



Judicial Council of California

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Subject Details (With Text)

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Title

Rules and Forms | Protective Orders: Service Requirements After Remote Appearances (Action Required)

Summary

The Civil and Small Claims Advisory Committee and the Family and Juvenile Law Advisory Committee recommend adopting two California Rules of Court and revising 10 notice and order forms to clarify the service requirements for respondents who appear remotely in protective order proceedings. The committees make this recommendation because the statutory authority governing service of protective orders after hearing does not indicate the type of service required if the respondent appears remotely at the hearing.

Recommendation

The Civil and Small Claims Advisory Committee and the Family and Juvenile Law Advisory Committee recommend that the Judicial Council, effective January 1, 2024, take the following actions to clarify service requirements relating to protective orders:

1. Adopt California Rules of Court, rules 3.1162 and 5.496;
2. Revise the following forms:
 - *Notice of Court Hearing* (form CH-109);
 - *Civil Harassment Restraining Order After Hearing* (form CH-130);
 - *Notice of Court Hearing* (form EA-109);
 - *Elder or Dependent Adult Abuse Restraining Order After Hearing* (form EA-130);
 - *Notice of Court Hearing to Allow Contact* (form EA-309);
 - *Elder or Dependent Adult Restraining Order Allowing Contact After Hearing* (form EA-330);
 - *Notice of Court Hearing* (form SV-109);
 - *Private Postsecondary School Violence Restraining Order After Hearing* (form SV-130);
 - *Notice of Court Hearing* (form WV-109); and
 - *Workplace Violence Restraining Order After Hearing* (form WV-130).