JV-265 Juvenile Restraining Order Against a Child—Order After Hearing

Clerk stamps date here when form is filed.

☐ **Original Order** ☐ _____ **Amended Order**

1 Protected Person *(name):* _____

2 Restrained Person (Child or Youth)

***Full Name**: _____

***Gender**: ☐ M ☐ F ☐ Nonbinary

***Age**: _____ *(Give estimate, if age unknown.)*

Date of Birth: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

***Race**: _____

Relationship to person in 1: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

(**Information that has a star (*) next to it is required** to add this order into a California police database. Give all the information you know.)

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

3 ☐ Other Protected People

In addition to the person in 1, the following persons are protected by orders as indicated in items 12 through 14.

Full name	Relationship to person in 1	Age

☐ Check here if you need to list more people. List them on a separate piece of paper, write "JV-265, Other Protected People" at the top, and attach it to this form.

4 Expiration Date

This restraining order, except the orders noted below,† ends on:

(date): _____ at *(time):* _____ ☐ a.m. ☐ p.m. ☐ midnight.

†Custody and visitation orders remain in effect after the restraining order ends. Custody and visitation orders usually end when the child is 18.

- If no date is written, the restraining order ends three years after the date of the hearing in item 5 a.
- If no time is written, the restraining order ends at midnight on the expiration date.

This order must be enforced throughout the United States. See page 6.

This is a Court Order.

Case Number:

5 Hearing

a. The hearing was on *(date):* _____ with *(name of judicial officer):* _____

b. These people were at the hearing *(check all that apply):*

☐ The person in 1 ☐ The lawyer for the person in 1 *(name):* _____

☐ The person in 2 ☐ The lawyer for the person in 2 *(name):* _____

6 ☐ Future Court Hearing

☐ The person in 1 ☐ The person in 2 must attend court on:

Date: _____ Time: _____ ☐ a.m. ☐ p.m.

Department: _____ to review *(list issues):*

_____

_____

Name and address of court if different than on page 1:

_____

_____

To the Person in 2

The court has granted a long-term restraining order. See 7 through 15. If you do not obey these orders, you can be charged with a crime, go to juvenile hall, jail, or prison, and be fined.

7 No Firearms (Guns), Firearm Parts, or Ammunition

a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.

b. Prohibited items are:

(1) Firearms;

(2) Firearm parts, meaning, receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Pen. Code, § 16531); and

(3) Ammunition.

c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.

d. If law enforcement asks you for your prohibited items, you must turn them over immediately.

e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, stored, or sold. (You may use form DV-800/JV-270, *Receipt for Firearms, Firearm Parts, and Ammunition*.) If law enforcement served you with the restraining order, you must immediately surrender any prohibited items you have upon request by the officer. Within 48 hours, you must give a copy of the receipt to that law enforcement agency.

f. ☐ Permission to have firearm or ammunition for work: The judge has made the necessary findings to grant an exception under Family Code section 6389(h). The orders are included on form JV-276, *Permission to Have Firearm or Ammunition for Work.*

This is a Court Order.

8 ☐ Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. **Firearms and/or firearm parts**

	Description	Location, if known	Proof of compliance received by the court
(1)			☐ *(date):*
(2)			☐ *(date):*
(3)			☐ *(date):*
(4)			☐ *(date):*

b. **Ammunition**

	Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1)				☐ *(date):*
(2)				☐ *(date):*
(3)				☐ *(date):*
(4)				☐ *(date):*

☐ Check here if you need more space to list items. List them on a separate piece of paper, write "JV-265, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

9 ☐ Restrained Person Has Not Complied With Surrendering Prohibited Items

a. The court finds that you have not fully complied with the orders previously granted on *(date):* _____

The court has not received a receipt or proof of compliance for all the items listed in 8.

b. Notify Prosecutor

The court will immediately notify the following prosecuting agency of this violation

(prosecuting agency): _____

10 ☐ Court Hearing to Review Firearms, Firearm Parts, and Ammunition Compliance

You must attend the court hearing in 6 to prove that you have properly turned in, sold, or stored all prohibited items (described in 7b) you still have or own, including any items listed in 8. If you do not attend the court hearing in 6, a judge may find that you have violated the restraining order and notify a prosecuting attorney of the violation.

This is a Court Order.

(11) No Body Armor

You cannot own, possess, or buy body armor (defined in Pen. Code, § 16288). You must relinquish any body armor you have in your possession.

(12) Cannot Look for Protected People and Others

You must not take any action to look for any person protected by this order or a protected person's family members, caretakers, or guardians, including their addresses or locations.

☐ If checked, this order was not granted because the court found good cause to not make this order.

(13) ☐ Order to Not Abuse

You must not threaten, stalk, or disturb the peace of the person in (1) and any person listed in (3).

☐ *(If this box is checked, this case involves domestic violence and you must not do any of the actions listed below.)*

- "Disturb the peace" means to destroy someone's mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- "Coercive control" means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status. Coercive control includes reproductive coercion meaning controlling someone's reproductive choices, such as using force, threat, or intimidation to pressure someone to be or not be pregnant, and to control or interfere with someone's contraception, birth control, pregnancy, or access to health information.

(14) ☐ No-Contact Order

a. You must **not contact** ☐ the person in (1), ☐ the persons in (3),
directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.

b. ☐ Exception to item 14a:

(1) ☐ You may have brief and peaceful contact with the person in (1) only to communicate about your children for court-ordered visits.

(2) ☐ You may contact or visit with your children only during court-ordered contact or visits.

(3) ☐ Other *(explain):* _____

c. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.

15 ☐ Protect Animals

a. ☐ You must stay at least _____ yards away from the animals listed below.

b. ☐ You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals listed below.

c. ☐ The person in (1) is given the sole possession, care, and control of the animals listed below.

Name *(or other way to ID animal)*	Type of animal	Breed *(if known)*	Color

16 Service

(Check a or b):

a. ☐ **No other proof of service is needed.** The person in (2) attended the hearing on *(date):* _____.

b. ☐ **The person in (2) did not attend the hearing.** Proof of service of form JV-249 and form JV-260 (if issued) was presented to the court. *(Check all that apply):*

(1) ☐ This order can be served by mail. The judge's orders in this form are the same as the orders in form JV-260 except for the expiration date. The person in (2) must be served (given) a copy of this order either by mail or in person.

(2) ☐ This order must be personally served. The judge's orders in this form are different from the orders in form JV-260, or form JV-260 was not issued. The person in (2) must be personally served (given) a copy of this order.

(3) ☐ The court has scheduled a firearms and ammunition compliance hearing. The person in (1) must have a copy of this order served on the person in (2) by:

(a) ☐ Personal service by *(date):* _____

(b) ☐ Mail at the person in (2)'s last known address by *(date):* _____

17 Enter Restraining Order Into Database

Within one business day, this order must be entered into the California Law Enforcement Telecommunications System (CLETS).

a. ☐ The court will enter the order into CLETS.

b. ☐ The court or someone it designates will send a copy of this order to a local law enforcement agency.
If the court designates someone, provide the person's name: _____

Date: _____

_____
Judicial Officer

This is a Court Order.

Certificate of Compliance With Violence Against Women Act

This restraining (protective) order meets all "full faith and credit" requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

Instructions for Law Enforcement

Start Date and End Date of Orders

The orders *start* on the earlier of the following dates:

- The hearing date in (5)a on page 2; or
- The date next to the judge's signature on page (5).

The orders *end* on the expiration date in item (4) on page 1. If no date is listed, they end three years from the hearing date in item (5)a on page 2.

Duties of Officer Serving This Order

The officer who serves this order on the Restrained Person must do the following:

- Ask if the Restrained Person is in possession of any of the prohibited items listed in (7), or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form JV-268 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

Enforcing the Restraining Order in California

Any law enforcement officer in California who receives, sees, or verifies the orders on a paper copy, in the California Law Enforcement Telecommunications System (CLETS), or in an NCIC Protection Order File must enforce the orders.

Notice/Proof of Service

Law enforcement must first determine if the restrained person had notice of the orders. If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person then fails to obey the orders, the officer must enforce them. (Pen. Code, § 836(c)(1); Fam. Code, § 6383.)

Consider the restrained person "served" (notified) if:

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; *or*
- The restrained person was at the restraining order hearing or was informed of the order by an officer. (Fam. Code, § 6383; Pen. Code, § 836(c)(2).) An officer can obtain information about the contents of the order in the California Restraining and Protective Order System (CARPOS). (Fam. Code, § 6381(b), (c).)

This is a Court Order.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b)):

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item (14) is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2), 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

I certify that this *Juvenile Restraining Order Against a Child–Order After Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

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