



April 30, 2020

FREQUENTLY ASKED QUESTIONS ABOUT RESTRAINING ORDERS* DURING COURT CLOSURE

I need legal help with a restraining order. What kind of services can I get at Legal Aid during shelter-in-place? Legal Aid of Sonoma County is available to assist you remotely with domestic violence, civil harassment, and elder abuse restraining orders. We are available to give you information and legal advice and may be able to prepare and file the restraining order application for you without needing to meet in-person or go to court. **CALL 707-595-6295 (DOMESTIC VIOLENCE & CIVIL HARASSMENT) OR 707-340-5610 (ELDER ABUSE) DURING BUSINESS HOURS IF YOU NEED OUR HELP.**

How do I file a Petition for a Restraining Order on my own while the court is closed if I do not receive help from Legal Aid? The court is currently closed for most proceedings due to the state of emergency caused by the COVID-19 pandemic. However, the court is still accepting requests for Temporary Restraining Orders (TROs) during the closure. You may drop off the Petition for a Restraining Order with the required documents at the **Hall of Justice, 600 Administration Drive, Room 107(J) in Santa Rosa**, or e-file it with the court. The necessary forms can be found here: <http://sonoma.courts.ca.gov/forms-filing/packets>.

How do I serve the opposing party? You can request that the Sheriff's Department serve the opposing party or hire a process server. The Sheriff will serve the restraining order paperwork at no cost to you. Because the Sonoma County Sheriff's Department is currently closed to the public, you can submit a request by e-mail, facsimile, or make an appointment to drop off the paperwork in person by calling **707-565-2751**.

The instructions to submit Temporary Restraining Order service requests can be found on the Sheriff's website at:
https://static1.squarespace.com/static/542ec317e4b0d41ade8801fb/t/5e9a0c6678a37700d78618ec/1587154022739/SIP_TRO+Submittal+instructions+website.pdf.

You must provide the Sheriff's Department with a signed Sheriff Instructions form, which may be signed by an original (wet ink), electronic signature or typed name. The form can be found on the Sheriff's website at:
<https://static1.squarespace.com/static/542ec317e4b0d41ade8801fb/t/5c391acd8a922dccf685c23c/1547246285801/SH+CIV-206+Serving+Restraining+Orders.pdf>.

Do emergency protective orders remain in place while the court is closed? Currently, the court is authorized to extend Emergency Protective Orders issued or set to expire during the state of emergency for **up to 30 days** from the date of issuance. You should refer to the expiration date listed on the Emergency Protective Order.

Do temporary restraining orders remain in place while the court is closed? Yes. The civil courts are closed for most proceedings through May 31, 2020. That date may be extended. Temporary Restraining Orders (TROs) that are issued or set to expire during the state of emergency will be automatically extended by the court without a hearing. The court will notify you of your new court date by mail.

I currently have a temporary restraining order and a court date for a hearing. How will the court closure affect this? What do I need to do about my court date? The length of the court's closure is unknown and subject to change. Check the court's website at <http://sonoma.courts.ca.gov/> to confirm if the court will be closed on your hearing date. If the court is going to be closed on your hearing date, a new hearing date will be set and your temporary restraining order will automatically be extended until the new hearing date. You will receive the extended temporary restraining order and new hearing date by mail.

I currently have a permanent restraining order that is set to expire during the court closure. What do I need to do? A restraining order that is set to expire during the state of emergency will be automatically extended to allow the protected party to seek a renewal.

**These FAQs apply to several types of restraining orders, including domestic violence, civil harassment, workplace violence, and elder abuse.*

**LEGAL AID OF SONOMA COUNTY
CAN HELP YOU REMOTELY DURING BUSINESS HOURS AT:**

- **707-595-6295 (DOMESTIC VIOLENCE)**
- **707-340-5610 (ELDERS 60 YEARS OLD OR OLDER)**

The information provided in this document is for informational purposes only and should not be construed as legal advice.