



## Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

[courts.ca.gov/policy-administration/invitations-comment](https://courts.ca.gov/policy-administration/invitations-comment)

---

# INVITATION TO COMMENT

## SPR26-38

---

**Title**

Protective Orders: Changes to Forms DV-310 and DV-300-INFO

**Action Requested**

Review and submit comments by May 18, 2026, to [invitations@jud.ca.gov](mailto:invitations@jud.ca.gov)

**Proposed Rules, Forms, Standards, or Statutes**

Revise forms DV-310 and DV-300-INFO

**Proposed Effective Date**

January 1, 2027

**Proposed by**

Family and Juvenile Law Advisory  
Committee  
Hon. Tari L. Cody, Cochair  
Hon. Stephanie E. Hulseley, Cochair

**Contact**

Kristen Schmit, 415-865-7712  
[kristen.schmit@jud.ca.gov](mailto:kristen.schmit@jud.ca.gov)

---

### Executive Summary and Origin

The Family and Juvenile Law Advisory Committee proposes revising *Notice of Court Hearing and Temporary Order to Change or End Restraining Order* (DV-310) and *How Do I Ask to Change or End a Domestic Violence Restraining Order?* (DV-300-INFO) to address court operational concerns and improve form usability for litigants.

### Background

On September 20, 2024, to implement Senate Bill 459 (Stats. 2023, ch. 874), the Judicial Council adopted a new series of domestic violence restraining order forms to allow either party to request a change to or termination of a domestic violence restraining order.<sup>1</sup> The newly adopted forms became effective on January 1, 2025, and included DV-300-INFO and DV-310. Prior to the adoption of this new form series, litigants seeking to change or end a domestic violence restraining order or respond to such a request had to use family law forms FL-300 and FL-320.

---

<sup>1</sup> Judicial Council of Cal., Adv. Com. Rep., *Protective Orders: Implementation of Senate Bill 459* (Sept. 19, 2024), [jcc.legistar.com/View.ashx?M=F&ID=13320039&GUID=42A07BFF-BEDF-4192-803C-55AF0D3DCE3A](https://jcc.legistar.com/View.ashx?M=F&ID=13320039&GUID=42A07BFF-BEDF-4192-803C-55AF0D3DCE3A).

*This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.*

## The Proposal

This proposal originated from a recommendation from a court that encountered unforeseen implementation challenges with the DV-300 form series. This proposal also includes additional revisions to further incorporate trauma-informed practices into the domestic violence restraining order forms and increase access to justice. These proposed revisions do not alter statutory service requirements but clarify for litigants the methods of service authorized by the court in form DV-310.

### Form DV-310

The committee proposes the following revisions to form DV-310 intended to address concerns identified by the court:

- Remove the phrase “the current restraining order remains in full force and effect” from item 3 and revise item 4, indicating the court’s decision, to more clearly explain the court’s order and the status of the current restraining order. The new options in item 4 are:
  - No temporary orders were requested. The current restraining order (form DV-130) issued on (*date of order*): remains in full force and effect;
  - The request for temporary orders is denied. The current restraining order (form DV-130) issued on (*date of order*): remains in full force and effect; and
  - The request for temporary orders is granted. . . . The court changes the orders previously granted and signs an amended form DV-130 that remains in effect until the hearing scheduled in 3.

This proposed change addresses two challenges identified by the court. The revised options in item 4 provide further clarity to parties and law enforcement regarding what orders to follow and enforce until the scheduled hearing date. Further, if temporary orders are not requested, a judicial officer would be able to indicate that on the form to clarify for the court clerk that the form does not need to be processed as an *ex parte* request. These proposed changes would also make form DV-310 consistent with *Order on Request to Continue Court Hearing* (form DV-116), which contains similar language and options.

- Reconstruct item 5a to clarify the different methods of service that protected persons may use, along with the corresponding service deadlines for each, as ordered by the court. This proposed change seeks to increase access to justice by clarifying that a party may have multiple service options and can choose the one that is most convenient or cost-effective. For example, if the court allows service by mail and a low-income party has a person willing to personally serve their papers for free instead, item 5(a)(2) now clarifies that either service method can be used, if permitted by the court’s order.

Currently, the service methods appear to be mutually exclusive and may be read to allow only the specific method listed (mail or personal service), rather than any authorized method. If parties believe the only option is to serve their papers by mail but are unable to afford the costs, this can cause additional delays from rescheduled hearings due to service not being effectuated.

Furthermore, one of the committee's goals when revising forms used in domestic violence cases is to use best practices that are trauma-informed, given the litigant population served in these cases.<sup>2</sup> Restoring autonomy and choice in domestic violence survivors' lives is a key component of trauma-informed practices, which can be incorporated into court forms by providing options for litigants to choose from when possible.

- Add “all attachments (if any)” to item 5b to clarify to parties that applicable attachments must also be served with the forms listed. This is intended to address incomplete service attempts, which is another challenge that the individual court identified.
- Remove item 7b, “Attachments include forms (*check all that apply*),” which lists forms DV-140, DV-145, and “other” as attachment options. These attachment forms are needed if a request for temporary orders is granted and the court issues an amended DV-130 in proposed item 4. Therefore, it is no longer necessary to include these attachment options in form DV-310 because the forms will be attached to an amended DV-130, if issued, instead.
- Change the title of the instruction at the top of page 3 from “Person in 2” (meaning the restrained person) to “Person Responding to Request to Change or End Restraining Order.” A protected person also needs the information in these instructions about responding to form DV-300 if the form is filed by the restrained person.

### **Form DV-300-INFO**

Based on the proposed revisions to item 5a in form DV-310, the committee proposes revisions to form DV-300-INFO to describe the choices parties may have for methods of service:

- Add language to item 4 on page 3 to clarify that protected persons may be able to choose to have their papers served by personal service or by mail, depending on what the court ordered in form DV-310.
- Add an item number (item 5) and heading above the paragraph currently in item 4 that describes what to do if a party is unable to serve the court papers in time before the

---

<sup>2</sup> National Council of Juvenile and Family Court Judges, Trauma-Informed Courtroom Practices: A Bench Card for Judges (Aug. 5, 2025), [ncjfcj.org/publications/trauma-informed-courtroom-practices-a-bench-card-for-judges/](https://ncjfcj.org/publications/trauma-informed-courtroom-practices-a-bench-card-for-judges/).

hearing. This formatting is consistent with other DV information sheets. Accordingly, current item 5 is renumbered as item 6.

### **Alternatives Considered**

The committee considered not changing the forms, but the court-identified challenges stemming from the forms in their current construction would remain unaddressed. This would impact not only court processes and operations but parties using the forms. The revisions proposed advance the Judicial Council’s goals, specifically access, fairness, diversity, and inclusion, and quality of justice and service to the public.

### **Fiscal and Operational Impacts**

Although requiring judicial officers to complete item 4 for every DV-310 form filed may initially take more time to process, overall, the changes will contribute to increased judicial economy for the courts by clarifying how to process DV-300 forms. Judicial officers will save time by not having to review every DV-300 form as an ex parte temporary order request. Moreover, making the changes to item 5 in form DV-310 will reduce the number of hearings rescheduled because of confusion about how best to properly serve all papers on the other party. Additional education and training may be needed for judicial officers and court staff processing DV-300 requests regarding the changes to the forms as well as updates to case management systems.

### **Request for Specific Comments**

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

### **Attachments and Links**

1. Forms DV-310 and DV-300-INFO, at pages 5–11

Notice of Court Hearing and Temporary Order to Change or End Restraining Order

Clerk stamps date here when form is filed.

Draft Not approved by Judicial Council

Instructions: The person making the request must complete items 1 and 2. The court will complete the rest of this form.

1 Protected Person

Name: \_\_\_\_\_

Fill in court name and street address:

Superior Court of California, County of \_\_\_\_\_

2 Restrained Person

Name: \_\_\_\_\_

Fill in case number:

Case Number: \_\_\_\_\_

3 Notice of Hearing

A court hearing is scheduled on the request to change or end a domestic violence restraining order:



Date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

Name and address of court if different from above: \_\_\_\_\_

You may attend your court date remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to courts.ca.gov/find-my-court.htm.

4 Orders in Effect Until the Court Hearing listed in 3

- a. No temporary orders were requested. The current restraining order (form DV-130) issued on (date of order): \_\_\_\_\_ remains in full force and effect.
b. The request for temporary orders is denied. The current restraining order (form DV-130) issued on (date of order): \_\_\_\_\_ remains in full force and effect. Reason for denial: \_\_\_\_\_
c. The request for temporary orders is granted. (1) The orders (check all that apply): Have been requested by the protected party and are needed to prevent domestic violence. Are needed to help prevent (1) irreparable harm to a child in this case or (2) a child from being removed from California. (2) The court changes the orders previously granted and signs an amended form DV-130 in effect until the hearing scheduled in 3.

This is a Court Order.



5 Service

a.  Protected person  Restrained person

1.  Must have the forms in 5b served by personal service because the request was made by the restrained person or the court has granted temporary orders.

This order must be personally served by (date): \_\_\_\_\_

2.  Must have the forms in 5b served by mail or personal service because the request was made by the protected person and the court did not grant temporary orders.

This order must be personally served by (date): \_\_\_\_\_ or mailed by (date): \_\_\_\_\_

b. Forms to serve:

- DV-300, Request to Change or End Restraining Order and all attachments (if any);
- DV-310, Notice of Court Hearing and Temporary Order to Change or End Restraining Order (this form); and
- A blank DV-320, Response to Request to Change or End Restraining Order.

6 No Fee to Serve Order

The sheriff or marshal will serve this order (give this order to the other party) for free. If you want the sheriff to serve your papers, (1) complete form SER-001, Request for Sheriff to Serve Court Papers, and (2) give the completed form and a copy of this order to the sheriff.

7 Attached Pages

All of the attached pages are part of this order.

Number of pages attached to this three-page form: \_\_\_\_\_

Judge's Signature

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge or Judicial Officer

**This is a Court Order.**



**How to Respond to This Request to Change or End Restraining Order**

- **Respond in writing (optional):** You can respond in writing by completing form [DV-320, Response to Request to Change or End Restraining Order](#). File the original with the court, and have someone 18 or over—**not you**—mail a copy of it to the other party before the hearing. Also file form [DV-250, Proof of Service by Mail](#), with the court before the hearing, and bring a copy to the court hearing.
- **At the hearing:** Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making a decision. At the hearing, tell the judge why you agree or disagree with the request. Bring any evidence or witnesses you have.



**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [courts.ca.gov/forms.htm](https://courts.ca.gov/forms.htm) for *Disability Accommodation Request* (form [MC-410](#)). (Civ. Code § 54.8.)

*(Clerk will fill out this part.)*

**Instructions to Clerk:** If the court made temporary orders in ④, the court must enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made. You must give up to three free (certified, stamped, and endorsed) copies of this order to the protected party.

*Clerk’s Certificate*  
*[seal]*

**—Clerk’s Certificate—**

I certify that this *Notice of Court Hearing and Temporary Order to Change or End Restraining Order* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

## How Do I Ask to Change or End a Domestic Violence Restraining Order?

### Who can make a request?

The protected person or the restrained person can ask the judge to change or end the restraining order. Other people protected by the restraining order (listed on form DV-130, item 3, or JV-255, item 3) cannot ask to change or end the order.

### How do I ask to change or end a domestic violence restraining order?

You will need to complete court papers and file them with the court. After you file your court papers, you will get a court date and **you must** have the other party served. You must attend your court date for the judge to decide whether to grant your request. See page 3 of [this information sheet](#) for step-by-step instructions.

### What if I want to renew my restraining order?

If you are the protected person, you can ask the court to renew your restraining order. You must make your request before your restraining order expires. For information on how to renew your restraining order, read form [DV-700-INFO](#), *How Do I Ask the Court to Renew My Restraining Order?*

### What if my restraining order has expired?

If *Restraining Order After Hearing* (form DV-130, DV-730, or JV-255) has expired, do not follow the steps on page 3.

- If you need another restraining order, you will need to make a new request. Read form [DV-505-INFO](#), *How to Ask for a Domestic Violence Restraining Order*.
- If the restraining order included child custody, visitation (parenting time), child support, spousal support, support for a domestic partner, or property orders, these orders remain in effect and can be changed only by a judge. For information on how to ask to change these orders, read form [FL-300-INFO](#), *Information Sheet for Request for Order*.

### Do I have to pay to file form DV-300 with the court?

No. There is no court fee.

### How do I end or change a temporary restraining order?

If you have a temporary restraining order (form DV-110 or DV-116) and you want to change or end the order, a lawyer or the court's self-help center may be able to help you. Do not use [the process described in this information sheet](#) to change or end a temporary restraining order.

### What if I want to change or end a juvenile restraining order?

If you have a restraining order based on domestic violence that was granted by a juvenile dependency court (form JV-255), and the juvenile case has been closed (dismissed), follow the steps on page 3 of [this information sheet](#) to ask to change or end the juvenile restraining order.

- If your juvenile case is still open, talk to your lawyer about how to change or end the restraining order.
- If you have a juvenile restraining order that was granted in a juvenile justice (delinquency) case (form JV-265), ask your lawyer or the prosecutor about how to change or end the restraining order.

### What if I want the judge to grant an order that was not included in the *Restraining Order After Hearing*?

The judge may be able to grant the order if it is needed for more protection. Follow the steps on page 3 of [this information sheet](#) to make the request. You will need to describe the orders you want and explain why they are needed.

### When will my restraining order change or end?

Only the court has the power to change or end the restraining order. The restraining order remains in effect and must be followed until a judge changes or ends the order.



**What orders can I ask to change or end?**

You can ask to change or end any order granted in a *Restraining Order After Hearing*, except for orders related to firearms, ammunition, or body armor. The judge cannot remove the restriction on having firearms, ammunition, or body armor. If you need to carry a firearm for your job, the judge may grant you a limited exception, but there are strict requirements. Ask a lawyer or your court self-help center for more information.

**What if I want to change child custody orders?**

- If child custody orders were made through your restraining order, you can ask to change these orders by following the steps on page 3 of [this information sheet](#).
- If custody or visitation orders were made in a separate family law case, do not follow the steps on page 3 of this form; read form [FL-300-INFO](#), *Information Sheet for Request for Order*.

Note that a special law applies to child custody orders when there has been domestic violence. For more information, go to [selfhelp.courts.ca.gov/domestic-violence-child-custody](http://selfhelp.courts.ca.gov/domestic-violence-child-custody).

**If I ask to end the restraining order, what will happen to the child custody, visitation, support, or property orders?**

If a judge ends the restraining order, any child custody, visitation (parenting time), child support, spousal support, support for a domestic partner, or property orders will remain in effect, unless the court also changes or ends those orders.

**Where can I find a self-help center?**

Free legal help is available at your court’s self-help center. Find your local court’s self-help center at [selfhelp.courts.ca.gov/find](http://selfhelp.courts.ca.gov/find). Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case and help you with the forms. Staff may also refer you to other agencies who may be able to help you.

**What if I need an interpreter?**



You may use form [INT-300](#) to request an interpreter or ask the clerk how you can request one.

**I have a disability. How can I get help?**

You may use form [MC-410](#) to request assistance. Contact the disability/ADA coordinator at your local court for more information.

**Request for Accommodations**



Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to [courts.ca.gov/forms](http://courts.ca.gov/forms) for *Disability Accommodation Request* (form [MC-410](#)). (Civ. Code, § 54.8.)

**Where can I find other help?**

The National Domestic Violence Hotline provides free and private safety tips. Help is available every day, 24 hours a day, and in over 100 languages. Go to [thehotline.org](http://thehotline.org) or call 1-800-799-7233.

**Confidential Address Program**

If you are a victim of domestic violence or live with a victim of domestic violence, there is a special program called Safe at Home that you can apply for. It is a free program that can help you keep your address private. To learn more about the program, go to [sos.ca.gov/registries/safe-home](http://sos.ca.gov/registries/safe-home). Note that it may take several weeks to be approved.



## Steps to make a request

## 1 Complete court forms:

- Form [DV-300](#), *Request to Change or End Restraining Order*; and
- Form [DV-310](#), *Notice of Court Hearing and Temporary Order to Change or End Restraining Order* (items 1 and 2 only).
- If you are asking to change child custody and visitation orders, you must complete form [DV-305](#), *Request to Change Child Custody and Visitation Orders*.

## 2 File forms with court

File all forms with the court clerk. Make sure you include a copy of your current form DV-130, *Restraining Order After Hearing* with form DV-300. You can file in person or electronically. For more information on how or where to file, go to the court's website. To find the court's website, go to [selfhelp.courts.ca.gov/find](http://selfhelp.courts.ca.gov/find).

## 3 Get your papers back from the court

Once you get your papers back from the court, you will have a court date (see form DV-310). If you asked for any temporary orders, look at form DV-310 to see if the judge granted or denied that request. Make sure you get at least two copies back: one for you and one to have served on the other party. If you filed your papers electronically, the court will give the papers back to you electronically, unless you asked to pick them up or receive them by mail.

## 4 Have the other party served with papers

- **If you are the restrained person**, you must have the protected person personally served. This means you must have an adult, **not you or anyone listed on the restraining order**, personally give a copy of all the court papers (listed on form DV-310, item 5b) to the protected person. Your server must then complete form [FL-330](#), *Proof of Personal Service*. Make a copy of the completed form FL-330 and file it with the court. If you cannot have the protected person personally served, contact a lawyer or self-help center for other options.
- **If you are the protected person**, you may be able to choose to have your papers either personally served or mailed to the restrained person. Look at form DV-310 to see how to have your papers served and the date you must have your papers served by.

For both types of service listed below, your server must be an adult and cannot be you or anyone listed on the restraining order.

**For Personal Service:**

Your server must personally serve all the court papers (listed on form DV-310, item 5b) to the restrained party. Your server must then complete form [DV-200](#), *Proof of Personal Service (CLETS)*. Make a copy of the completed form DV-200 and file it with the court.

**For Service by Mail:**

Your server must mail a copy of all the court papers (listed on form DV-310, item 5b) to the restrained party. Your server must then complete form [DV-250](#), *Proof of Service of Mail (CLETS)*. Make a copy of the completed form DV-250 and file it with the court.



**5 What happens if I can't get my court papers served before the court date?**

If you can't serve the other side before your court hearing, you will need to ask the judge to reschedule your court hearing. Fill out and file forms [DV-315](#) and [DV-316](#). The judge will review your request and decide whether to reschedule your court hearing. If you do not receive a signed copy of form DV-316 from the judge before your court date or the judge denies your request to reschedule your hearing, you *must* attend your court date (listed on form DV-310 or DV-316) if you still want to move forward with your request.

**6 Get ready for and attend your court hearing**

At your court hearing, the judge will decide whether to grant your request to change or end the restraining order. At the hearing, you and the other side will have the opportunity to tell your side of the story. Bring any evidence or witnesses you have. If you don't want to attend your court hearing in person, go to the court's website to find out more information about attending by phone or videoconference.