

Response to Request for Elder or Dependent Adult Abuse Restraining Orders

Clerk stamps date here when form is filed.

Use this form to respond to the Request (form EA-100)

- 1 Read *How Can I Respond to a Request for Elder or Dependent Adult Abuse Restraining Orders?* (form EA-120-INFO) to protect your rights.
- 1 Fill out this form and take it to the court clerk.
- 1 Have someone age 18 or older—**not you**—serve the person requesting protection in ① by mail with a copy of this form and any attached pages. (Use form EA-250, Proof of Service of Response by Mail.)

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

① Elder or Dependent Adult Seeking Protection

Name: _____

Name of person asking for the protection, if different (This is the person named in item ③ of the request (form EA-100).)

② Person From Whom Protection Is Sought

a. Your Name: _____

Your Lawyer (if you have one for this case)

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

Present your response and any opposition at the hearing. Write your hearing date, time, and place from form EA-109, item ③, here:

Hearing Date Date: _____ Time: _____
Dept.: _____ Room: _____

If you were served with a Temporary Restraining Order, you must obey it until the hearing. At the hearing, the court may make orders against you that last for up to five years.

③ Personal Conduct Orders

- a. I agree to the orders requested.
- b. I do not agree to the orders requested. (Specify why you disagree in item ⑭ on page 4.)
- c. I agree to the following orders (specify below or in item ⑭ on page 4):

④ Stay-Away Orders

- a. I agree to the orders requested.
- b. I do not agree to the orders requested. (Specify why you disagree in item ⑭ on page 4.)
- c. I agree to the following orders (specify below or in item ⑭ on page 4):

5 **Q Move-Out Orders**

- a. I agree to the orders requested.
- b. I do not agree to the orders requested. (*Specify why you disagree in item 14 on page 4.*)
- c. I agree to the following orders (*specify below or in item 14 on page 4*):

6 **Q Additional Protected Persons**

- a. I agree that the persons listed in item 6 of form EA-100 may be protected by the order requested.
- b. I do not agree that the persons listed in item 6 of form EA-100 may be protected by the order requested.

7 **Q Order for Counseling or Anger Management Courses**

i This item is only available in instances of alleged physical abuse or deprivation of care, not in cases with only alleged financial abuse.

- a. I agree to the orders requested.
- b. I do not agree to the orders requested. (*Specify why you disagree in item 14 on page 4.*)
- c. I agree to the following orders (*specify below or in item 14 on page 4*):

8 **Firearms (Guns), Firearm Parts, and Ammunition**

If you were served with form EA-110, Temporary Restraining Order, you cannot own or possess any firearms (guns), firearm parts, or ammunition. This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531). (See item 8 of form control within 24 hours of being served with form EA-110. You must file a receipt with the court. You may EA-110.) You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns) or firearm parts in your immediate possession or control within 24 hours of being served with form EA-110. You must file a receipt with the court. You may use form EA-800, Receipt for Firearms and Firearm Parts, for the receipt.

- a. I do not own or control any firearms (guns), firearm parts, or ammunition.
- b. I ask for an exemption from the firearms prohibition under Code of Civil Procedure section 527.9(f) because carrying a firearm is a condition of my employment, and my employer is unable to reassign me to another position where a firearm is unnecessary. (*Explain*):

Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 8b—Firearms Surrender Exemption" as a title. You may use form MC-025, Attachment.

- c. I have turned in my firearms (guns) and firearm parts to the police or sold them to or stored them with a licensed gun dealer.

A copy of the receipt is attached. has already been filed with the court.

9 **Debts Caused by Financial Abuse**

- a. I agree to the findings requested.
- b. I do not agree to the findings requested. (*Specify why you disagree in item 14 on page 4.*)
- c. I agree to the following findings (*specify below or in item 14 on page 4*):

10 **Possession and Protection of Animals**

- a. I agree to the orders requested.
- b. I do not agree to the orders requested. (*Specify why you disagree in item 14 on page 4.*)
- c. I agree to the following orders (*specify below or in item 14 on page 4*):

11 **Other Orders**

- a. I agree to the orders requested.
- b. I do not agree to the orders requested. (*Specify why you disagree in item 14 on page 4.*)
- c. I agree to the following orders (*specify below or in item 14 on page 4*):

12 **Denial**

I did not do anything described in item 8 of form EA-100. (*Skip to 14.*)

13 **Justification or Excuse**

If I did some or all of the things that the person in 1 has accused me of, my actions were justified or excused for the following reasons (*explain*):

Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 13—Justification or Excuse" as a title. You may use form MC-025, Attachment.

Case Number: _____

14 **Q Reasons I Do Not Agree to the Requests**

Explain your answers to each order or finding requested that you do not agree with.

Q Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 14—Reasons I Disagree" as a title. You may use form MC-025, Attachment.

15 **Q Lawyer's Fees and Costs**

a. **Q** I ask the court to order payment of my **Q** lawyer's fees **Q** court costs. The amounts requested are:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

Q Check here if there are more items. Put the items and amounts on the attached sheet of paper and write "Attachment 15—Lawyer's Fees and Costs" for a title. You may use form MC-025, Attachment.

b. **Q** I ask the court to deny the request of the person asking for protection named in **1** that I pay his or her lawyer's fees and costs.

16 Number of pages attached to this form, if any: _____

Date: _____

_____ ▶ _____
Lawyer's name (if any) *Lawyer's signature*

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: _____

_____ ▶ _____
Type or print your name *Sign your name*