

DV-116 Order on Request to Continue Hearing

Clerk stamps here when form is filed.

Complete items ①, ②, and ③

① **Protected Person:**

② **Restrained Person:**

③ **Party Seeking Continuance**

Protected Party Restrained Party

Your Lawyer Name: _____ State Bar No.: _____

Firm Name: _____

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 e-mail.):

Address: _____

City: _____ State: _____ Zip code: _____

Telephone: _____ Fax: _____

E-mail Address: _____



Northern California
Intertribal Court System
3000 Shanel Rd
Hopland, CA 95449
(707) 472-2160

Case Number:

The court will complete the rest of this form.

④ **Order on Request for Continuance**

a. The hearing in this matter is currently scheduled for (date):

_____.

b. The request for a continuance is DENIED for the reasons set forth below:

The hearing shall be held as currently scheduled above. The Temporary Restraining Order (form DV-110) issued on (date): _____ remains in full force and effect until the hearing date.

c. The request for a continuance is GRANTED as set forth below.

⑤ **Order Granting Continuance and Notice of New Hearing**

The court hearing on the Request for Domestic Violence Restraining Order (form DV-100) is continued to the date, time, and location shown below:

New Hearing Date	Date: _____	Time: _____	INSTRUCTIONS
	Type: _____	_____	_____
	_____	_____	_____

This is a Court Order

⑥ Reason for Continuance

- a. The continuance is needed because:
 - 1) The person in ② was not served before the hearing date.
 - 2) The parties were referred to child custody mediation or child custody recommending counseling.
 - 3) The person in ② asked for a first continuance of the hearing.
 - 4) The person in ③ asked for more time to hire a lawyer or prepare for the hearing or trial
 - 5) Other good case as stated below:

- b. The court finds good cause and orders a continuance in its discretion.

⑦ Extension of Temporary Restraining Order

- a. No temporary restraining orders were issued in this case.
- b. By granting the request to continue the hearing, the orders listed in Temporary Restraining Order (form DV-110), issued on (date): _____, remain in effect until the end of the hearing in ⑤.
- c. The Temporary Restraining Order is MODIFIED. A new Temporary Restraining Order (form DV-110) is issued as of this date. The orders remain in effect until the end of the hearing in ⑤.
- d. The Temporary Restraining Order is TERMINATED for the reasons stated below:

- e. Other (specify):

Warning and Notice to the Party in 2

If ⑦ b or c is checked, you must continue to obey the Temporary Restraining Order until it expires at the end of the hearing scheduled in ⑤.

⑧ Other Orders (specify):

This is a Court Order

9 Service of Order

- a. No further service of this order is required because both parties were present at the hearing when the new hearing date was ordered.
- b. The court granted the protected party’s request to continue the hearing date. A copy of this order must be served on the restrained party at least _____ days before the hearing in 5.
 - 1) All other documents requesting domestic violence restraining orders as shown in form DV-109, Notice of Court Hearing (at item 5) must also be personally served on the restrained party.
 - 2) The *Temporary Restraining Order* (Form DV-110) has been modified and must be personally served on the restrained party.
 - 3) A copy of the *Temporary Restraining Order* must NOT be served because the order was terminated in 7d.
- c. The court granted the restrained party’s request to continue the hearing date. A copy of this order must be served on the protected party at least _____ days before the hearing in 5. A copy of the *Temporary Restraining Order* (form DV-110) must be served if it was modified by the court in item 7.
- d. All documents must be personally served unless otherwise specified below.
- e. Other (*specify*):

10 No Fee to Serve

If the sheriff or marshal serves this order, he or she will do it for free.

11 CLETS Entry

If the hearing is continued, the court or its designee will transmit this form within one business day to law enforcement personnel for entry into the California Restraining and Protective Order System (CARPOS) via the California Law Enforcement Telecommunications System (CLETS).

Date: _____

Judicial Officer

(The Court Clerk will fill out this part.)

—Clerk’s Certificate—

*Clerk’s Certificate
(seal)*

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

Date: _____ by: _____, Clerk of the Court

This is a Court Order