



# MINNESOTA GUIDE & FILE

## Next Steps: Harassment Restraining Order

eFiling at end of interview

Save the email and password you used for your Guide & File account; you will need this information later to go back to your Guide & File account or to go to the eFS System (Minnesota Judicial Branch's web-based system that allows you to eFile documents in Minnesota district courts).

Below are the next steps for filing a **Harassment Restraining Order** when choosing to eFile at the end of the interview.

### STEP 1: Once the case has been accepted, sign up for electronic service (eService) in eFS

- Because you eFiled, you must accept any documents or notices from the court or the other party electronically through the eFS System. This is called eService.
- You will receive an email from “[efilingmail@tylerhost.net](mailto:efilingmail@tylerhost.net)” when your case is first filed and again when your case is accepted. Be sure to watch your junk or spam folder for these emails.
- After you receive an email saying that your case is accepted (this may take 1-2 business days), you will need to add yourself as a service contact to sign up for eService.

#### To sign up for eService:

1. Sign into the eFS System using your Guide & File email and password at <https://minnesota.tylerhost.net/ofswb>. Please note that this is a different website than Guide & File.
  2. Follow the step-by-step instructions in the Quick Reference Guide [QRG: Adding and Removing Service Contacts from the List and Case](#) to sign up for eService.
- For other helpful information, including more QRGs and instructional guides about eFiling and eService, visit <https://www.mncourts.gov/efile>. Training materials are available under the “eFile and eServe Training” tab.
  - If your email ever changes or you no longer have access to the email account you used to sign up for eService, you must update your account information in eFS to continue eService in your case. If you need any help with eFS, please contact the eFS Support Center.
    - By phone: 612-902-9585 or 1-844-918-1724
    - By email: <https://www.mncourts.gov/eFS-Support>
    - Website: <https://www.mncourts.gov/efile>



As a reminder, once you choose to eFile, you will need to continue to use the eFS System for the rest of the case. See Minn. Gen. R. Prac. 14.01(b)(5)(i) ([https://www.revisor.mn.gov/court\\_rules/gp/id/14/](https://www.revisor.mn.gov/court_rules/gp/id/14/)).

## STEP 2: Court will review the filed forms

- Once all of your forms are filed, a judicial officer will review them and decide whether you need to pay a filing fee based on the incidents of harassment described in your petition. Court administration will let you know if a filing fee is required. Be sure you have signed up for eService. See Step 3 below for information about paying the filing fee.
- Next, the judicial officer will make a decision about your requests and issue an order. When the order is ready, you will get a copy of the order.
- Read your order carefully. Did the judicial officer:
  - **Grant** an order without a hearing (called an Ex Parte Order)?
  - **Deny** an Ex Parte Order but schedule a **hearing** to hear more information from you?
  - Deny an Ex Parte Order and **dismiss** the case?
  - Decide you need to pay a **filing fee** before an order will be issued?
- If the judicial officer **GRANTS** the Ex Parte Order, it will be effective immediately. The judicial officer may have also ordered a hearing. If the judicial officer does not order a hearing, the Respondent has the right to request a hearing within 20 days of service of the petition and Ex Parte Order.

If a hearing is ordered, the Harassment Restraining Order (HRO) will be in effect until the date of the hearing. Depending on what happens at the hearing, the HRO may or may not continue. You **must** attend the hearing if you want the court to issue the HRO.

- If the judicial officer **DENIES** the request for the Ex Parte Order **and** you have requested a hearing, then court administration will schedule a hearing. The court will send a notice of the date and time of the hearing to you and Respondent. There will be no HRO in effect before the hearing. You **must** attend the hearing. If you do not attend the hearing, the HRO may be dismissed.

If the judicial officer **DENIES** the request for the Ex Parte Order **and** you have NOT asked for a hearing, then no hearing will be scheduled, and your case is dismissed with no HRO.

- If the judicial officer **DISMISSES** the case and does not schedule a hearing, even if you asked for one, this means that the judicial officer does not believe that what you described in your petition fits the definition of harassment, or may not have enough information to make a decision. You can get legal advice to see what your options might be. Court staff cannot give legal advice, and they may not have any more information than what is included in the order.
- If your email address changes or you are no longer able to access your email you used to create your Guide & File account, you must be sure to update your email address in the Minnesota Judicial Branch eFS System in order to be electronically served with any papers from the court or other parties.

## STEP 3: Pay filing fee, if required

- The court charges a filing fee at the start of each new case. However, if what happened to you is as serious as criminal harassment (defined in Minn. Stat. § [609.749](#), subd. 2, 3, 4, or 5 and § [609.342](#) to [609.3451](#)) then the filing fee may be waived. If the judicial officer does not waive your filing fee, court administration will contact you. Be sure that you have signed up for eService to receive this information.

If you are ordered to pay the filing fee but cannot afford it, you can ask the judicial officer to waive the fee because of your inability to pay. To do this, you must fill out the fee waiver (IFP) paperwork and have it reviewed by a judicial officer to see if you qualify.

- Since the HRO forms were eFiled, you will need to eFile your Fee Waiver forms as well. You can either:
  - Return to Guide & File (<https://minnesota.tylerhost.net/SRL>) to complete the forms through the Fee Waiver interview. Log into your account and start the “Request a Fee Waiver” interview. In order to eFile at the end of the interview, you will need to have your court file number to verify your case. If you cannot verify your case, you can print your forms and then file through the eFS System.

**OR**

- Download and use the Fee Waiver Packet from the court website at <https://www.mncourts.gov/GetForms.aspx?c=19&p=69>. Type in your answers and once filled out, use the “Prepare for eFile” on the form, save to your computer, and then upload in the eFS System. There are helpful materials on how to upload forms in eFS online at [www.mncourts.gov/efile](http://www.mncourts.gov/efile) under the “eFile and eServe Training” tab.

**If you are ordered to pay the fee and do not do so, your case will be dismissed, and you will not have a Harassment Restraining Order.** No fees are collected if the case is dismissed.

## Step 4. Service on Respondent

- **A copy of any order (except dismissed HROs) must be personally served on the Respondent.** This means the Respondent must receive a copy of an order. If your petition gave an address in Minnesota where the Respondent can be served, court administration will send the documents to the Sheriff who will try to personally hand it to the Respondent. There is no fee for this service.
- Service is complete when law enforcement personally delivers a copy of the papers to Respondent. It may take them several tries to serve the Respondent, which could take a week or more.
- If Respondent is under 18 years old and you gave the court the name and address of the parent or legal guardian, the court will mail a copy of the order to Respondent’s parent or legal guardian.
- If law enforcement is not able to serve Respondent you may file the *Affidavit and Request for Publication (Harassment)* (HAR701). This form is used to ask the court to publish information about the order as a way to serve the Respondent.

HAR701 is available online at <https://www.mncourts.gov/GetForms.aspx?c=22&f=354>. Once completely filled out, be sure to use the “Prepare for eFile” button to create a flattened PDF and then file the form through the eFS System website.

## Step 5: Prepare for the hearing and go to court (if hearing scheduled)

- If a hearing is scheduled, court administration will let you know at least 5 days before the hearing. You **must** attend the hearing. If you do not attend the hearing, the HRO may be dismissed.
- If you are granted an Ex Parte Order and Respondent asks for a hearing, the Ex Parte Order could be **dismissed if you do not attend the hearing**.
- If you are no longer want an HRO, please talk with court administration about your options for dismissing your request before the hearing.
- There is helpful information, including Tools & Resources and contact information for the Domestic Violence Crisis Line, on the MN Judicial Branch website <https://mncourts.gov/help-topics.aspx> under the “Domestic Abuse & Harassment” category.

## Need Help?

Contact the Statewide Self-Help Center at 651-435-6535, or <http://mncourts.gov/Help-Topics/Self-Help-Centers/Self-Help-Centers-Contact.aspx>.

For help with the eFS System (Step 1,2, or 4), contact the eFS Support Center at 612-902-9585 or 1-844-918-1724 (if calling long distance from a landline phone), or <https://www.mncourts.gov/eFS-Support>