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## Enforce a Restraining Order

Print

Español

### Keep Your Restraining Order With You at All Times

Get copies of your restraining order and proof of service from the court clerk:

- Keep 1 copy with you AT ALL TIMES. You may need to show it to the police. You may want to keep 1 in your car and another in your purse, backpack, or briefcase.
- Keep another copy in a safe place.
- Give a copy to anyone else who is protected by the order.
- Take copies to places where the restrained person is ordered NOT to go (school, work, daycare, etc.).
- Give a copy to the security officers in your apartment or office building.
- Make sure your local police have a copy, too.

### If the Restrained Person Disobeys the Restraining Order

**If the restrained person violates (disobeys) any of the orders in your restraining order, act right away!**

#### 1. Call the police

Show the police a copy of your orders. If the restrained person is there and has not been served with (given) a copy of the restraining order, ask the police officer to serve the orders. Make sure you give the police a blank *Proof of Personal Service* ([Form CH-200](#)) to fill out and return to you. Then, you must file this form at the court.

#### The police can arrest the restrained person.

It is a crime to knowingly disobey the judge's orders. The restrained person can:

- Be fined, or
- Go to jail.

#### 2. Gather proof of the violation of the restraining order

- Write down what happened, when, where, and the names of any witnesses.
- Get written statements or declarations from the witnesses.
- Make an audio copy of any threatening voicemail messages.
- Print out any threatening e-mails or Internet postings.
- Retain any threatening text messages.
- Get copies of police reports.
- If you were hurt, get copies of medical reports.

#### 3. Ask the police and your district attorney ("DA") to press (file) charges against the restrained person

Make it clear to both the police and your [local district attorney](#) that you want to proceed with criminal charges against the restrained person. Ask the DA how he or she will handle your case. You can always call the DA for information about a criminal case.

#### 4. File a civil contempt action

You can file papers in court asking the judge to find the restrained person in "contempt of court" for violating the restraining orders. The restrained person could be punished with 5 days in jail for each violation of the restraining order.

- Because the restrained person could go to jail, contempt actions are very serious and should only be used as a last resort, if the restrained person will not stop violating the order.
- Contempt cases are very difficult and the restrained person will have the right to a court-appointed lawyer.
- Make sure you have very detailed descriptions of each time the restrained person violated the order, including dates, times, witness statements, police reports, pictures, etc.
- Talk to a lawyer to get help with the contempt paperwork and court process. Click for [help finding a lawyer](#).