

# INFORMATION GUIDES

[Return to Fee Schedule Summary](#)

Title	Description
<b>Court Document required</b>	Order to Show Cause and Temporary Restraining Order (Harassment) (form CH-120); Petition for Injunction Prohibiting Harassment (form CH-100); blank Response to Petition for Injunction Prohibiting Harassment (form CH-110); any other documents listed in the OSC/TRO and Fee Waiver Orders (CH101) if applicable
<b>Purpose of Process</b>	Notifies the defendant of a hearing concerning various issues and restrains certain activities and conduct of the defendant until the hearing
<b>Sheriff's Instructions</b>	Provide the name and address (work, home or other) of the person to be served and any hazards the serving officers may encounter, such as weapons, dogs, outstanding warrants, etc. Provide a physical description of the person to be served as well as any identifying marks (scars, tattoos, etc.) a photograph is helpful; The plaintiff's attorney must sign and date the letter of instructions, or the plaintiff if the plaintiff doesn't have an attorney.
<b>Time for Service</b>	Restraining/Protective Orders must be served 5 days prior to the hearing unless time is shortened by the court per Code of Civil Procedure §527.6(g).
<b>Manner of Service</b>	Personal Service is required.
<b>Fee Deposit</b>	\$0.00
<b>Fee</b>	\$40.00 unless waived.
<b>Proof of Service</b>	If service is made, a proof of service is sent to court and the plaintiff, who should file it with the police agency listed in the order. If service is not made, the OSC/TRO and a certificate of not found/no service explaining the reason for non-service are mailed to the plaintiff.

## Information Guide

In a civil harassment case, the court can issue orders to protect people from being harassed by others. The plaintiff may file a petition with the court and obtain an order to show cause (OSC) and temporary restraining order (TRO). The order to show cause (OSC) is a notice of motion advising the defendant to appear at a hearing to determine whether a permanent injunction prohibiting harassment should be issued. The temporary restraining order (TRO) restrains the defendant from certain activities and types of conduct for a limited period of time. The OSC/TRO should be given to the Sheriff without delay because service must be made within five days after issuance or at least two days before the hearing, whichever is earliest.

Prior to service, the plaintiff should immediately deliver a copy of the OSC/TRO to the police agency listed in the OSC/TRO for entry into the Domestic Violence Restraining Order System (DVROS). After service, the proof of service should also be filed with the police agency to update the system. The police will arrest the defendant for violations of the OSC/TRO if DVROS indicates OSC/TRO has been served.

The Sheriff accords a very high priority to restraining orders where violence is threatened. The first attempt to serve is made no later than two business days after receipt. If the OSC/TRO is served, the Sheriff will mail a proof of service to the court and plaintiff. If service is not made, the OSC/TRO and a certificate of not found/no service detailing the reasons for non-service will be mailed to the plaintiff. A not found fee is charged if at least three attempts are made or the defendant doesn't live or work at the address. If the defendant appears to be evading service, the plaintiff may wish to consider using a friend or relative over the age of 18 or hiring a registered process server who can devote more time to effect service.

## Checklist

- \$40.00 fee deposit unless court ordered Fee Waive is attached (CH-101)
- Order to Show Cause and Temporary Restraining Order (Harassment) (form CH-120)
- Petition for Injunction Prohibiting Harassment (form CH-100)
- Blank Response to Petition for Injunction Prohibiting Harassment (form CH-110)
- Any other documents listed in the OSC/TRO

- Sheriff's Instructions

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