

Request for Elder or Dependent Adult Restraining Order Allowing Contact

Clerk stamps date here when form is filed.

Use this form to obtain an order allowing contact between an elder or dependent adult and another person.

- Read *Can an Elder or Dependent Adult Restraining Order Allowing Contact Help Me?* (form EA-300-INFO) before completing this form.
- Note:** This order cannot be issued if the elder or dependent adult lives in a long-term care or residential facility or is a patient at a hospital.
- If you want a restraining order for other abuse, such as physical or financial abuse, use *Request for Elder or Dependent Adult Abuse Restraining Orders* (form EA-100). Read *Can a Restraining Order to Prevent Elder or Dependent Adult Abuse Help Me?* (form EA-100-INFO) for more information.

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

(List each elder or dependent adult in the same household who wants to have contact with the person named in 3 and their age below.)

<u>Full Name</u>	<u>Age</u>
_____	_____
_____	_____
_____	_____

Check here if there are more elders or dependent adults in the same household who also want to have contact with the person named in 3. List those persons and their ages on an attached sheet of paper and write "Attachment 1—Additional Elders or Dependent Adults" for a title. You may use form MC-025, Attachment.

2 Person Alleged to Be Preventing Contact

Full Name: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

3 Person Who Wants Contact With the Elders or Dependent Adults

a. Full Name: _____

b. Describe this person's preexisting relationship to the elders or dependent adults named in 1:

Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 3—Preexisting Relationship" for a title.

This is not a Court Order.

4 Person Requesting Order

Who is asking the court for an order? (Check a, b, c, or d):

- a. The elders or dependent adults named in ①.
- b. The person named in ③ who wants contact with the elders or dependent adults.
- c. Name: _____ ,
 conservator of the person estate person and estate
 named in ①, appointed by (name of court):

Case No.: _____

- d. Other person legally authorized to make this request (name):

(Show this person's legal authority to make this request on an attached sheet of paper. Write "Attachment 4d—Information About Person Requesting Order" for a title. You may use form MC-025, Attachment.)

5 Contact Information

Contact information for the person asking the court for an order

- a. 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.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

6 Description of Elders or Dependent Adults

The person or persons named in ① are residents of California and (check a, b, or c):

- a. Are all age 65 or older.
- b. Are all under age 65 and have physical or mental limitations that restrict their ability to carry out normal activities or to protect their rights. (Briefly describe limitations on the attached sheet of paper or form MC-025. Write "Attachment 6b—Description of Elders or Dependent Adults" for a title.)
- c. Include some adults age 65 or older and some are adults under age 65. The adults under age 65 have physical or mental limitations that restrict their ability to carry out normal activities or to protect their rights. (Identify which persons are 65 or older and identify and briefly describe the limitations of those under age 65 on the attached sheet of paper or form MC-025. Write "Attachment 6c—Description of Elders or Dependent Adults" for a title.)

This is not a Court Order.

7 Relationship to Person Alleged to be Preventing Contact

How do the elders or dependent adults know the person in (2)? (Explain below):

☞ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 7—Relationship to Respondent" for a title.

8 Facts Supporting Order Allowing Contact

The person requesting the order must show that:

- | The elders or dependent adults expressly desire contact with the person named in (3);
- | The person in (2) has repeatedly prevented that contact;
- | The prevention of contact was not in response to an actual or threatened abuse of the elders or dependent adults by the person named in (3); and
- | The prevention of contact was not in response to the desire of the elders or dependent adults to not have contact with the person named in (3).

a. Describe the desire of the elders or dependent adults to have contact with the person named in (3) and attach any documentation demonstrating such desire:

☞ Check here if documentation is attached or if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 8a—Describe Desire to Contact" for a title.

b. (1) When has the person in (2) prevented the person named in (3) from seeing the elders or dependent adults? (Provide dates or estimated dates):

(2) Describe how the person in (2) has prevented the person named in (3) from seeing the elders or dependent adults.

☞ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 8b—Describe Prevention" for a title.

This is not a Court Order.

9 Venue

Why are you filing in this county? (Check all that apply):

- a. The person in (2) lives in this county.
- b. The person in (2) prevented the person in (3) from seeing the elders or dependent adults in this county.
- c. Other (specify): _____

10 Other Court Cases

a. Has the person in (2) or the person in (3) been involved in another court case with the elders or dependent adults? No Yes (If yes, specify the kind of each case and indicate where and when each was filed):

	<u>Kind of Case</u>	<u>Filed in (County/State)</u>	<u>Year Filed</u>	<u>Case Number (if known)</u>
(1)	<input type="checkbox"/> Elder or Dependent Adult Abuse	_____	_____	_____
(2)	<input type="checkbox"/> Civil Harassment	_____	_____	_____
(3)	<input type="checkbox"/> Domestic Violence	_____	_____	_____
(4)	<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
(5)	<input type="checkbox"/> Paternity, Parentage, Child Custody	_____	_____	_____
(6)	<input type="checkbox"/> Eviction	_____	_____	_____
(7)	<input type="checkbox"/> Guardianship	_____	_____	_____
(8)	<input type="checkbox"/> Workplace Violence	_____	_____	_____
(9)	<input type="checkbox"/> Small Claims	_____	_____	_____
(10)	<input type="checkbox"/> Criminal	_____	_____	_____
(11)	<input type="checkbox"/> Other (specify): _____	_____	_____	_____

b. Are there any protective or restraining orders now in effect relating to the elders or dependent adults and the person in (2) or the person in (3)? No Yes (If yes, attach a copy if you have one.)

11 Order Allowing Contact

I ask the court to order the person in (2) to allow the person in (3) to contact the elders or dependent adults, with the following terms:

- a. The person in (2) may not prevent the person named in (3) from in-person or remote online or telephonic visits with the elders or dependent adults named in (1).
- b. Other terms requested for the order allowing contact (specify):
 Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write "Attachment 11b—Other Order Terms" for a title.

This is not a Court Order.

12 **Q Request to Give Less Than Five Days' Notice of Hearing**

You must have your papers personally served on the person in **2** at least five days before the hearing, unless the court orders a shorter time for service. (Read form EA-200-INFO, What Is “Proof of Personal Service”?, to learn about serving legal papers. Form EA-200, Proof of Personal Service, may be used to show the court that the papers have been served.)

If you want there to be less than five days between service and the hearing, explain why:

Q Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or form MC-025 and write “Attachment 12—Request to Give Less Than Five Days’ Notice” for a title.

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

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 or form MC-025 and write “Attachment 13—Lawyer’s Fees and Costs” for a title.

14 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

▶ _____
 Signature of person making this request

Date: _____

 Type or print your name

▶ _____
 Signature of person making this request

This is not a Court Order.