

Procedure for Obtaining Temporary Domestic Violence Restraining Orders in Nevada City Branch

ALL FORMS SHALL BE EITHER TYPEWRITTEN OR HANDWRITTEN IN SUCH A MANNER THAT WILL PRODUCE CLEAR AND PERMANENT COPIES.

1. **OBTAIN THE APPROPRIATE FORMS**, either from the clerk's office Domestic Violence packet, or online at <http://nccourt.net/forms/form-packets.shtml>. These forms **must** be completed prior to presenting to the court to open your case.

The following forms are **required** to open your case:

FL4	Declaration Re: Notice Upon Ex Parte Application for Orders
CLETS-001	Confidential CLETS Information
DV-100	Request for Domestic Violence Restraining Orders
DV-101	Description of Abuse
DV-109	Notice of Court Hearing
DV-110	Temporary Restraining order (CLETS-TCH)

If children are involved you may also need the related forms:

DV-105	Request for Child Custody and Visitation Orders
DV-108	Request for Order: No Travel with Children
DV-140	Child Custody and Visitation Order
DV-145	Order: No Travel with Children
DV-150	Supervised Visitation and Exchange Order

2. **YOU CHOOSE YOUR OWN HEARING DATE.** Hearings will be at 8:30 a.m. in Department 3 on the 2nd floor of the Nevada County Superior Courthouse.

You must notify the person to be restrained of the scheduled hearing no later than 10:00 a.m. the court day before the hearing. This notification only needs to be by telephone. The notification must include the following:

What the hearing is for: (i.e. "Domestic Violence restraining order")

Where: Nevada City Courthouse, 2nd Floor, Department 3

When: Date and time you chose

3. **FILE THE COMPLETED FORMS WITH THE CIVIL CLERKS' OFFICE AT THE COURTHOUSE BY 4:00 P.M. THE COURT DAY PRIOR TO YOUR CHOSEN DATE.** You will be assigned a case number and given a conformed copy of your filed documents.

The purpose of this first hearing is to obtain temporary orders only. If the person to be restrained shows up and is agreeable to the orders the Court may make permanent orders at that time. If the person to be restrained does not now up or is not agreeable to the orders, the court may issue the Temporary Restraining Order and set the matter for hearing in approximately three weeks. You must then have the restrained person personally served with all of the paperwork prior to the hearing. The Sheriff, a private process server, friend, or family member, may serve the papers. A Proof of Service (form DV-200 and related information sheet DV-200-INFO, both available on the court's website) must then be filed with the court prior to the hearing.