EPO-001 ONE copy to court, ONE copy to restrained person, ONE copy to protected person, ONE copy to issuing agency

LAW ENFORCEMENT CASE NUMBER:

EMERGENCY PROTECTIVE ORDER *(See reverse for important notices.)*

1. **PROTECTED PERSONS** ***(insert the name and gender (M, F, X) of all persons protected by this Order):***

2. **RESTRAINED PERSON** *(name):* _____ Gender: ☐ M ☐ F ☐ X
   Ht.: _____ Wt.: _____ Hair color: _____ Eye color: _____ Race: _____ Age: _____ Date of birth: _____

3. **TO THE RESTRAINED PERSON:**
   a. ☐ **YOU MUST NOT** harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property of, keep under surveillance, impersonate, block movements of, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace of (including coercive control), any person named in item 1.
   b. ☐ **YOU MUST NOT** contact, either directly or indirectly, by any means, including but not limited to by telephone, mail, e-mail or other electronic means, any person named in item 1.
   c. ☐ **YOU MUST** ☐ stay away at least: _____ yards from each person named in item 1.
   ☐ stay away at least: _____ yards from ☐ move out immediately from:
   (address): _____
   d. **YOU MUST NOT** take any action, directly or through others, to obtain the addresses or locations of any person named in item 1.
   e. **YOU MUST NOT** own, possess, purchase, receive, or attempt to purchase or receive any firearm (gun), firearm parts (receiver, frame, or item that may be used as or easily turned into a receiver or frame), or ammunition. You must immediately surrender these items if asked by law enforcement. If not asked by law enforcement to surrender immediately, you must turn them in to a law enforcement agency or sell them to, or store them with, a licensed gun dealer within 24 hours of receiving this order.

4. ☐ *(Name):* _____ is given temporary care and control of the following minor children of the parties *(names and ages):* _____

5. Order Expires on *(date):* _____ at *(time):* _____ EXPIRES ON THE 5TH COURT DAY OR 7TH CALENDAR DAY, WHICHEVER IS EARLIER. DO NOT COUNT THE DAY THE ORDER IS GRANTED.

6. To Person in 1: To ask for a longer restraining order, ask for help at your local court. If there is an open juvenile case, file in that case. *(Name and address of court):* _____

7. Reasonable grounds for the issuance of this Order exist, and an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, elder or dependent adult abuse, or stalking.

8. Judicial officer *(name):* _____ granted this Order on *(date):* _____ at *(time):* _____

APPLICATION

9. The events that caused the protected person to fear immediate and present danger of domestic violence, child abuse, child abduction, elder or dependent adult abuse (except solely financial abuse), or stalking are *(give facts and dates; specify weapons):*

10. ☐ Firearms or ammunition were *(check all that apply):* ☐ observed ☐ reported ☐ physically searched for ☐ seized

11. ☐ The persons in 1 and 2 live together. The person in 1 asks that the person in 2 immediately move out from the address in item 3c.

12. ☐ The person in 1 has minor children in common with the person in 2, and a temporary custody order is requested because of the facts alleged in item 9. A custody order ☐ does exist. ☐ does not exist.

By: _____ ▶ _____
(PRINT NAME OF LAW ENFORCEMENT OFFICER) (SIGNATURE OF LAW ENFORCEMENT OFFICER)

Agency: _____ Telephone No.: _____ Badge No.: _____

PROOF OF SERVICE

13. I personally delivered (served) copies of this Order to the person named in 2 on: *(date):* _____ at *(time):* _____
   Address where person in 2 was served: _____

14. At the time of service, I was at least 18 years of age and not a party to this cause. ☐ I am a California law enforcement officer.

15. My name, address, and telephone number are *(this does not have to be server's home telephone number or address):*

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Date: _____

_____ ▶ _____
(TYPE OR PRINT NAME OF SERVER) (SIGNATURE OF SERVER)

WARNINGS AND INFORMATION

To the restrained person: You must follow this order until it expires (see item 5). If you have firearms, firearm parts, or ammunition, follow the orders in item 3e. After you have turned in or sold your items, you must file a receipt with the court that proves that all items listed in 3e have been turned in or sold. You may use form DV-800, *Receipt for Firearms, Firearm Parts, and Ammunition*. If you violate the order, you can be arrested, charged with a crime, and/or fined. If you are served with another restraining order, you must follow the order. You may want advice from a lawyer. If you were served with more court papers, contact one as soon as possible. Free help may be available at your court's local self-help center. To find your local self-help center, go to *www.selfhelp.courts.ca.gov/find.*

A la persona restringida: Tiene que cumplir con esta orden hasta su fecha de vencimiento (vea el punto 5). Si tiene armas de fuego, componentes de armas de fuego, o municiones, cumpla con las órdenes del punto 3e. Después de haber entregado o vendido todos estos artículos, tiene que presentar un recibo a la corte comprobando que todos los artículos indicados en el punto 3e han sido entregados o vendidos. Puede usar el formulario DV-800, *Recibo por armas de fuego, componentes de armas de fuego, y municiones*. Si contraviene la orden, puede ser arrestado, acusado de un delito, y/o multado. Si recibe por entrega legal otra orden de restricción, tiene que cumplir con esa orden. Es posible que quiera los consejos de un abogado. Si recibió por entrega legal más documentos de la corte, contáctese con un abogado lo más pronto posible. Es posible que el centro de ayuda de su corte local ofrezca un servicio de ayuda gratuita. Puede localizar su centro de ayuda local en *www.selfhelp.courts.ca.gov/find.*

To the protected person: This order will expire on the the date and time listed in item 5. If you want a longer restraining order to protect you or your children from abuse, you will have to ask for one from your local court. Start the process as soon as you can. The paperwork can take a few hours to complete. There is no court fee and you do not need a lawyer to ask for one, but the process can be hard to get through on your own. If you want advice from a lawyer, contact one as soon as possible. Free help may be available at your local court's self-help center. To find your local self-help center, go to *www.selfhelp.courts.ca.gov/find.*
You can also ask for child custody orders to stop child abuse or abduction. Note that if there is a juvenile dependency case for your child, ask for orders to protect your child in that case.

A la persona protegida: Esta orden se vence en la fecha y la hora indicadas en el punto 5. Si desea una orden de más larga duración para protegerse a sí mismo o a sus hijos del maltrato, tendrá que solicitarla de su corte local. Comience el proceso lo más antes posible. Los formularios pueden tomar algunas horas para llenar. No hay cuota de presentación y no necesita un abogado para presentar su solicitud, pero el proceso puede ser difícil de navegar sin ayuda. Si desea consejos de un abogado, contáctese con uno lo más pronto posible. Es posible que el centro de ayuda de su corte local ofrezca un servicio de ayuda gratuita. Puede localizar su centro de ayuda local en *www.selfhelp.courts.ca.gov/find.* También puede solicitar órdenes de custodia de los hijos para impedir el maltrato o el secuestro. Nótese que si hay un caso de dependencia de menores para su hijo, solicite órdenes para proteger a su hijo en ese caso.

To Law Enforcement

This order must be served on the restrained person by the officer, if the restrained person can be found. A copy must be given to the protected person. A copy must be filed with the court as soon as practicable. Also, the officer must have the order entered into CLETS (CARPOS).

This emergency protective order is effective when made and must be enforced by all law enforcement officers in the State of California who are aware of or shown a copy of this order. The terms and conditions of this order are enforceable regardless of the acts of the parties; the order may be changed only by the court (Penal Code section 13710(b)). A law enforcement officer shall use every reasonable means to enforce this order. An officer acting in good faith to enforce the order will not be held liable.

The provisions of this emergency protective order take precedence in enforcement over provisions of other existing protective orders between the same protected and restrained persons if the provisions of this order are more restrictive. The provisions in another existing protective order remain in effect and take precedence if they are more restrictive than the provisions in this emergency protective order. The availability of an emergency protective order must not be affected by the fact that the endangered person has vacated the household to avoid abuse.

A las agencias del orden público

El agente tiene que hacer la entrega legal de esta orden a la persona restringida, si esta puede ser localizada. Hay que darle una copia a la persona protegida. Hay que presentar una copia a la corte tan pronto sea posible. También, el oficial tiene que hacer que la orden se ingrese al sistema CLETS (CARPOS).

Esta orden de protección de emergencia entra en vigencia al emitirse y tiene que hacerse cumplir por todos los oficiales del orden público del estado de California que tengan conocimiento de, o a quienes se les muestre una copia de esta orden. Los términos y condiciones de esta orden pueden hacerse cumplir a pesar de las acciones de las partes; la orden solo puede ser modificada por la corte (Código Penal, sección 13710(b)). Un agente del orden público tiene que usar todo recurso razonable para hacer cumplir esta orden. Un agente que actúe de buena fe para hacer cumplir esta orden quedará exento de toda responsabilidad civil o penal.

Las disposiciones de la presente orden de protección de emergencia tendrán prioridad sobre las disposiciones de otras órdenes de protección existentes entre las mismas partes si las disposiciones de la presente orden son más restrictivas. Las disposiciones de otras órdenes se mantienen en vigencia y tendrán prioridad si son más restrictivas que las disposiciones de la presente orden de protección de emergencia. La disponibilidad de una orden de protección de emergencia no será afectada por el hecho de que la persona en peligro haya desocupado el hogar para evitar el maltrato.

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form | Save this form | Clear this form