3-16/010.00 - Temporary Restraining Orders

Temporary Restraining Orders (TRO's) and injunctions are court orders issued to prohibit or direct certain activities on the part of a person or group of persons.

A Temporary Restraining Order (TRO) is an ex parte order initiated by one party and issued prior to a formal hearing. An injunction is issued at the time of a hearing. It is a formal order signed by the judge of the superior court issuing the order.

When a TRO is directed to the Sheriff's Department, the bailiff shall inform the petitioner to deliver one copy to the nearest Sheriff's Court Services process branch for service on the defendant; there is a service fee involved, unless the petitioner has been granted a fee waiver by the court. If a waiver has been granted the petitioner shall present a certified copy of the waiver to the process office. It is the petitioner's responsibility to deliver additional copies of the TRO to the applicable law enforcement agencies. Bailiffs should advise the petitioner to retain at least two copies of the TRO in the event the defendant violates the restrictions and a local law enforcement agency is called. The petitioner can then request the responding officer to serve the defendant. No action on a TRO can be taken until the defendant has been served.