



ELDER OR DEPENDENT ADULT RESTRAINING ORDER

Court Document required	A packet containing the following: EA-120 Notice of Hearing and Temporary Restraining Order. EA-100 Request for Orders to Stop Elder or Dependent Adult Abuse. Any forms marked under # 13, Service Documents, on page 3 of the EA-120. Any other documents required by the court.
Purpose of Process	Notifies the restrained person of a hearing concerning various issues and restrains certain activities and conduct of the restrained person until the hearing.
Sheriff's Instructions	Use General Service Process Instruction Form
Time for Service	The time for service is determined by the judge who signs and issues the orders.
Manner of Service	Personal Service
Fee	No Fee
Proof of Service	If service is made, the original proof of service is sent to court and a copy is sent to the protected person who should file it with the police agency listed in the order. If service is not made, a not found/no service return is done. The original is mailed to the court and a copy is mailed to the protected person along with the documents for service stating the reason for non-service.

Information Guide

An Elder or Dependent Adult Restraining Order protects people from being abused. If you are a person 65 years or older or a dependent adult, you can ask for an Elder or Dependent Adult Restraining Order if you have been physically abused, financially abused, mentally or emotionally abused, or deprived by a caregiver of goods or services you need to avoid harm or suffering. An Elder or Dependent Adult Notice of Hearing and *Temporary* Restraining Order are first issued by the court to notify the restrained person to appear at a hearing to determine whether a long-term injunction prohibiting

certain activities should be issued. It also notifies the restrained person of certain activities and conduct they are restrained from until the court hearing. The Temporary Restraining Order must be personally served on the restrained person by someone 18 years of age or older and not protected by the order or a Sheriff's Deputy. If the Temporary Restraining Order includes a removal order, the Sheriff's Deputy will immediately move the restrained person from the address and allow the restrained person to take only personal clothing and effects needed until the hearing.

The protected person should immediately deliver a copy of the Temporary Restraining order to the police agency listed in the Temporary Restraining Order. After service, the proof of service should be filed with the police agency listed in the Temporary Restraining Order to update their system. The restrained person is subject to immediate arrest for violating the Temporary Restraining Order.

The Sheriff's Office accords a very high priority to restraining orders. After the restrained person is served, the Sheriff's Civil Division will mail a copy of the proof of service to the protected person and mail the original proof of service to the court the order was issued from. If service has not been made, the order will be returned to the protected person together with a copy of the certificate of not found/no service detailing the reasons for non-service and the original certificate will be sent to the court. If the restrained person appears to be evading service by the Sheriff's Office, the protected person may wish to consider using a friend or relative 18 years of age or older or hiring a registered process server to try to serve the restraining order. You **cannot** serve the order on the restrained person yourself.