

CH-120

Notice of Hearing and Temporary Restraining Order

Clerk stamps date here when form is filed.

1) Name of person asking for protection:

1) Anote el nombre de la persona a quien esté pidiendo la Orden de Alejamiento (esto sería usted si usted.)

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

Anote su dirección y número de teléfono.

City: _____ State: _____ Zip: _____

Your telephone number (optional): (_____) _____

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

2) Name of person to be restrained:

2) Anote el nombre de la persona que esta pidiendo protección de la corte y cualquier información de identificación (incluyendo una descripción física y dirección si lo tiene). Obtenga la fecha de nacimiento de la persona que esta obteniendo la orden en contra sin ello el departamento de sheriff no podrá enforzar la orden de alejamiento.

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: _____

To the person in 2):

3) Notice of Hearing

3) NO ESCRIBA NADA EN ESTA SECCION SERA COMPLETADO POR EL EMPLEADO ADMINISTRATIVO EL DIA QUE ARCHIVE ESTE DOCUMENTO EN LA CORTE El empleado administrativa anotará la fecha y la hora de su audiencia presente a un juez quien determinará si es que una orden de alejamiento permanente sea proporcionada.

A court hearing is scheduled on the request for orders against you to stop harassment:

Name and address of court if different from above:

Hearing Date → Date: _____ Time: _____ Dept.: _____ Rm.: _____

If you do not want the court to make orders against you, file Form CH-110. Then go to the hearing and tell the court why you disagree. You may bring witnesses and other evidence. If you do not go to this hearing, the court may make restraining orders against you that could last up to 3 years.

4) Court Orders

4) NO ESCRIBA NADA EN ESTA SECCION SERA COMPLETADO POR EL EMPLEADO ADMINISTRATIVO EL DIA QUE ARCHIVE ESTE DOCUMENTO EN LA CORTE.

The court (check a or b):

a. Has scheduled the hearing stated in 3). No orders are issued against you at this time.

4a) Esta opción será seleccionada por la corte si una orden de alejamiento es proporcionada antes de su fecha de audiencia.

b. Has scheduled the hearing stated in 3) and has issued the temporary orders against you specified on page 2. If you do not obey these orders, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1,000, or both.

4b) Esta opción será seleccionada si la corte proporciona una orden de alejamiento mientras que espera una fecha de audiencia presente a un juez al alegar su caso para una orden de alejamiento permanente.

This is a Court Order.

Case Number: _____

Your name: _____

Temporary Orders Against the Restrained Person

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

The court has made the temporary orders indicated below against you. You must obey all these orders. These orders will expire on the date of the hearing listed in ③ unless they are extended by the court.

⑤ **Personal Conduct Orders**

5) Órdenes de Conducta Personal: Marque cada caja en la que esté pidiendo a la corte que ordene a la persona de quien pide protección de que pare de hacer (puede seleccionar más de uno ó todas si desea)

You must not do the following things to the people listed in ① and ⑩:

a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.

5a) Seleccione "a" si quiere que esta persona pare de acosarlo, amenazar ó golpearlo.

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

5b) Seleccione "b" si no quiere ningún contacto con esta persona de ninguna manera ya sea por teléfono o por correo ó por correo electrónico.

c. Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ⑩. (If item c is not checked, the court has found good cause not to make this order.)

5c) Seleccione "c" si la persona al momento no sabe donde vive, donde esté ó estará y quiere prevenir que lo de saber donde vive.

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.

⑥ **Stay-Away Order**

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

a. The person listed in ①

a) Si la orden de alejamiento es pedido para sí mismo, seleccione esta caja.

b. The people listed in ⑩

b) Si esta orden de alejamiento es para proteger a otros (al igual que a sí mismo) entonces selecciones esta caja también.

c. The home of the persons in ① and ⑩

b) Si esta orden de alejamiento es para proteger a otros (al igual que a sí mismo), seleccione esta caja también.

d. Jobs or workplaces of the persons in ① and ⑩

d) Si quiere que la persona de quien la orden este en contra que también permanezca alejado de donde trabaja la gente que desea ser protegidos selecciones esta caja.

e. Vehicle of person in ① Vehicles of persons in ⑩

e) Si quiere que la persona permanezca alejado de el vehículo de la(s) persona(s) que desea estén protegidos, seleccione esta caja.

f. The protected children's school or child care

f) Si quiere que la persona permanezca alejado de la escuela de sus hijos ó el lugar donde reciban cuidado por día, seleccione esta caja.

g. Other (specify): _____

No importa que cajas seleccione esta orden NO evitará que la persona de quien está pidiendo ser protegido de estar en su propia casa o donde trabaja

This stay-away order does not prevent the person in ② from going to or from that person's home or place of employment.

7-8) No necesita hacer nada aquí

⑦ **No Guns or Other Firearms**

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.

⑧ **Turn In or Sell Guns or Firearms**

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 CH-145 for this.)

⑨ **Other Orders (specify):** _____

9) NO necesita hacer nada aquí al menos que tenga circunstancias especiales lo cual pide que la corte que detenga la persona de hacer.

This is a Court Order.



Your name: _____

15) No Fee for Service of Order by Law Enforcement

The sheriff or marshal will serve this Order without charge because:

15) Elige la caja que aplica a su situación

- a. The Order is based on stalking.
- a. Si está pidiendo esto porque está siendo acosado
- b. The Order is based on a credible threat of violence.
- b. Si está pidiendo esto porque han habido amenazas violentas creíbles en-contra de uno.
- c. The person in 1 is entitled to a fee waiver.
- c. Si ni a ó b aplican pero califica para una denuncia de cargos entonces seleccione esta caja.

Date: _____

Judicial Officer

NO FIRMAR—SERA FIRMADO POR UN EMPLEADO ADMINISTRATIVO DE LA CORTE

Warnings and Notices to the Restrained Person in 2

You Cannot Have Guns or Firearms

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 item 8 above. 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 Order are subject to criminal penalties.



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Order* (Form MC-410). (Civil Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Notice of Hearing and Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.