

1. ☐ The following party or ☐ the attorney for:
- a. ☐ plaintiff (*name*):
 - b. ☐ defendant (*name*):
 - c. ☐ petitioner (*name*):
 - d. ☐ respondent (*name*):
 - e. ☐ other (*describe*):

consents to electronic service of notices and documents in the above-captioned action.

2. The electronic service address of the person identified in item 1 is (*specify*):

Date:

TYPE OR PRINT NAME

(SIGNATURE OF PARTY OR ATTORNEY)

PROOF OF ELECTRONIC SERVICE

CONSENT TO ELECTRONIC SERVICE AND NOTICE OF ELECTRONIC SERVICE ADDRESS

- ☐ Electronic service of the *Consent to Electronic Service and Notice of Electronic Service Address* on additional persons is described in an attachment.

Date:

(SIGNATURE OF DECLARANT)

These instructions cannot cover all of the questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see a lawyer.

What is a retail crime restraining order?

It is a court order that prohibits you from doing certain things and going to certain places. It can be issued after a criminal conviction or as a civil order after two or more arrests or citations for certain retail theft crimes. This information sheet covers civil orders only.

Do I need a lawyer?

Having a lawyer is recommended, but it is not required. You are entitled to court-appointed counsel. If you wish to request court-appointed counsel, fill out items ①, ②, and ③ on form RT-120. You can also ask the court clerk about free and low-cost legal services and self-help centers in your county.

What does the order do?

The court can order a person not to enter or be on the grounds of a business.

Who can ask for a retail crime restraining order?

- A prosecuting attorney
- A city attorney
- A lawyer for the county counsel
- A lawyer representing a retail business

I've been served with a petition for retail crime restraining order. What do I do now?

Read the papers served on you very carefully. The *Notice of Court Hearing* tells you when to appear in court.

What if I don't agree with the request?

If you disagree with the orders the person is asking for, fill out form [RT-120](#), *Response to Petition for Retail Crime Restraining Order*, before your hearing date and file it with the court. If you need to include attachments, you can use form [MC-025](#). You can get the forms from legal publishers or from the California Courts website at courts.ca.gov/rules-forms/find-your-court-forms. Your lawyer also may be able to find them at your local courthouse or county law library.

Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older, who is not involved in this case, mail a copy of completed form RT-120 to the person who asked for the order. (This is called “service by mail.”)

The person who serves the form by mail should fill out form [POS-030](#), *Proof of Service by First-Class Mail—Civil*. Have the person who did the mailing sign the original. Take the completed form back to the court clerk or bring it with you to the hearing.

Should I go to the court hearing?

Yes. Even if you do not file a response you should go to court on the date listed on form [RT-109](#), *Notice of Court Hearing*. If you do not go to the hearing, the judge can make orders against you without you being present.

How long does the order last?

Any order issued at the hearing can last up to two years.

What if I don't obey the order?

The police can arrest you. You may go to jail and have pay a fine.

Will I see the person who asked for the order at the court hearing?

Yes. Assume that the business that is asking for the order will send someone to the hearing. Do not talk to that person unless the judge says that you can.

Do I have to pay a filing fee?

Yes, but if you cannot afford to pay the filing fee, ask the clerk how to apply for a fee waiver. Form [FW-001](#) is available for this purpose. Also, if you are eligible for a fee waiver, you can ask the sheriff or marshal to serve your papers for free. If you are not eligible for free service, you may pay the sheriff or marshal to serve your papers.

Can I bring a witness to the court hearing?

Yes. You can bring witnesses or documents that support your case to the hearing. But if possible, you should also bring the witnesses' written statements of what they saw or heard. Their statements must be made under penalty of perjury. You can use form [MC-030](#) for this.

What if I don't speak English?

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300](#), *Request for Interpreter (Civil)*, or a local court form or website to request an interpreter. For more information about court interpreters, go to selfhelp.courts.ca.gov/request-interpreter.

Can I agree with the business to cancel the order?

No. Once the order is issued, only the judge can change or cancel it. You or the person who requested the order would have to file a request with the court to cancel the order.

What if I have a disability?

If you have a disability and need an accommodation while you are at court you can use form [MC-410](#), *Disability Accommodation Request*, to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO](#), *How to Request a Disability Accommodation for Court*.

For help in your area, contact:

[Local information may be inserted.]

Clerk stamps date here when form is filed.

**Use this form to request court-appointed counsel and to
respond to the petition (form RT-100)**

- To request court-appointed counsel, fill out ①, ②a, and ③ of this form, sign the declaration on page 3, and take it to the court clerk. **Do not fill out the other items if you are requesting court-appointed counsel.**
- Have someone age 18 or older, who is not involved in this case, serve the person in ① by mail with a copy of this form and any attached pages.
- Read *How Can I Respond to a Petition for Retail Crime Restraining Order?* (form [RT-120-INFO](#)) for information about service and other next steps.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:**① Retail Establishment**

Name (see form RT-100, item ①): _____

DBA (if applicable): _____

Write your hearing date, time, and place from
form RT-109, item ③, here:

Hearing Date	→ Date: _____	Time: _____
	Dept.: _____	Room: _____

② Respondent

a. Your Name: _____

b. Your Lawyer (if you have one for this case)

Name: _____ State Bar No.: _____

Firm Name: _____

c. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

③ ☐ Request for Counsel

I request court-appointed counsel to represent me in this case.



6 ☐ **No Fee for Filing and Service**

I request that I not be required to pay the filing fee and that the sheriff or marshal serve my papers for free because I am eligible for a fee waiver. (Form [FW-001](#), Request to Waive Court Fees, *must be filed separately.*)

7 Number of pages attached to this form, if any: _____

Date: _____

Lawyer's name (if any)

▶ _____
Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: _____

Type or print your name

▶ _____
Sign your name

Instructions: Use this form to ask the court to reschedule the court date listed on *Notice of Court Hearing* (form [RT-109](#)).

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**1 My Information**

a. My name is: _____

b. I am the:

(1) ☐ **Petitioner** (*skip to 2*).(2) ☐ **Respondent** (*give your contact information below*).

Address where I can receive mail:

This address will be used by the court and other party to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address, if you have their permission. If you have a lawyer, give your lawyer's address and contact information.

Address: _____

City: _____ State: _____ Zip: _____

My contact information (*optional*):

Telephone: _____ Fax: _____

Email Address: _____

Lawyer's information (*skip if you do not have one*):

Name: _____ State Bar No.: _____

Firm Name: _____

2 Information About My Case

a. The other party in my case is:

☐ Retail Establishment ☐ RespondentName (*see form RT-100*): _____b. I have a court date currently scheduled for (*date*): _____**This is not a Court Order.**

3 Why Does the Court Date Need to Be Rescheduled?

- a. ☐ I am the petitioner, and I need more time to have the respondent personally served.
- b. ☐ I am the respondent, and I have requested court-appointed counsel that has not been appointed yet.
- c. ☐ Other reason: _____

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: _____

Type or print your name



Sign your name

Date: _____

Lawyer's name, if you have one



Lawyer's signature

This is not a Court Order.

Complete ① and ② only.

① **Retail Establishment:** _____② **Respondent:** _____

The court will complete the rest of this form

③ **Next Court Date**

- a.
- ☐
- The request to reschedule the court date is
- denied**
- .

Your court date is: _____

Your court date is not rescheduled because:

Fill in court name and street address:

Superior Court of California, County of _____

Fill in case number:

Case Number: _____

- b.
- ☐
- The request to reschedule the court date is
- granted**
- . Your court date is rescheduled for the date and time listed below. See ④–⑧ for more information.

Name and address of court, if different from above:

New
Court
Date→ Date: _____ Time: _____
Dept.: _____ Room: _____
_____④ **Reason Court Date Is Rescheduled**

- a.
- ☐
- There is good cause to reschedule the court date (
- check one*
-):

(1) ☐ The petitioner has not served the respondent.(2) ☐ Other:

- b.
- ☐
- The respondent requested court-appointed counsel that has not been appointed yet.

- c.
- ☐
- The court reschedules the court date on its own motion.

This is a Court Order.

5 Serving (Giving) Order to Other Party

The request to reschedule was made by the:

a. ☐ **Retail Establishment**b. ☐ **Respondent**c. ☐ **Court**

(1) ☐ You do not have to serve the respondent because they, or their lawyer, were at the court date or agreed to reschedule the court date.

(2) ☐ You must have the respondent personally served with a copy of this order and a copy of all documents listed on form [RT-109](#), item **5**, by
(date): _____

(3) ☐ You must have the respondent served with a copy of this order. This can be done by mail. You must serve by
(date): _____

(4) ☐ Other:

(1) ☐ You do not have to serve the retail establishment because they, or their lawyer, were at the court date or agreed to reschedule the court date.

(2) ☐ You must have the retail establishment personally served with a copy of this order by
(date): _____

(3) ☐ You must have the retail establishment served with a copy of this order. This can be done by mail. You must serve by
(date): _____

(4) ☐ Other:

(1) ☐ Further notice is not required.

(2) ☐ The court will mail a copy of this order to all parties by
(date): _____

(3) ☐ Other:

This is a Court Order.

6 ☐ **Other Orders**

Date: _____

Judicial Officer**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to courts.ca.gov/rules-forms/find-your-court-forms for *Disability Accommodation Request* (form [MC-410](#)). (Civ. Code, § 54.8.)

Clerk's Certificate
[seal]*(Clerk will fill out this part.)*
—Clerk's Certificate—

I certify that this *Order on Request to Continue Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.