Congratulations! You have finished all the forms you need to ask the court for to reschedule your hearing. Forms DV-200: Proof of Personal Service and DV-250: Proof of Service by Mail are attached and ready to be filled out by your server, if applicable.

## Next steps (summary)

1. Look over your forms, make sure everything is correct, and **date and sign the DV-115: Request to Reschedule Hearing.**
2. Head to **{{ court\_name }}** to file your paperwork.

The address of your court, if you need it, is:

**{{ courtstreetaddress\_street}}**

**{{courtstreetaddress\_city}}, CA {{courtstreetaddress\_zip}}**

1. **Turn in forms DV-115 and DV-116 to the court clerk**, or keep a copy in a safe place to use later if you need it.
   * Make at least 2 copies of your forms (including the copy of your Temporary Restraining Order attached to form DV-115: Request to Reschedule Hearing, if applicable)
   * The clerk will tell you if the judge wants to speak with you before deciding whether to grant your request to reschedule the hearing.
2. If the judge grants your request to reschedule the hearing date:
   * The judge may order that the police deliver a copy of the order to {{ resp.name.first }}
   * {{ resp.name.first }} must be served a copy of the court papers as described in Item 7 on form DV-116: Order on Request to Continue Court Hearing.
   * The court will probably send the order to your mailing address.
3. Check the order when you get it to make sure it is correct. **Note the hearing’s date, time, and location**.
4. Make copies of the order. **Keep a copy of the order with you all the time.** Keep extra copies in safe places, like your car, with your babysitter, your child's doctor, or your parent's house.
5. **Have {{ resp.name.first }} served by or before the deadline for service**, which iswritten under Item 7 on form DV-116: Order on Request to Continue Hearing. **Make sure {{ resp.name.first }} is served according to the instructions written or checked under Item 7.**
6. **Have your server fill out a Proof** **of Service.** You may have your server complete the Proof of Personal Service or Proof of Service by Mail attached to this document, if applicable. **Again, make sure {{ resp.name.first }} is served according to the instructions written or checked under Item 7 on form DV-116.**
7. **File your Proof of Service** **with the court** **before your hearing.**
8. **Prepare for and return to court for your hearing.** The date of your hearing will be written under Item 3 on form DV-116: Order on Request to Continue Court Hearing.

## STEP 1: File your court forms right away

1. Look over the forms one more time. Make sure everything is correct.
2. Print, date, and sign your name on the last page of form DV-115. Make sure that the date written matches the date you file your paperwork (you can always cross out and correct this if need be).
3. Optionally, call {{ court\_name }}'s clerk to find out how they want you to send your forms to them. Most California courts will have you file your court forms in person (in the courthouse), but some may have you file them electronically (online).
4. Make at least 2 copies of all your court forms and give them to the clerk. The court will keep the original and return the copies to you. One copy needs to be served onto {{resp.name.first}}, and you can keep the other on your person at all times.
5. If you do not speak English well, you can ask the clerk for an interpreter. The clerk may ask you to fill out a request form if you want to have an interpreter at the hearing. If the court cannot give you an interpreter, bring an adult to interpret or you. Do not ask a witness in your case or a child involved in your case to interpret for you.

#### Note:

The court is only open on weekdays between 8:30 AM and 4:30 PM.

## 

## Find out if the judge issued the continuance (rescheduled the hearing)

The clerk will give all your forms to the judge. The judge will read your papers and decide on whether to grant the orders you are asking for.

The judge may want to ask you questions or ask that you provide more information in writing. The clerk will tell you. If so, tell the judge why you need to reschedule the hearing.

After you turn in your forms as required by your local clerk, check with the clerk’s office to see if the judge approved (granted) your request to reschedule your court date.

## What can the judge do?

At this point, the judge can do 2 things:

1. **Grant your Request to Reschedule the Hearing:**

If the judge signed form DV-116: Order on Request to Continue Court Hearing and checked box 3b (see below), you will have a new court date.

Item 3b will contain your new court date, department, time, room and/or address.

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1. **Deny your Request to Reschedule the Hearing:**

If the judge checked box 3a (see above), the court has denied your request to reschedule the hearing. You’ll need to go to the court at the date, time, and location under Item 3 on form DV-109: Notice of Court Hearing (see below)

Table

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This date should match the date written under Item 3a on form DV-116: Order on Request to Continue Hearing.

## What happens next?

Next, file both forms DV-115 and DV-116 with the clerk. The clerk will make up to three file-stamped copies for you. Keep at least one copy to bring to your court date.

Give a “Filed” copy of form DV-116 to your local police department and to everyone who has a copy of your Temporary Restraining Order, if granted.

## STEP 2: “Serve” your papers on {{ resp.name }}

* “Serving” means that {{ resp.name.first}} must get copies of any paper you file with the court. In “service” a third person (NOT you) is the one who delivers the paperwork to the other side. The person who does this is called the ”server” or “process server.”
* **The server must:** 
  + **Be 18 or older, and**
  + **Not be protected by the orders.**
* **Check to see if your local sheriff will serve the restrained party for you.** In domestic violence cases, a law enforcement officer may be able to serve your restraining order papers for you. **If they do, they will do it for free.**
* You can also hire a “process server,” which is a business you pay to deliver court forms. You do not need to hire a process server, but make sure that whoever you have serve {{resp.name.first }} meets the requirements bolded above.

## Steps for Service

1. Figure out WHEN you must serve your papers by:

You will have to serve the papers on {{resp.name.first }} by the deadline the judge writes on your papers. To find your deadline for service, look at Item 7 on form DV-116 (see below). The date will be written next to “You must serve by (date)” under the box the judge checked.

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1. Serve your papers onto {{resp.name.first }}:

Have someone serve {{resp.name.first }} a copy of the order according to the instructions next to the box checked under Item 7 (see above). Make sure this is done before your deadline.

* If box (1) under “Protected Party” is checked, you do not need to have {{ resp.name.first }} served.
* If box (2) under “Protected Party” is checked, service must be done in person. Have your server fill out the rest of form DV-200, Proof of Personal Service, attached under this document. You will not need form DV-250 for now.
* If box (3) under “Protected Party” is checked, service can be done by mail. Have your server fill out the rest of form DV-250 attached under this document, the Proof of Service by Mail. You will not need form DV-200 for now.

1. File your Proof of Service

Have your server complete and sign the Proof of Service and give it to you so you can file it with the court. This form tells the judge and police that {{resp.name.first }} was given a copy of the order and knows about it. It is very important your server fills out the Proof of Service correctly.

* If your server is a law enforcement officer or process server, they may use a different proof of service form. If so, make sure it lists which court forms were served, the date papers were served, where they were served, the time of service, and has the server’s signature.
* Make 2 copies of the completed Proof of Service.
* Then, file the original and copies with the court clerk before your hearing. The clerk will keep the original and give you back the copies stamped “Filed.” Take a copy to your hearing.
* **ALWAYS keep 1 copy with you (together with your restraining order). Put the other copies with the Temporary Restraining Order copies you have distributed.**

## If you were granted a Temporary Restraining Order (TRO):

If the court reschedules your court date and extends the expiration date of the temporary restraining order to the end of your new court date, the clerk will send the restraining order to law enforcement of CLETS for you. CLETS is a statewide computer system that lets police know about the order.

## STEP 4: Prepare for and go to your hearing

The California courts have created a helpful guide called Get Ready for the Restraining Order Court Hearing ([form DV-520-INFO](https://www.courts.ca.gov/documents/dv520info.pdf)) that you may read for more information about how to prepare for your hearing.

Take at least 2 copies of your documents and file forms to your court date. Include a file-stamped copy of the Proof of Service.

You must attend the hearing if you want the judge to make restraining orders or continue any orders already made. If you cancel the hearing or do not attend the hearing, any restraining orders made on form DV-110 will end on the date and time of the hearing, and you will have to completely restart your case.

If {{ resp.name.first }} does not go to the court date, the court can still make orders against him or her that can last for up to 5 years.