

**SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA
SELF-HELP CENTER TEMPORARY RESTRAINING ORDER INSTRUCTIONS**

Next Steps After Completing Your Temporary Restraining Order Packet (Rev. 11.21.24):

1. FILE YOUR PAPERS:

Hayward Hall of Justice, Clerk's Office 24405 Amador Street, Hayward, CA 94544	In-person Filing Hours: Monday - Thursday 8:30AM - 3:00PM, Friday 8:30AM - 2:00 PM
Rene C. Davidson Courthouse, Clerk's Office 1225 Fallon Street, Oakland, CA 94612	Drop-box Filing Hours: Monday - Thursday 3:00PM - 4:00PM, Friday 2:00 PM - 4:00 PM

- a. File your paperwork in-person or via drop-box at one of the addresses above. After 24 hours, you can call the Clerk's Office to check on the status of your request. Contact the location you filed your paperwork.

Hayward Hall of Justice Family Division: (510) 267-6923 Hayward Hall of Justice Civil Division: (510) 690-2705 Rene C. Davidson Courthouse Civil Division: (510) 891-6004	Clerk's Office Telephone Hours: Monday – Friday: 8:30AM - 3:00PM
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- b. Pick up your paperwork at your filing location once you have confirmed it is ready for pickup during business hours. You will receive 2 copies: 1 for the protected party (you) and 1 for the restrained party (other party).

2. READ YOUR TEMPORARY RESTRAINING ORDER:

- Make a note of your hearing date: _____. **If you do not attend, the Judicial Officer will not consider your request, and your matter will be dismissed.** Even if your *Temporary Restraining Order* is denied, you still have the right to go to the hearing and explain your case to the Judicial Officer.

3. SAFETY STEPS:

- Consider always keeping a copy of your order with you, including in your car. You can give a copy to protected parties, take copies to protected places (such as children's schools), and keep an extra copy in a safe place.

4. SERVE THE RESTRAINED PERSON:

- a. Get a person who is 18 years or older to serve the restrained party. **It cannot be you or any protected parties.** It can be your friend, relative, neighbor, or private process server. You can use the Alameda County Sheriff's Office if the other party lives or works in Alameda County:

Alameda County Sheriff's Office, Civil Unit

Phone: (510) 272-6910 | Office Hours: Monday - Friday 8:30AM - 4:30PM

1225 Fallon Street, Room 104, Oakland, CA 94612

- b. Have your server hand the copy to the restrained party personally **at least 5 days before your hearing date.**
- c. Have your server fill out and sign, DV-200 / EA-200 / CH-200, *Proof of Personal Service*. Make 2 copies of the completed Proof of Service, then file this form along with the 2 copies with the clerk **at least 5 days before your hearing date.** The clerk will keep the original and return the 2 stamped copies to you. Keep 1 copy of the *Proof of Service* for your records and bring the other one to your hearing.

5. GO TO YOUR HEARING:

- **Your Temporary Restraining Order (if granted) expires on the day of your hearing.** At your hearing, you can ask for a *Restraining Order After Hearing* that lasts up to 5 years. File your evidence of abuse **at least 2 days before your hearing date.** Bring evidence of any restraining order violations (including witnesses) to your hearing. You have the burden to prove the allegations of abuse occurred.
- If the restrained party was not served before the hearing, you can ask for a new hearing date and an extension of your *Temporary Restraining Order*.
- If you have children with the restrained party, the Judicial Officer will refer you to attend a mediation session with Family Court Services at your hearing. A mediator will contact you and the restrained party separately.

6. REQUESTING THE RENEWAL OF YOUR RESTRAINING ORDER AFTER HEARING:

- If the Judicial Officer grants you a *Restraining Order After Hearing*, you can ask the Court to renew it for 5 more years or permanently **WITHIN THREE MONTHS** before the restraining order expires even if no new abuse happened. You can come to the Self-Help Center for help. Bring your *Restraining Order After Hearing* and, if applicable, the most recent custody and visitation orders.