



**CENTRAL CALIFORNIA
LEGAL SERVICES**
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DOMESTIC VIOLENCE: KNOW YOUR RIGHTS

For more assistance please call our Legal Advice & Referral Line at: 1-800-675-8001

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WHAT IS DOMESTIC VIOLENCE?

- Abuse or threats of abuse from another person you are in, or were in, an intimate relationship with.
- Marriage, dating, or spouse.
- Living together.
- Have child together.
- OR someone you're closely related to, like a close family member.

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Who Can You Get Protection From?

In other words, who can be the restrained party.

- Someone you are or were living with.
- Someone you are or were in an intimate relationship with.
- Someone closely related to you by blood or marriage.

Examples: spouse, children, grandchildren, parents, grandparents, siblings, in-laws, ex-spouse, ex-in-laws.

Does Not Include: uncle, aunt, nephew, niece, or cousin; or a great family member such as great-grandchildren or great-grandparents.



WHAT IS CONSIDERED “ABUSE”?

- Physical Abuse – punching, kicking, shoving, slapping, burning, biting, hair-pulling, use of weapons, strangulation
- Sexual Abuse – unwanted sexual contact, forcing prostitution, and rape (even if married)
- Mental and Emotional Abuse – constantly being yelled at and/or called names; being restricted as to who you can communicate with and/or where you can go, excessive jealousy, isolation from family and friends, making the victim feel worthless, threatening to have the victim deported

ABUSE ALSO INCLUDES...

- Harassment – constant calls or texts.
- Stalking – following you in-person or on social media.
- Threats of abuse.
- Withholding money from the victim or keeping or taking the victim's paycheck.



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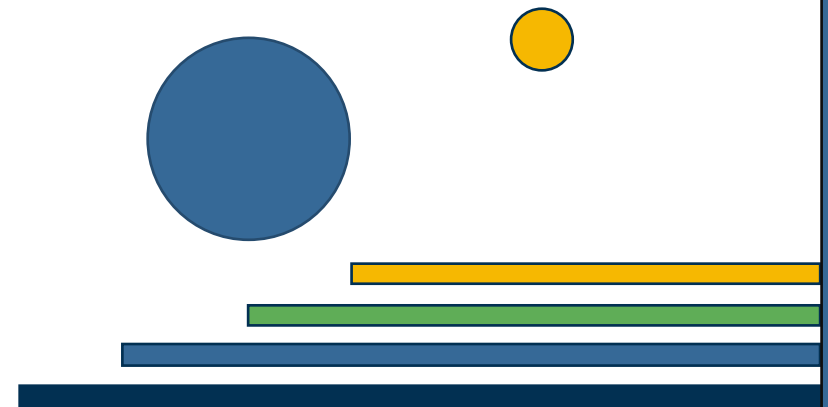




- Prevent this person from harassing, contacting, and/or stalking you.
- If the person is living with you, forces this person to move out of the home.
- Keep the person away from your home, work, vehicle, or other places where you may be.
- Request child support, custody/visitation, and spousal support.
- Prevent the abuser from owning a gun.

HOW CAN A RESTRAINING ORDER HELP ME?

For more assistance please call our Legal Advice & Referral Line at: 1-800-675-8001





TYPES OF PROTECTIVE ORDERS

- Criminal Protective Order – issued by District Attorney’s office against the abuser where domestic violence incidences can be led to criminal charges.
- Emergency Protective Order – issued by law enforcement (with approval by the Court) against the abuser—lasting for a short period of time—approximately 5-7 days.
- Temporary Restraining Order – issued by the Court from the date that you file a Request until your hearing date.
- (Permanent) Domestic Violence Restraining Order – issued by the Court after your hearing date. This order can last for up to 5 years.



- File the necessary documents for the request with the Court.
- The Court can issue a Temporary Restraining Order.
- The Court will issue a hearing date.
- Properly serve the abuser.
- Attend the hearing and be on time.
- The Temporary Restraining Order ends the day of the hearing.
- At the hearing, a judge will hear both parties' side of the story.
- A judge will decide whether to order a permanent Domestic Violence Restraining Order.
- If the restraining order is granted, it usually lasts for 1 year, 3 years or 5 years.
- Fresno Superior Courts: parties currently have the option to appear via Zoom or in-person for their court hearings.

HOW DO I GET A DOMESTIC VIOLENCE RESTRAINING ORDER?



PROPER SERVICE OF THE DOMESTIC VIOLENCE RESTRAINING ORDER

“Service” of the restraining order tells the abuser about your request, any orders, and about the hearing.

- You **MUST** do this five (5) days before your hearing date.
- You cannot serve the paperwork yourself.
 - Unrelated party who is 18 years or older to serve the paperwork.
 - A Process Server or the Sheriff may serve.
- Once the abuser has been served, file the Proof of Service with the Court the hearing.

WHERE CAN I GET HELP?



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- Filing a request for a Temporary Restraining Order and permanent Domestic Violence Restraining Order.
- Filing a request for renewal of your permanent Domestic Violence Restraining Order.
- Filing a modification of your permanent Domestic Violence Restraining Order.
 - In some cases, provide courtroom representation.
 - Legal advice and information.
 - Call our Legal Advice & Referral Line at 1-800-675-8001.
 - You pay us **NOTHING!**

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- You may contact our Legal Advice Line at **1-800-675-8001**.
- Go to the **Central California Legal Services** Website to complete an online intake form:
https://cclsoi.legalserver.org/modules/matter/extern_intake.php?pid=129&h=daa817&

Questions?



THANK YOU FOR JOINING US!

If you still have questions, or need assistance in Domestic Violence matters, please call us. We are here to help!

We also provide referrals to other assistive agencies.

Central California Legal Services Legal Advice & Referral Line
1-800-675-8001

www.centralcallegal.org



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