by a licensed process server, the Sheriff, or person not a party to the action who is at least 18 years of age. This service is not done by local police departments.

Sheriff's Office, for service of documents:
(714) 569-3700; 909 N. Main Street, Santa Ana

- ❑ **What Papers Are Delivered?**

There are a total of six papers that the defendant must receive.

- ✓ Notice of Court Hearing
 - ✓ Certified copy of Temporary Restraining Order
 - ✓ Request for Civil Harassment Restraining Orders
 - ✓ Response to Request for Civil Harassment Restraining Orders (blank form)
 - ✓ How Can I Respond to a Request for Civil Harassment Restraining Orders?
 - ✓ Proof of Firearms Turned in or Sold (blank form)

- ❑ **After Having the Defendant Served, Return the Completed Proof of Personal Service to the Court before the Hearing Date.**

- ✓ Give a copy of the completed proof of service for each law enforcement agency listed on your order.
 - ✓ File the original Proof of Personal Service with the clerk's office any time BEFORE the hearing date.

- ❑ **Keep a Certified Copy of the Temporary Restraining Order with You at All Times in Case You Need to Show it to a Law Enforcement**

Any other protected persons that are listed on the order should also keep a copy with them. If you are unable to serve the defendant, you may complete a Request to Continue Court Hearing and to Reissue Temporary Restraining Order.

- ❑ **Be Prepared for the Hearing!**

You must arrange to have all witnesses and evidence present at the hearing. It is your responsibility to have a subpoena served on any witness in order to guarantee the witness's presence at the hearing.

Court proceedings are conducted in English. The Court cannot always provide interpreters for civil proceedings. If you will need an interpreter to understand the proceedings and assure that the judicial officer will be able to understand what you have to say, you must arrange to have an interpreter present.

If you do not know an interpreter, you are welcome to use the list of qualified interpreters maintained by the Court. The list is available in the 3rd floor offices of Court Reporter and Interpreter Services at Central Justice Center. The list contains interpreter names and telephone numbers so you may contact them directly and arrange to pay them for their services.

- ❑ **Instructions to Follow after the Hearing for Permanent Restraining Order.**

- ✓ If the defendant was not present at the hearing, serve the defendant with a certified copy of the Restraining_Order. Remember, you cannot do the serving yourself.
 - ✓ After service is complete, have the server complete and sign the Proof of Personal Service.
 - ✓ Make copies.
 - ✓ Again, the original Proof of Service form must be filed with the Court.
 - ✓ Provide the following copies to the law enforcement agencies named on the order:
 - Certified copy of the Civil Harassment Restraining Order after Hearing.
 - Copy of Proof of Personal Service
 - ✓ Keep a copy of the Civil Harassment Restraining Order after Hearing with you at all times. Any protected persons should also keep a copy with them.