

Attorney or Party without Attorney Name, Address, Telephone No., State Bar          Attorney For (Name): <b>Superior Court of California, County of Sonoma</b> Civil & Family Law Courthouse, Family Law Division 3055 Cleveland Avenue Santa Rosa, CA 95403 Petitioner/Plaintiff: Respondent/Defendant: Claimant/Other Parent:	<b>Court Use Only</b>          Case Number:
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### DECLARATION REGARDING NOTICE AND DELIVERY OF REQUEST FOR TEMPORARY ORDERS

In most cases you must tell the other side that you are requesting a court order before the Judicial Officer will review your request. This is called "notice." Notice must be given in accordance with the schedule on the reverse side of this form. You must also deliver a copy of your request to the other party before 11:00 a.m., the day before the time of judicial review. This is called "delivery."

**The Judicial Officer will be asked to review the request for temporary orders on \_\_\_\_\_ (date), at the above address.**

I, (Name of Person Giving Notice): \_\_\_\_\_ declare that:

**1. NOTICE WAS GIVEN ON \_\_\_\_\_ (date) at \_\_\_\_\_ (time).**

BY ☐ Fax ☐ Personal Delivery ☐ Telephone ☐ Voicemail  
☐ In Writing (excluding text, e-mail or other electronic media)

To Name & Address/Telephone Number:

**2. DELIVERY WAS MADE ON \_\_\_\_\_ (date) at \_\_\_\_\_ (time).**

BY ☐ Personal Delivery ☐ Fax ☐ US Mail  
☐ Attorney ☐ Party ☐ Other \_\_\_\_\_

To Name & Address/Telephone Number:

**3. NOTICE WAS NOT GIVEN:**

☐ I have **NOT** given notice of my request for temporary orders. I have a legally sufficient basis for not giving notice. The facts that justify not giving notice are as follows: \_

**4. I do ☐ / I do not ☐ expect the other party to file an opposition.**

**I declare under penalty of perjury that the foregoing is true and correct.**

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

## FREQUENTLY ASKED QUESTIONS REGARDING NOTICE AND DELIVERY REQUEST FOR TEMPORARY ORDERS

### 1. Do I have to tell the other person that I am requesting temporary orders?

The judicial officers will require that a person who is requesting temporary orders notify the other person that temporary orders are being requested and that a copy of your request is provided to the other person before the Judge reviews it. The judicial officers want to make sure they have all the facts regarding a case before they make a decision on temporary orders.

### 2. Are there situations in which I don't have to tell the other person that I am requesting temporary orders?

If immediate harm could be suffered if notice were given or if giving notice is impossible, you may not have to give notice. If you think you should not be required to give notice, complete No. 3 on the reverse of this form. Be sure and state your reasons for not telling the other person that you are requesting temporary orders.

It is possible that the judicial officer reviewing your application may find your reasons for not giving notice insufficient. This can result in your application being rejected until you actually give notice. You should take this into consideration when determining whether or not you are going to submit your application without giving notice.

### 3. Can I deliver a copy of the documents to the other person myself?

Yes you can. If you are afraid, you may have someone else over 18 deliver them for you. If someone else delivers the documents, have that person complete the front of this form.

### 4. What if the other person is in the Sonoma County jail? How can I deliver documents?

If the other person is in the Sonoma County jail, copies can be provided to the other person by delivering them to jail personnel at the front desk of the jail. Also "Friends Outside" whose offices are in the main lobby of the jail, will arrange to have the paperwork delivered to the other person. Friends Outside does charge a small fee for this service.

### 5. What are the ways I can give notice?

Notice may be given in person, by telephone, fax, voicemail message or in writing (excluding text, e-mail or other electronic media).

## TIME FRAME FOR GIVING NOTICE

### Requests for Domestic Violence Temporary Restraining Orders

If you gave notice on:	If notice was given as indicated above in number 5, the Judge will consider on:
Monday, by 10 a.m.	Tuesday after 8:30 a.m.
Tuesday by 10 a.m.	Wednesday after 8:30 a.m.
Wednesday by 10 a.m.	Thursday after 8:30 a.m.
Thursday by 10 a.m.	Friday after 8:30 a.m.
Friday by 10 a.m.	Monday after 8:30 a.m.
Saturday by 10 a.m.	Tuesday after 8:30 a.m.
Sunday by 10 a.m.	Tuesday after 8:30 a.m.

### Family Law Emergency Requests

If you gave notice on:	If notice was given as indicated above in number 5, the Judge will consider on:
Monday by 10 a.m.	Tuesday after 10 a.m.
Tuesday by 10 a.m.	Wednesday after 10 a.m.
Wednesday by 10 a.m.	Thursday after 10 a.m.
Thursday by 10 a.m.	Friday after 10 a.m.
Friday by 10 a.m.	Monday after 10 a.m.
Saturday by 10 a.m.	Tuesday after 10 a.m.
Sunday by 10 a.m.	Tuesday after 10 a.m.

## NOTICE BY FIRST CLASS, OVERNIGHT OR NEXT DAY MAIL

### Family Law Emergency Requests

If you gave notice by personal delivery on:	If delivered by first class mail, the judge will consider on:	If delivered by overnight or next day mail, the judge will consider on:
Monday, by 10 a.m.	Following Monday after 8:30 a.m.	Thursday after 8:30 a.m.
Tuesday by 10 a.m.	Tuesday after 8:30 a.m.	Friday after 8:30 a.m.
Wednesday by 10 a.m.	Wednesday after 8:30 a.m.	Monday after 8:30 a.m.
Thursday by 10 a.m.	Thursday after 8:30 a.m.	Tuesday after 8:30 a.m.
Friday by 10 a.m.	Friday after 8:30 a.m.	Wednesday after 8:30 a.m.
Saturday by 10 a.m.	Monday of the following week after 8:30 a.m.	Thursday after 8:30 a.m.
Sunday by 10 a.m.	Monday of the following week after 8:30 a.m.	Thursday after 8:30 a.m.

**\*Add an extra day for each court holiday that falls in the time period.**