

RESTRAINING ORDERS

	WHAT	WHO SEEKS	ORDER	
Civil Restraining Harassment Order	Protects against harassment	Any Person if you are harassed, stalked, threatened with violence, or an act of violence is committed against you. No domestic or family relationship	Protects victim & family members and people that live with victim Orders no harassment, threats, contact, stay away; person must relinquish guns.	No fee if threat of violence. Order can last up to three years. Matter of public record
Domestic Violence Restraining Order	Protects persons that have been abused or threatened with abuse	Familial relationship - 2d degree included	Orders no contact, no guns or ammunition, move out of the house, stay away order Can order: payment of child support; orders re custody or visitation	No Fee Civil in nature Matter of public record
Workplace Violence Restraining Order	Protects employees from unlawful violence or credible threats of violence at the workplace	Employers <i>only</i> – yet may seek protection for employees	Protects employees & workplace & family members of aggrieved employee; stay away orders	CCP §527.8 Can last up to 3 years No filing fee Matter of public record
Firearms Emergency Protective Order	Person poses a significant danger of personal injury to him/herself or another	Issued by a judge at the request of a law enforcement officer	Prohibits person from owning, purchasing or possessing guns.	Temporary; lasts up to 21 days Usually put into place by an officer called to

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			Person must surrender all guns	a residence for a disturbance.
Gun Violence Restraining Order	Prohibits someone from having any guns or ammunition	Immediate family member or law enforcement agency	Person must surrender all guns	Penal Code § 18150 No filing fee No personal protection More permanent than the Firearms Emergency Protective Order
Emergency Protective Order		Issued by law enforcement Can be issued without a hearing		Valid for five days Typically precedes a TRO
Criminal Protective Order	"Stay Away Order"	Request of a deputy district attorney at Domestic Violence Court for active prosecution cases	No Contact Order	Arises out of a criminal case and is issued in criminal court