

*Clerk stamps date here when form is filed.*

**DRAFT 11 BG  
January 14, 2011**

**Not Approved by the  
Judicial Council**

Person in ① must complete items ①, ② and ③ only.

**① Protected Elder or Dependent Adult**

Full Name: \_\_\_\_\_

Name of person asking for the protection, if different:  
*(This is the person named in item ③ of the request (Form EA-100).)*

Address *(Skip this if the person above has a lawyer. A mailing address instead of a home address may be given if privacy is a concern.):*

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone *(optional)*: \_\_\_\_\_ Fax *(optional)*: \_\_\_\_\_

Your Lawyer *(if you have one)*

Name: \_\_\_\_\_ State Bar No: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone No.: \_\_\_\_\_ Fax No: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in case number:*

**Case Number:**

**② Restrained Person**

Full Name: \_\_\_\_\_

Description

Sex:  M  F Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Race: \_\_\_\_\_

Home address (if known): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**③  Additional Protected Persons**

In addition to the person(s) named in ①, the following family or household members or conservator of the elder or dependent adult named ① are protected by the orders indicated below.

<u>Full Name</u>	<u>Sex</u>	<u>Age</u>	<u>Household Member?</u>	<u>Relation to Protected Person</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Check here if there are additional protected persons. List them on an attached sheet of paper and write, "Attachment 3, - Additional Protected Persons" as a title. You may use Form MC-025, Attachment.

**④ Expiration Date**

This Order, except for any 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 is a Court Order.**



**5 Hearing**

- a. There was a hearingon (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
(*Name of judicial officer*): \_\_\_\_\_ made the orders at the hearing.
- b. These people were at the hearing:
  - (1)  The elder or dependent adult in need of protection.
  - (2)  The lawyer for the elder or dependent adult (*name*): \_\_\_\_\_
  - (3)  The person in ① asking for protection (if not the elder or dependent adult).
  - (4)  The lawyer for the person in ① asking for protection (*name*): \_\_\_\_\_
  - (5)  The person in ②
  - (6)  The lawyer for the person in ② (*name*): \_\_\_\_\_
  - Additional persons present are listed at the end of this Order on Attachment 5.
- c.  The hearing is continued. The parties must return to court on (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_

**To the Person in ②**

**The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.**

**6 Personal Conduct Orders  Granted  Not Granted  Not Requested**

- a. You must **not** do the following things to the elder or dependent adult named in ① and the persons in ③ :
  - (1)  Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy the personal property of, or disturb the peace of the person.
  - (2)  Contact the person, either directly or indirectly, by **any** means, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text messaging, by fax, or by other electronic means.
  - (3)  Take any action to obtain the person's address or location.  
*If item (3) is not checked, the court has found good cause not to make this order.*
  - (4)  Other *specify*): \_\_\_\_\_
- b. Peaceful written contact through a lawyer or a process server or any other person for service of legal papers related to a court case is allowed and does not violate this order.

**7 Stay-Away Orders  Granted  Not Granted  Not Requested**

- a. You **must** stay at least (*specify*): \_\_\_\_\_ yards away from the elder or dependent adult named in ① and the persons in ③ and (*check all that apply*):
  - (1)  Those persons' homes
  - (2)  Those persons' jobs or workplaces
  - (3)  Those persons' vehicles
  - (4)  Those persons' schools or places of child care
  - (5)  Other *specify*): \_\_\_\_\_
- b. This stay-away order does not prevent you from going to or from your home or place of employment.

**This is a Court Order.**

**8 Move-Out Order**  **Granted**  **Not Granted**  **Not Requested**

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

\_\_\_\_\_

and must take only the personal clothing and belongings you need.

**9 Firearms Prohibition and Relinquishment**  **Granted**  **Not Granted**

*This order must be granted unless the abuse is financial only.*

**a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.**

**b. If you have not already done so, you must:**

- Sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms in your immediate possession 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-800, Proof of Firearms Turned In or Sold, for the receipt.*)

**c.**  The court has received information that you own or possesses a firearm.

**10 Financial Abuse**

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

**11 Lawyer's Fees and Costs**  **Granted**  **Not Granted**  **Not Requested**

You must pay to the person in **1** the following amounts for: a.  Lawyer fees b.  Court costs

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

Additional amounts are attached at the end of this Order on Attachment 11.

**12 Other Orders (specify):**  **Granted**  **Not Granted**  **Not Requested**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Additional orders are attached at the end of this Order on Attachment 12.

**This is a Court Order.**

**13 Mandatory Entry of Order Into CARPOS Through CLETS**

This Order must be entered into the California Restraining and Protective Orders System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (*Check one*):

- a.  The clerk will enter this Order and its proof-of-service form into CLETS.
- b.  The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CLETS.
- c.  By the close of business on the date that this Order is made, you or your lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CLETS:

<u>Name of Law Enforcement Agency</u>	<u>Address (City, State, Zip)</u>
_____	_____
_____	_____

Additional law enforcement agencies are listed at the end of this Order on Attachment 13.

**14 Service of Order on Restrained Person**

- a.  The people in ① and ② were both at the hearing. No other proof of service is needed.
- b.  The person in ① was at the hearing. The person in ② was not.
  - (1)  Proof of service of Form EA-110, *Temporary Restraining Order*, was presented to the court. The judge's orders in this form are the same as in Form EA-110 except for the end date. The person in ② must be served with this Order. Service may be by mail.
  - (2)  Proof of service of Form EA-110, *Temporary Restraining order*, was presented to the court. The judge's orders in this form are different from the orders in Form EA-110. Someone—but not anyone in ① or ③ — must personally serve a copy of this order on the person in ② .

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

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

**16** Number of pages attached to this Order, if any: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*

**This is a Court Order.**

**Warnings and Notices to the Restrained Person in 2**

**Possession of Guns or Firearms**

If the court grants the orders in item 9 on page 3, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition 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 a law enforcement agency any guns or other firearms that you have or control as stated in item 9. The court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

**Instructions for Law Enforcement**

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 *Restraining Order After Hearing to Stop Elder or Dependent Adult Abuse (CLETS—EAR or EAF)* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**