

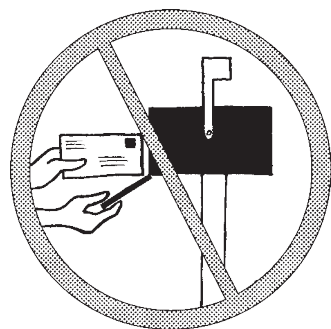
# DV-210(TC) What Is “Proof of Service”?

## What is “service”?

There are many kinds of service — in person, by mail, and others. This form is about “in-person service.” The Temporary Restraining Order (DV-110(TC)) and the Request for Order (DV-100(TC)) must be served “in person.” That means someone — not you or anyone else protected by the order — must personally “serve” (give) the restrained person a copy of the forms.

Service lets the other person know:

- What orders you are asking for
- The hearing date
- How to answer



*Don't serve it by mail!*

## Who can serve?

Ask someone you know, a process server, or law enforcement to personally “serve” (give) a copy of the order to the restrained person. You **cannot** send it by mail.

The server must:

- Be 18 or over
- Not be protected by the orders

The sheriff or marshal is authorized to serve the orders for **free**.

A “process server” is a business you pay to deliver court forms. Look in the Yellow Pages, under “Process Serving.”

(If law enforcement or the process server uses a different Proof of Service form, make sure it lists the forms served.)

## How to serve

Ask the server to:

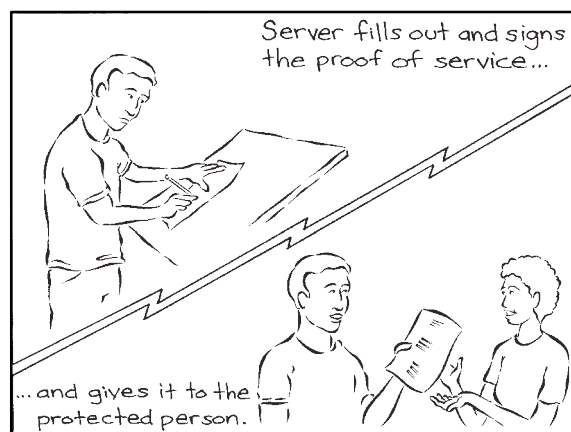
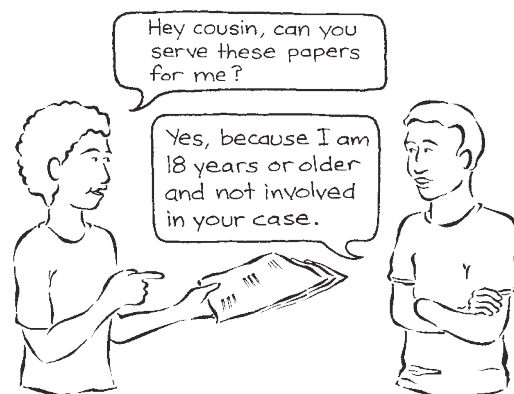
- Walk up to the person to be served.
- Make sure it's the right person. Say the person's name: “Are you John Doe?” or “Hi, John Doe.”
- Give copies of all papers checked on DV-200(TC).
- Fill out and sign the Proof of Service form (DV-200(TC)).
- Give the signed Proof of Service to you.

## What if the person won't take the papers or tears them up?

- If the person won't take the papers, just leave them near the person.
- It doesn't matter if the person tears them up.

## Who signs the Proof of Service?

Only the person who serves the orders can sign the Proof of Service. You do not sign DV-200(TC). The restrained person does not sign this form.



## When do the orders have to be served?

It depends. To know the exact date, you must look at two things on Form DV-110(TC):

First, look at the hearing date on page 1 of DV-110(TC). Next, look at the number of days written in 18 on page 3.

The image shows two callouts from Form DV-110(TC). The left callout, labeled '4', points to the 'Court Hearing Date (Fecha de la Audie[n]cia)' section. It includes a box for 'Hearing Date' with fields for Date, Time, Dept., and Rm., and a note: 'To the person in 2: At the hearing, the judge can also make other orders about money, and orders against you.' The right callout, labeled '18', points to the 'Time for Service' section. It includes a note: 'Someone 18 or over—not you or the other protected people—must personally “serve” a copy of this order to the restrained person at \_\_\_\_\_ days before the hearing.' and the text 'For help th[is]'. Both callouts also have arrows pointing to the 'this address is not corre[ct]' note at the top of the right page.

Look at a calendar. Subtract the number of days in 18 from the hearing date. That’s the final date to have the orders served. It’s always OK to serve earlier than that date.

If nothing is written in 18, follow these rules:

- If the restrained person was notified that you asked for temporary orders, you have 15 days before the hearing.
- If the restrained person was not notified that you asked for temporary orders, you have 5 days before the hearing.

## Why do I have to get the orders served?

- The **police cannot arrest** anyone for violating an order **unless** that person knows about the order.
- The **judge cannot make the orders permanent** unless the restrained person was served.

## What happens if I can’t get the orders served before the hearing date?

Before your hearing, fill out and file the Reissue Temporary Restraining Order (DV-125(TC)). This form asks the judge for a new hearing date and makes your orders last until then. Ask the clerk for the form.

You **must** attach a copy of DV-125(TC) to a copy of your original order. That way, the police will know your orders are still in effect. And the restrained person will be served with notice of the new hearing date. For more information on getting a new hearing date, read DV-126(TC).

## What do I do with the completed Proof of Service?

- Make at least 5 copies.
- File the original at least 2 days before your hearing.
- Ask the clerk to enter it into CLETS, a special computer system that lets police all over the state find out about your order.
- If the clerk tells you they can’t enter it into the computer, take 1 copy to your local police. They will put the information into the state computer system. That way, police all over the state will know about your restraining order.
- Bring a copy of the Proof of Service to your hearing.
- Always keep an extra copy with you for your safety.