

Instructions for Completing and Filing a Petition for Temporary Restraining Order

1. **Determine what type of restraining order you would like to file.** (Costs May Apply) Review "Restraining Orders In Wisconsin" to determine which type of Restraining Order applies. It is available by accessing the Clerk of Court's website at <https://www.co.dunn.wi.us/clerkofcourts>

Types of Restraining Orders:

Child Abuse CV-412 (No fee)
Domestic Abuse CV-402 (No fee)
Harassment CV-405 (\$164.50 filing fee)
Individual at Risk CV-428 (No fee)

2. **Complete** the proper paperwork and return to Clerk of Courts Office

If assistance is needed with completion of a Domestic Abuse Restraining Order Petition, a legal advocate is available through The Bridge to Hope by calling 1-800-924-9918.

A Petition for Waiver of Fees and Costs (CV-410A) may be filled out, if applicable. If completed, the waiver will be reviewed prior to a decision on the restraining order. If the waiver is denied and the Temporary Restraining Order is approved, you will be contacted to return to the Clerk of Court's office to pay the required fee, before the temporary restraining order case is opened.

3. Once you file your paperwork it will be forwarded to the Circuit Court Judge for review of the Petition for Restraining Order. If granted, a hearing will be scheduled and the petitioner will be contacted to pick up their copy of the Temporary Restraining Order. If not picked up within 24 hours, the Clerk will mail the copy to the Petitioner at the address they provide. The Temporary Restraining Order is not enforceable until the Respondent has been served.
4. **Service of documents.** The Clerk will provide papers to the Dunn County Sheriff's Department along with the Assist to Serve Worksheet you have completed for service on the respondent. If the respondent is a Dunn County resident, the Dunn County Sheriff's Department will attempt service and once served they will file the Proof of Service with the Clerk of Courts office. If the respondent does not live in Dunn County, the Dunn County Sheriff's Department will forward the documents to the appropriate Sheriff's Department. It is the petitioners' responsibility to contact the agency serving the documents on the respondent to see if they require a service fee and if they will provide you with a **Proof of Service** document. If they provide you with the **Proof of Service** you must file that with the Clerk of Courts office prior to the hearing date.
5. **File Proof of Service** document with the Clerk of Courts as soon as possible and prior to the hearing date
6. **Attend** hearing listed on the petition. Please arrive at least 5 minutes prior to the hearing time.

What can I expect to occur at the hearing?

- o The court will direct the hearing if the parties are appearing without counsel.
- o The parties will respond to the Court and/or counsel under oath.
- o The court will make a finding based upon the evidence and testimony given.