

# Judicial Council of California • Administrative Office of the Courts

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## INVITATION TO COMMENT

**W14-07**

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Title	Action Requested
Domestic Violence: Changes to Family and Juvenile Law Restraining Order Forms	Review and submit comments by January 24, 2014
Proposed Rules, Forms, Standards, or Statutes	Proposed Effective Date
Amend rule 5.630; revise forms DV-100, DV-110, DV-120, DV-120-INFO, DV-130, DV-180, DV-710, DV-800/JV-252, DV-800-INFO/JV-252-INFO, JV-250, and JV-255	July 1, 2014
	Contact
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Proposed by	
Family and Juvenile Law Advisory Committee	
Hon. Kimberly J. Nystrom-Geist, Cochair	
Hon. Jerilyn L. Borack, Cochair	

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### Executive Summary and Origin

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective July 1, 2014, revise restraining order forms used in Domestic Violence Prevention Act (DVPA) and juvenile law cases to implement recent legislation and to respond to comments from judicial officers, court professionals, and members of the public. Specifically, the committee recommends revising forms DV-100, DV-110, DV-120, DV-120-INFO, DV-130, DV-180, DV-710, DV-800/JV-252, DV-800-INFO/JV-252-INFO, JV-250, and JV-255<sup>1</sup> and amending rule 5.630 of the California Rules of Court.

### Background

The proposal would revise certain forms used in DVPA and juvenile law cases and amend a juvenile law rule to implement recently enacted legislation. A summary of the legislation is given below. In addition, the proposal would revise two DVPA forms to remedy significant problems as described in detail in this invitation to comment.

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<sup>1</sup> In developing the revised forms, the committee was assisted by the Protective Orders Working Group, which comprises members from the Family and Juvenile Law, Civil and Small Claims, Criminal Law, and Probate and Mental Health Advisory Committees and the Violence Against Women Education Project Planning Committee.

*The proposals have not been approved by the Judicial Council and are not intended to represent the views of the council, its Rules and Projects Committee, or its Policy Coordination and Liaison Committee. These proposals are circulated for comment purposes only.*

Assembly Bill 539 (Stats. 2013, ch. 739)<sup>2</sup> adds section 29830 to the Penal Code, effective January 1, 2014. It allows a person who is required to relinquish a firearm under any law to store the firearm with a gun dealer during the duration of the order. A person subject to a DVPA order is required to relinquish any firearm in his or her immediate possession or control unless the person qualifies for a specified exemption. (Fam. Code, § 6389(c), (h).) This bill requires revisions to DVPA and juvenile law forms as specifically noted in this invitation to comment.

Assembly Bill 161 (Stats. 2013, ch. 261)<sup>3</sup> adds section 6325.5 to the Family Code, effective July 1, 2014. It authorizes the court to issue a DVPA order “restraining any party from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage held for the benefit of the parties, or their child or children, if any, for whom support may be ordered, or both.” This bill requires revisions to DVPA forms as specifically noted in this invitation to comment.

Assembly Bill 176 (Stats. 2013, ch. 263)<sup>4</sup> amends several sections of the Family and Penal Codes, effective July 1, 2014, to change the enforcement priority of protective orders. The bill provides that an *Emergency Protective Order* (form EPO-001) that is in effect between the same parties and is more restrictive than other restraining orders takes precedence over all other restraining orders. (Pen. Code, § 136.2(c)(1)(A).) A no-contact order in any protective order has precedence over any other restraining or protective order except an EPO, and if none of the restraining orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. (Pen. Code, § 136.2(e)(2).) In addition, any nonconflicting terms of the civil restraining order remain in effect and enforceable, and if more than one civil restraining order has been issued, the one that was issued last must be enforced. This bill requires revisions to DVPA and juvenile law forms as specifically noted in this invitation to comment.

Assembly Bill 157 (Stats. 2013, ch. 260)<sup>5</sup> amends section 6320 of the Family Code, effective July 1, 2014. The amendment authorizes a court to issue an ex parte order prohibiting a party from credibly impersonating, as described in section 528.5 of the Penal Code, or falsely personating, as described in section 529 of the Penal Code, the other party or named family or household members. This bill requires revisions to DVPA forms as specifically noted in this invitation to comment.

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<sup>2</sup> The text of AB 539, as chaptered, may be viewed at [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB539](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB539).

<sup>3</sup> The text of AB 161, as chaptered, may be viewed at [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB161](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB161).

<sup>4</sup> The text of AB 176, as chaptered, may be viewed at [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB176](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB176).

<sup>5</sup> The text of AB 157, as chaptered, may be viewed at [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201320140AB157](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB157).

## The Proposal

### **Family Law Domestic Violence Prevention Act forms**

***DV-100 (Request for Domestic Violence Restraining Order)***. The proposal would implement AB 157 by adding text to item 6 of the form. The legislation authorizes a court to issue an ex parte order prohibiting a party from “credibly impersonating as described in Section 528.5 of the Penal Code [or] falsely personating as described in Section 529 of the Penal Code” the other party or named family or household members. The committee carefully considered the legislation and proposes the addition of the text “impersonate (on the internet, electronically or otherwise)” to implement the statute, rather than restating the statute verbatim. The committee noted that the forms should be comprehensible by the general public, the term *impersonate* reflects the substance of the legislation, and the Penal Code references are not critical to understanding the prohibition.

The proposal would remove discretionary checkboxes from items 6 and 6a to clarify that personal conduct orders are always granted if the court issues a restraining order.

The proposal would implement AB 539 by including, at item 9, the option for the restrained person to store his or her prohibited firearm with a licensed gun dealer.

The proposal would implement AB 161 by including a discretionary provision at item 18 for the petitioner to ask the court to order the restrained party from cashing, borrowing against, canceling, transferring, disposing of, or changing the beneficiaries of any insurance or other coverage currently in effect that benefits the petitioner or the parties’ children.

***DV-110 (Temporary Restraining Order)***. The proposal would implement AB 539, AB 161, and AB 176 as noted in the description of revisions to form DV-100 above. Implementation of the legislation requires the addition of another page to the form.

The proposal would remove the discretionary checkbox from item 6a to clarify that personal conduct orders are always granted if the court issues a restraining order.

The proposal would implement AB 157 by adding text on restraining order enforcement priority to the section on information for law enforcement officers. The proposal would also respond to a public suggestion to ask the restrained person, in item 9, to bring a filed copy of the firearm relinquishment receipt to the court. In addition, proposed subsection 9d would clarify whether the restrained person qualifies for an exemption from the firearm relinquishment requirement under Family Code section 6389(h). This change would eliminate any need for the court to cross out the firearm prohibition and relinquishment text on the form.

***DV-120 (Response to Request for Domestic Violence Restraining Order)***. Proposed revisions would implement AB 539 at item 9 by including the option for the restrained person to store his or her prohibited firearm with a licensed gun dealer. The proposal would implement AB 161 at

item 18 with an option for the respondent to agree or disagree with the requested order prohibiting changes to insurance coverage.

***DV-120-INFO (How Can I Respond to a Request for Domestic Violence Restraining Order?).***

The proposal would implement AB 539 by including the option for the restrained person to store his or her prohibited firearm with a licensed gun dealer.

***DV-130 (Restraining Order After Hearing).*** The proposal would implement AB 539, AB 161, and AB 176 as noted in the description of amendments to form DV-100 above.

The proposal would remove discretionary checkboxes from item 6 and 6a to clarify that personal conduct orders are always granted if the court issues a restraining order.

The proposal would implement AB 157 by adding text on restraining order enforcement priority to the section on instructions for law enforcement officers. The proposal would also respond to a public suggestion to ask the restrained person, in item 9, to bring a filed copy of the firearm relinquishment receipt to the court. In addition, proposed subsection 9d would clarify whether the restrained person qualifies for an exemption from the firearm relinquishment requirement under Family Code section 6389(h). This change would eliminate any need for the court to cross out the firearm prohibition and relinquishment text on the form.

***DV-180 (Agreement and Judgment of Parentage).*** Proposed amendments would implement a suggestion from the public that the existing text causes a significant problem that should be remedied. The commentator suggested adding the option that the mother was not married to another person when the children were conceived, at item 3b5. In addition, the commentator suggested clarifying the full name of the child in item 11a to avoid rejection of the form by the vital records office.

***DV-710 (Notice of Hearing to Renew Restraining Order).*** The proposed amendment would respond to a court comment that the existing text causes the public a significant problem that should be remedied. The form is used to notify the restrained party of the hearing date on the restraining order renewal request. If the protected party files a renewal request far in advance of the stated expiration date of the existing order, for example three months, and the court issues a notice of hearing on form DV-710, that hearing would occur within about three weeks. The current text at item 3 would terminate the underlying restraining order in three weeks instead of its stated expiration date three months later. This text is problematic if the court denies the renewal request at the hearing date. The revision would clarify that the underlying restraining order will expire on the expiration date of the order or the hearing date, whichever is later.

***DV-800 (Proof of Firearms Turned In or Sold).*** The proposal would implement AB 539 by including the option for the restrained person to store his or her firearm with a licensed gun dealer. The proposal would also correct the reference to the form number at item 3.

*DV-800-INFO (How Do I Turn In or Sell My Firearms?)*. The proposal would implement AB 539 by amending the title of the form and text in the form to include the option for the restrained person to store his or her firearm with a licensed gun dealer.

### **Juvenile Law rule and forms**

The proposal would implement AB 539 and AB 176 by amending rule 5.630<sup>6</sup> and revising form JV-250 (*Restraining Order—Juvenile*), form JV-252 (*Proof of Firearms Turned In or Sold*), form JV 252-INFO (*How Do I Turn In or Sell My Firearms?*), and form JV-255 (*Change to Restraining Order After Hearing*).

### **Alternatives Considered**

Nine of the forms in the proposal implement recent legislative changes. The alternative to amending those forms would be for the Judicial Council forms to be out of compliance with the law. Two of the forms (form DV-180 and form DV-710) would implement revisions to remedy significant problems as specifically described above. The alternative of not making the revisions would result in safety and administrative problems for the public.

Specifically, with respect to form DV-180 (*Agreement and Judgment of Parentage*), the committee was informed that the current form, which specifies a name change of the child, may be rejected by the vital records office because it does not clearly specify the full name of the child.

With respect to form DV-710 (*Notice of Hearing to Renew Restraining Order*), the current text states that the restraining order expires on the renewal hearing date. The protected person may file the renewal request several months before the restraining order expires. If so, the renewal hearing date will occur before the restraining order expires. If the court does not grant the request for renewal on the hearing date, a restrained person could believe that the restraining order is no longer in effect and could inadvertently violate the restraining order.

### **Implementation Requirements, Costs, and Operational Impacts**

Implementation of the proposal may require some courts to program the changes into their case management systems and will require photocopying of the new forms for the public.

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<sup>6</sup> The proposal would amend the version of rule 5.630 that is effective January 1, 2014.

## 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?
- Does the proposed removal of checkboxes at item 6 on forms DV-100, DV-110, and DV-130 clarify that these orders are always granted, or would removal of the checkboxes cause confusion?
- Is the proposed language regarding the enforcement priority of orders sufficiently clear and accurate?
- Is the proposed language regarding prohibition of impersonation at item 6 on forms DV-100, DV-110, and DV-130 sufficiently clear and accurate?
- Should form DV-800/JV-252 (*Proof of Firearms Turned In or Sold*) be revised to mirror the two-page format of form CH-800 (*Proof of Firearms Turned In or Sold*)? That form includes a query regarding whether the restrained person has any firearms not disclosed on the receipt and a signature line for the restrained person under penalty of perjury. The form is included in a separate invitation to comment; the form currently in effect may be viewed at [www.courts.ca.gov/documents/ch800.pdf](http://www.courts.ca.gov/documents/ch800.pdf).
- Should form DV-800/JV-252 (*Proof of Firearms Turned In or Sold*) be revised to include a section for the restrained person to declare that he or she does not possess, own, or control any firearms?

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

- What would the implementation requirements and costs 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?

### Attachments and Links

1. Proposed Cal. Rules of Court, rule 5.630, at page 7
2. Proposed forms DV-100, DV-110, DV-120, DV-120-INFO, DV-130, DV-180, DV-710, DV-800/JV-252, DV-800-INFO/JV-252-INFO, JV-250, and JV-255, at pages 8–46

Rule 5.630 of the California Rules of Court would be amended, effective July 1, 2014, to read:

1 **Rule 5.630. Restraining orders**

2  
3 (a)– (f) \* \* \*

4  
5 **(g) Service of restraining order**

6  
7 When service of *Notice of Hearing and Temporary Restraining Order—Juvenile*  
8 (form JV-250) or *Restraining Order—Juvenile* (form JV-255) is made, it must be  
9 served with *Proof of Firearms Turned In, Stored, or Sold* (form DV-800/JV-252)  
10 and *How Do I Turn In, Store, or Sell Firearms?* (form DV-800-INFO/JV-252-  
11 INFO). Failure to serve form JV-252 or JV-252-INFO does not make service of  
12 form JV-250 or form JV-255 invalid.

13  
14 (h)–(j) \* \* \*

15  
16 **(k) Restraining orders issued by other courts**

17  
18 ~~(1) A restraining order issued by the juvenile court under section 213.5 takes~~  
19 ~~precedence over any other court order except the following:~~

20  
21 ~~(A) A conflicting criminal court order; or~~

22  
23 ~~(B) An Emergency Protective Order that is more restrictive than the juvenile~~  
24 ~~court order.~~

25 If more than one restraining order has been issued protecting the protected person  
26 from the restrained person, the orders must be enforced in the following order:

27  
28 (1) If one of the orders is an *Emergency Protective Order* (form EPO-001) and it is  
29 more restrictive than other restraining or protective orders, it has precedence in  
30 enforcement;

31  
32 (2) If there is no *Emergency Protective Order* (form EPO-001), a no-contact order  
33 that is included in a restraining or protective order has precedence in  
34 enforcement over any other restraining or protective order;

35  
36 (3) If none of the orders includes a no-contact order, a domestic violence protective  
37 order issued in a criminal case takes precedence in enforcement over any  
38 conflicting civil or juvenile court order. Any nonconflicting terms of the civil or  
39 juvenile court restraining order remain in effect and enforceable; and

40  
41 (4) If more than one family, juvenile, or other civil restraining or protective order  
42 has been issued, the one that was issued last must be enforced.

Clerk stamps date here when form is filed.

DRAFT NOT APPROVED BY THE JUDICIAL COUNCIL

You must also complete Form CLETS-001, Confidential CLETS Information, and give it to the clerk when you file this Request.

1 Name of Person Asking for Protection: Age: \_\_\_\_\_

Your lawyer in this case (if you have one): Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_ Firm Name: \_\_\_\_\_

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

Fill in court name and street address:

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

Clerk fills in case number when form is filed.

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

2 Name of Person You Want Protection From: \_\_\_\_\_

Description of person you want protection from:

Sex: [ ] M [ ] F Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Race: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_ Address (if known): \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

3 Do you want an order to protect family or household members? [ ] Yes [ ] No

If yes, list them:

Table with 5 columns: Full name, Sex, Age, Lives with you?, Relationship to you. Includes checkboxes for Yes/No.

[ ] Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.

4 What is your relationship to the person in (2)? (Check all that apply):

- a. [ ] We are now married or registered domestic partners.
b. [ ] We used to be married or registered domestic partners.
c. [ ] We live together.
d. [ ] We used to live together.
e. [ ] We are related by blood, marriage, or adoption (specify relationship):
f. [ ] We are dating or used to date, or we are or used to be engaged to be married.
g. [ ] We are the parents together of a child or children under 18:
Child's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_
Child's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_
Child's Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

If you do not have one of these relationships, the court may not be able to consider your request. Read DV-500-INFO for help.

[ ] Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.

h. [ ] We have signed a Voluntary Declaration of Paternity for our child or children. (Attach a copy if you have one).

This is not a Court Order.



**5 Other Court Cases**

a. Have you or any other person named in (3) been involved in another court case with the person in (2)?

Yes  No *If yes, check each kind of case and indicate where and when each was filed:*

Kind of Case	County or Tribe Where Filed	Year Filed	Case Number (if known)
<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
<input type="checkbox"/> Civil Harassment	_____	_____	_____
<input type="checkbox"/> Domestic Violence	_____	_____	_____
<input type="checkbox"/> Criminal	_____	_____	_____
<input type="checkbox"/> Juvenile, Dependency, Guardianship	_____	_____	_____
<input type="checkbox"/> Child Support	_____	_____	_____
<input type="checkbox"/> Parentage, Paternity	_____	_____	_____
<input type="checkbox"/> Other (specify): _____	_____	_____	_____

Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Court Cases" for a title.

b. Are there any domestic violence restraining/protective orders now (criminal, juvenile, family)?

Yes  No *If yes, attach a copy if you have one.*

**Check the orders you want.**

**6 Personal Conduct Orders**

I ask the court to order the person in (2) not to do the following things to me or anyone listed in (3):

- a. **Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements**
- b.  Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail or e-mail or other electronic means

*The person in (2) will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.*

**7  Stay-Away Order**

a. I ask the court to order the person in (2) to stay at least \_\_\_\_\_ yards away from (check all that apply):

- Me  My vehicle
- My home  The children's school or child care
- My job or workplace  Each person listed in (3)
- My school  Other (specify): \_\_\_\_\_

b. If the person listed in (2) is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, workplace, school, or vehicle?  Yes  No *(If no, explain):*

**8  Move-Out Order**

*(If the person in (2) lives with you and you want that person to stay away from your home, you must ask for this move-out order.)*

I ask the court to order the person in (2) to move out from and not return to (address):

I have the right to live at the above address because (explain): \_\_\_\_\_

**This is not a Court Order.**



**9 Guns or Other Firearms and Ammunition**

I believe the person in (2) owns or possesses guns, firearms, or ammunition.  Yes  No  I don't know

*If the judge approves the order, the person in (2) will be ordered not to own, possess, purchase, or receive a firearm or ammunition. The person will be ordered to sell to or store with a licensed gun dealer or turn in to law enforcement any guns or firearms that he or she owns or possesses.*

**10 Record Unlawful Communications**

I ask for the right to record communications made to me by the person in (2) that violate the judge's orders.

**11 Animals: Possession and Stay-Away Order**

I ask for the sole possession, care, and control of the animals listed below. I ask the court to order the person in (2) to stay at least \_\_\_\_\_ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: \_\_\_\_\_

I ask for the animals to be with me because: \_\_\_\_\_

**12 Child Custody and Visitation**

- a.  I do not have a child custody or visitation order and I want one.  
b.  I have a child custody or visitation order and I want it changed.

*If you ask for orders, you must fill out and attach Form DV-105, Request for Child Custody and Visitation Orders.*

*You and the other parent may tell the court that you want to be legal parents of the children (use Form DV-180, Agreement and Judgment of Parentage).*

**13 Child Support (Check all that apply):**

- a.  I do not have a child support order and I want one.  
b.  I have a child support order and I want it changed.  
c.  I now receive or have applied for TANF, Welfare, CalWORKS, or Medi-Cal.

*If you ask for child support orders, you must fill out and attach Form FL-150, Income and Expense Declaration or Form FL-155, Financial Statement (Simplified).*

**14 Property Control**

I ask the court to give *only* me temporary use, possession, and control of the property listed here: \_\_\_\_\_

**15 Debt Payment**

I ask the court to order the person in (2) to make these payments while the order is in effect:

Check here if you need more space. Attach a sheet of paper and write "DV-100, Debt Payment" for a title.

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

**16 Property Restraint**

**I am married to or have a registered domestic partnership with the person in (2).** I ask the judge to order that the person in (2) not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in (2) to notify me of any new or big expenses and to explain them to the court.

**This is not a Court Order.**



**17**  **Spousal Support**

I am married to or have a registered domestic partnership with the person in **(2)** and no spousal support order exists. I ask the court to order the person in **(2)** to pay spousal support. *(You must fill out, file, and serve Form FL-150, Income and Expense Declaration, before your hearing).*

**18**  **Health, Automobile, and Other Insurance**

I ask the court to order the person in **(2)** NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any health, auto, life, or other insurance or coverage **currently in place** that benefits me or our child(ren).

**19**  **Lawyer's Fees and Costs**

I ask that the person in **(2)** pay some or all of my lawyer's fees and costs.  
*You must complete, file and serve Form FL-150, Income and Expense Declaration before your hearing.*

**20**  **Payments for Costs and Services**

I ask the court to order the person in **(2)** to pay the following:  
*You can ask for lost earnings or your costs for services caused directly by the person in **(2)** (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.*

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_  
 Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

**21**  **Batterer Intervention Program**

I ask the court to order the person listed in **(2)** to go to a 52-week batterer intervention program and show proof of completion to the court.

**22**  **Other Orders**

What other orders are you asking for? \_\_\_\_\_  
 \_\_\_\_\_

*Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Orders" for a title.*

**23**  **Time for Service (Notice)**

*The papers must be personally served on the person in **(2)** at least five days before the hearing, unless the court orders a shorter time for service. If you want there to be fewer than five days between service and the hearing, explain why below. For help, read Form DV-200-INFO, "What Is Proof of Personal Service?"*

\_\_\_\_\_  
 \_\_\_\_\_

**24**  **No Fee to Serve (Notify) Restrained Person**

*If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk what you need to do.*

**25**  **Court Hearing**

The court will schedule a hearing on your request. If the judge does not make the orders effective right away ("temporary restraining orders"), the judge may still make the orders after the hearing. If the judge does not make the orders effective right away, you can ask the court to cancel the hearing. Read Form DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order* for more information.

**This is not a Court Order.**



**26 Describe Abuse**

Describe how the person in (2) abused you. Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to molest, attack, hit, stalk, threaten, batter, harass, telephone, or contact you; or to disturb your peace; or to destroy your personal property. Abuse can be spoken, written, or physical. (For a complete definition, see Fam. Code, §§ 6203, 6320.)

- a. Date of most recent abuse: \_\_\_\_\_
- b. Who was there? \_\_\_\_\_
- c. Describe how the person in (2) abused you or your children:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

- d. Did the person in (2) use or threaten to use a gun or any other weapon?  No  Yes (If yes, describe):  
 \_\_\_\_\_
- e. Describe any injuries: \_\_\_\_\_

- f. Did the police come?  No  Yes  
 If yes, did they give you or the person in (2) an Emergency Protective Order?  Yes  No  I don't know  
 Attach a copy if you have one.

- g. The order protects  you or  the person in (2)  
**Has the person in (2) abused you (or your children) other times?**  
 If yes,  check here and use Form DV-101, Description of Abuse or a sheet of paper to describe any previous abuse.

**27 Other Persons to Be Protected**

The persons listed in item (3) need an order for protection because (describe): \_\_\_\_\_

**28** Number of pages attached to this form, if any: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

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

\_\_\_\_\_  
Type or print your name

\_\_\_\_\_  
Sign your name

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

\_\_\_\_\_  
Lawyer's name, if you have one

\_\_\_\_\_  
Lawyer's signature

**This is not a Court Order.**

Clerk stamps date here when form is filed.  
  
**DRAFT**  
  
**Not approved by the  
Judicial Council**

Person in ① must complete items ①, ②, and ③ only.

Fill in court name and street address:  
**Superior Court of California, County of**

Court fills in case number when form is filed.  
**Case Number:**

**① Name of Protected Person:**

Your lawyer in this case (if you have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

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

**Address** (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**② Name of Restrained Person**

**Description of restrained person:**

Sex:  M  F Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_  
Race: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
Address (if known): \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Relationship to protected person: \_\_\_\_\_

**③  Additional Protected Persons**

In addition to the person named in ①, the following persons are protected by temporary orders as indicated in items ⑥ and ⑦ (family or household members):

Full name	Relationship to person in ①	Sex	Age
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

Check here if there are additional protected persons. List them on an attached sheet of paper and write "DV-110, Additional Protected Persons" as a title.

The court will complete the rest of this form.

**④ Court Hearing**

**This order expires at the end of the hearing stated below:**

Hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.

**This is a Court Order.**



**5**  **Criminal Protective Order**

- a.  A criminal protective order on Form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.  
Case Number: \_\_\_\_\_ County: \_\_\_\_\_ Expiration Date: \_\_\_\_\_
- b.  No information has been provided to the judge about a criminal protective order.

**To the person in 2**

**The court has granted the temporary orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.**

**6** **Personal Conduct Orders**     **Not requested**     **Denied until the hearing**     **Granted as follows:**

- a. You must **not** do the following things to the person in ① and  persons in ③:  
Harass, attack, strike, threaten, assault (*sexually or otherwise*), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (*on the Internet, electronically or otherwise*), or block movements
- Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail, e-mail or other electronic means
- Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ③. (*If this item is not checked, the court has found good cause not to make this order.*)
- b. Peaceful written contact through a lawyer or process server or another person for service of Form DV-120 (*Response to Request for Domestic Violence Restraining Order*) or other legal papers related to a court case is allowed and does not violate this order.
- c.  Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

**7** **Stay-Away Order**     **Not requested**     **Denied until the hearing**     **Granted as follows:**

- a. You **must** stay at least (*specify*): \_\_\_\_\_ yards away from (*check all that apply*):
- |  |  |
|--|--|
| <input type="checkbox"/> The person in ①                     | <input type="checkbox"/> School of person in ①               |
| <input type="checkbox"/> The persons in ③                    | <input type="checkbox"/> The children's school or child care |
| <input type="checkbox"/> Home of person in ①                 | <input type="checkbox"/> Other ( <i>specify</i> ): _____     |
| <input type="checkbox"/> The job or workplace of person in ① | _____  |
| <input type="checkbox"/> Vehicle of person in ①              | _____  |
- b.  Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

**8** **Move-Out Order**     **Not requested**     **Denied until the hearing**     **Granted as follows:**

You must take only personal clothing and belongings needed until the hearing and move out immediately from (*address*): \_\_\_\_\_

**This is a Court Order.**

**9 No Guns or Other Firearms or Ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
  - Sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms within your immediate possession or control. Do so within 24 hours of being served with this order.
  - Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, stored, or sold. (You may use Form DV-800, *Proof of Firearms Turned In, Stored, or Sold*, for the receipt.) Bring a court filed copy to the hearing.
- c.  The court has received information that you own or possess a firearm.
- d.  The court has made the necessary findings and applies the firearm relinquishment exemption under Family Code section 6389(h). The person in (2) is not required to relinquish this firearm (*specify make, model, and serial number of firearm*): \_\_\_\_\_

The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment.

**10 Record Unlawful Communications**

- Not requested    Denied until the hearing    Granted as follows:

The person in (1) can record communications made by you that violate the judge's orders.

**11 Care of Animals**

- Not requested    Denied until the hearing    Granted as follows:

The person in (1) is given the sole possession, care, and control of the animals listed below. The person in (2) must stay at least \_\_\_\_\_ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: \_\_\_\_\_

**12 Child Custody and Visitation**

- Not requested    Denied until the hearing    Granted as follows:

You and the person in (1) must follow the orders listed in attached Form DV-140, *Child Custody and Visitation Order*. The parent with temporary custody of the child must not remove the child from California until a noticed hearing (*Fam. Code, §3063*).

**13 Child Support**

Not ordered now but may be ordered after a noticed hearing.

**14 Property Control**

- Not requested    Denied until the hearing    Granted as follows:

Until the hearing, *only* the person in (1) can use, control, and possess the following property and things: \_\_\_\_\_

**15 Debt Payment**

- Not requested    Denied until the hearing    Granted as follows:

The person in (2) must make these payments until this order ends:

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
 Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

**This is a Court Order.**



**16 Property Restraint**     Not requested     Denied until the hearing     Granted as follows:

If the people in ① and ② are married to each other or are registered domestic partners,  
 the person in ①     the person in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. *(The person in ② cannot contact the person in ① if the court has made a “no contact” order.)*

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

**17 Spousal Support**

Not ordered now but may be ordered after a noticed hearing.

**18 Health, Automobile and Other Insurance**

Not requested     Denied until the hearing     Granted as follows:

The  the person in ①     the person in ② is ordered NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any health, auto, life, or other insurance or coverage **currently in place** that benefits the other party or the child(ren).

**19 Lawyer's Fees and Costs**

Not ordered now but may be ordered after a noticed hearing.

**20 Payments for Costs and Services**

Not ordered now but may be ordered after a noticed hearing.

**21 Batterer Intervention Program**

Not ordered now but may be ordered after a noticed hearing.

**22 Other Orders**     Not requested     Denied until the hearing     Granted as follows:

\_\_\_\_\_  
 \_\_\_\_\_

*Check here if there are additional orders. List them on an attached sheet of paper and write “DV-110, other Orders” as a title.*

**23 No Fee to Serve (Notify) Restrained Person**

If the sheriff serves this order, he or she will do so for free.

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

\_\_\_\_\_  
*Judge (or Judicial Officer)*

**Warnings and Notices to the Restrained Person in ②**

**You Cannot Have Guns, Other Firearms, or Ammunition**

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item ⑨ above. The court will require you to prove that you did so.

**This is a Court Order.**



## If You Do Not Obey This Order, You Can Be Arrested and Charged With a Crime

- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.
- If you do not obey this order, you can go to jail or prison and/or pay a fine.

### Service of Order by Mail

If the judge makes a restraining order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known address, which is written in (2). If this address is incorrect, or to find out if the orders were made permanent, contact the court.

### Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not go to the hearing, the judge can make custody and visitation orders for your children without hearing from you.
- **Child support:** The judge can order child support based on the income of both parents. The judge can also have that support taken directly from your paycheck. Child support can be a lot of money, and usually you have to pay until the child is age 18. File and serve a *Financial Statement (Simplified)* (Form FL-155) or an *Income and Expense Declaration* (Form FL-150) so the judge will have information about your finances.
- **Spousal support:** File and serve an *Income and Expense Declaration* (Form FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing from you.

### Instructions for Law Enforcement

This order is effective when made. It is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this order are subject to criminal penalties.

### Conflicting Orders

**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 order (see Pen. Code, § 136.2, and Fam. Code, §§ 6383(h), 6405(b)):**

1. *EPO:* If one of the orders is an Emergency Protective Order (Form EPO-001), and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order:* If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family or Civil Order:* If more than one family or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

**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. (Penal Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

**Certificate of Compliance With VAWA**

This temporary protective order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA), 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.**

*(Clerk will fill out this part.)*

**—Clerk's Certificate—**

*Clerk's Certificate  
[seal]*

I certify that this *Temporary 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.**

Clerk stamps date here when form is filed.

**DRAFT  
NOT APPROVED  
BY THE JUDICIAL  
COUNCIL**

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**

**1 Name of Person Asking for Protection:**

(See Form DV-100, item 1):

**2 Your Name:**

Your lawyer in this case (if you have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

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

**Address** (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**3 Use this form to respond to the Request for Domestic Violence Restraining Order (Form DV-100).**

- Fill out this form and take it to the court clerk.
- Have the person in 1 served by mail with a copy of this form and any attached pages. (See Form DV-250, *Proof of Service by Mail*.)
- For more information, read Form DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*

**The judge will consider your Response at the hearing.**

Write your hearing date, time, and place from Form DV-109, *Notice of Court Hearing*, item 3, here:

<b>Hearing Date</b>	→ Date: _____	Time: _____
	Dept.: _____	Room: _____

**You must obey the orders in Form DV-110, *Temporary Restraining Order*, until the hearing.** At the hearing, the court may make restraining orders against you that could last up to five years and could be renewed.

**4 Relationship to Person Asking for Protection**

- a.  I agree to the relationship listed in item 4 on Form DV-100.
- b.  I do not agree to the relationship listed in item 4 on Form DV-100. (Specify your reasons in item 24, page 4, of this form.)

**5 Other Protected People**

- a.  I agree to the order requested.
- b.  I do not agree to the order requested. (Specify your reasons in item 24, page 4, of this form.)

**6 Personal Conduct Order**

- a.  I agree to the order requested.
- b.  I do not agree to the order requested. (Specify your reasons in item 24, page 4, of this form.)

**This is not a Court Order.**



- 7  **Stay-Away Orders**
- a.  I agree to the order requested.
- b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 8  **Move-Out Order**
- a.  I agree to the order requested.
- b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 9  **Turn In Guns or Other Firearms**
- If you were served with Form DV-110, Temporary Restraining Order, you must turn in any guns or firearms in your immediate possession or control. You must file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received Form DV-110.*
- a.  I do not own or have any guns or firearms.
- b.  I ask for an exemption from the firearms prohibition under Family Code § 6389(h) because *(specify):* \_\_\_\_\_
- c.  I have turned in my guns and firearms to law enforcement or sold them to, or stored them with, a licensed gun dealer.
- d.  A copy of the receipt showing that I turned in, stored, or sold my firearms  
 is attached     has already been filed with the court.

- 10  **Record Unlawful Communications Order**
- a.  I agree to the order requested.
- b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 11  **Animals: Possession and Stay-Away Order**
- a.  I agree to the order requested.
- b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

- 12  **Child Custody and Visitation Order**
- a.  I agree to the order requested.
- b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*
- c.  I am not the parent of the child listed in Form DV-105, *Request for Child Custody and Visitation Orders*.
- d.  I ask for the following custody order *(specify):* \_\_\_\_\_
- I do     I do not    agree to the orders requested to limit the child's travel as listed in Form DV-108, *Request for Order: No Travel With Children*.

*You and the other parent may tell the court that you want to be legal parents of the children (use Form DV-180, Agreement and Judgment of Parentage).*

- 13  **Child Support Order** *(Check all that apply):*
- a.  I agree to the order requested.
- b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*
- c.  I agree to pay guideline child support.

*Whether or not you agree to pay support, you must fill out, serve, and file Form FL-150, Income and Expense Declaration, or FL-155, Financial Statement.*

**This is not a Court Order.**



**14**  **Property Control Order**

- a.  I agree to the order requested.  
b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

**15**  **Debt Payment Order**

- a.  I agree to the order requested.  
b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

**16**  **Property Restraint Order**

- a.  I agree to the order requested.  
b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

**17**  **Spousal Support Order**

- a.  I agree to the order requested.  
b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

*Whether or not you agree, you must fill out, serve, and file Form FL-150, Income and Expense Declaration.*

**18**  **Health, Automobile and Other Insurance**

- a.  I agree to the order requested.  
b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

**19**  **Lawyer's Fees and Costs**

- a.  I agree to the order requested.  
b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*  
c.  I request the court to order payment of my lawyer's fees and costs.

*Whether or not you agree, you must fill out, serve, and file Form FL-150, Income and Expense Declaration.*

**20**  **Payments for Costs and Services**

- a.  I agree to the order requested.  
b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

**21**  **Batterer Intervention Program**

- a.  I agree to the order requested.  
b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

**22**  **Other Orders** *(see item 21 on Form DV-100)*

- a.  I agree to the order requested.  
b.  I do not agree to the order requested. *(Specify your reasons in item 24, page 4, of this form.)*

**23**  **Out-of-Pocket Expenses**

I ask the court to order payment of my out-of-pocket expenses because the temporary restraining order was issued without enough supporting facts. The expenses are:

Item: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Item: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

*You must fill out, serve, and file Form FL-150, Income and Expense Declaration.*

**This is not a Court Order.**





## **DV-120-INFO** How Can I Respond to a Request for Domestic Violence Restraining Order?

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### **What is a Domestic Violence Restraining Order?**

It is a court order that helps protect people who have been abused or threatened with abuse.

### **What are the legal requirements?**

A Domestic Violence Restraining Order is available if:

- A person has been abused or threatened with abuse, and
- The person who was abused has a certain relationship with the person who did the abuse (married, divorced, separated, registered domestic partnership, have a child together, dating or used to date, live together or used to live together as more than just roommates), or are closely related (mother or mother-in-law, father or father-in-law, child or stepchild, grandparent or grandparent-in-law, grandchild or grandchild-in-law, sister or sister-in-law, brother or brother-in-law, stepparent, daughter-in-law or son-in-law). (See Fam. Code, § 6211).

### **What is abuse?**

Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to the protected person; or sexually assault the protected person; or to place the protected person or another person in reasonable fear of imminent serious bodily injury; or to molest, attack, hit, stalk, threaten, batter, harass, telephone, or contact the protected person; or to disturb the protected person's peace; or to destroy the protected person's personal property. Abuse can be spoken, written, or physical.

### **What if the legal requirements are not met?**

There are other kinds of orders that might apply:

- Civil harassment order (can be used for neighbors, roommates, cousins, uncles, and aunts)
- Dependent adult or elder abuse restraining order
- Workplace violence order

### **What can a restraining order do?**

The court can order the restrained person to:

- Not contact or harm the protected person, including children listed as protected people
- Stay away from all protected people
- Not have any guns or ammunition
- Move out of the house
- Follow child custody and visitation orders
- Pay child support
- Pay spousal support
- Obey property orders

### **How do I tell my side of the story?**

File Form DV-120, *Response to Request for Domestic Violence Restraining Order*, before the hearing date. Also, have someone mail it to the person who asked for the order or to the person's lawyer. This is "Service." The person who mails it must fill out and sign a *Proof of Service by Mail* (Form DV-250). File the *Proof of Service* with the court clerk. Keep a copy. Then, bring a copy of your response on Form DV-120, and the filed *Proof of Service* (Form DV-250), to the hearing.

### **What if I also have criminal charges against me?**

See a lawyer. Anything you say or write, including in this case, can be used against you in your criminal case.



# DV-120-INFO How Can I Respond to a Request for Domestic Violence Restraining Order?

## How long does the order last?

If the court makes a temporary restraining order, it will last until the hearing date. At that time, the judge will decide to continue or cancel the order. The restraining order can last for up to five years. Custody, visitation, child support, and spousal support orders can last longer than five years, and they do not end when the restraining order ends.

## Is there a cost to file my Response (Form DV-120)?

No.

## What if I have a gun or ammunition?

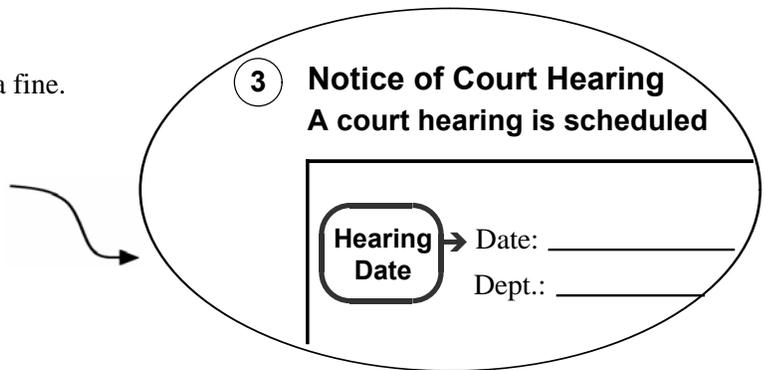
If a restraining order is issued, you cannot own, possess, or have a gun, other firearm, or ammunition while it is in effect. If you have a gun or other firearm in your immediate possession or control, you must sell it to or store it with a licensed gun dealer or turn it in to a law enforcement agency. Read Form DV-800-INFO, *How Do I Turn In, Store, or Sell My Firearms?*

## What if I don't obey the court order?

The police can arrest you. You can go to jail and/or pay a fine.

## Should I go to the court hearing?

If you do not go to court, the judge can make the orders without hearing from you. If you object to the orders being made, go to court on the hearing date listed on page 1 of Form DV-109, *Notice of Court Hearing*.



## What if the person seeking protection contacts me?

No matter what, you have to follow the court order. The order only says what *you* can do or cannot do.

## Will I see the person seeking protection at the court hearing?

If the protected person comes to the hearing, you will see him or her. Do not talk to the protected person unless the judge or that person's lawyer says you can.

## Do I need a lawyer?

Having a lawyer is always a good idea especially if you have children, but it is not required. You are not entitled to a free court-appointed lawyer. Ask the clerk how to find free or low-cost legal services and self-help centers in your county. You can also go to the Family Law Facilitator for help with child support.

## Can I bring a witness or other document to the court hearing?

Yes. You can bring witnesses or documents that support your case to the hearing. The judge may or may not let a witness speak at the hearing. So you should also bring copies of the witnesses' written statements of what they saw or heard, signed under penalty of perjury, and provide the other party and the judge with a copy. Your witness can use Form MC-030, *Declaration*, to write a statement.

## If we agree, can the person seeking protection and I cancel the order?

No. Once the order is issued, only the judge can change or cancel it.



## **DV-120-INFO** How Can I Respond to a Request for Domestic Violence Restraining Order?

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### **What if I do not speak English?**

When you file your papers, ask the clerk if a court interpreter is available. If an interpreter is not available for your court date, bring someone to interpret for you. Do not ask a child, a witness, or anyone to be protected by the order to interpret for you.

### **What if I do not have a Green Card?**

The order is valid even if you are not a U.S. citizen. If you are worried about deportation, talk to an immigration lawyer.

### **Can I use the restraining order to get divorced or terminate a registered domestic partnership?**

No. These forms will not end your marriage or registered domestic partnership. You must file other forms to end your marriage or registered domestic partnership. The court staff can tell you where to get legal help.

### **What if I have children with the person to be protected?**

The judge can make temporary orders for child custody and visitation. If the judge makes a temporary order for child custody, the parent with custody may not remove the child from California before notice to the other parent and a court hearing. Read the order for any other limits. There are some exceptions. Ask a lawyer.

### **What if I want to leave the county or state?**

You must still comply with the restraining order. The restraining order is valid anywhere in the United States.

### **What if I am deaf or hard of hearing?**



Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) or *Request for Accommodations by Persons With Disabilities and Order* (Form MC-410). (Civil Code, § 54.8.)

### **What if I am a victim of domestic violence?**

Ask the court clerk about free or low-cost legal help. For a referral to a local domestic violence or legal assistance program, call the National Domestic Violence Hotline:

**1-800-799-7233**

**TDD: 1-800-787-3224**

It's free and private.

They can help you in more than 100 languages.

### **For help in your area, contact:**

[Local information may be inserted]

Clerk stamps date here when form is filed.

**DRAFT**

**Not approved by the  
Judicial Council**

Fill in court name and street address:

**Superior Court of California, County of**

Clerk fills in case number when form is filed.

**Case Number:**

**1 Name of Protected Person:**

Your lawyer in this case (if you have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

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

**Address** (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**2 Name of Restrained Person:**

**Description of restrained person:**

Sex:  M  F Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

Race: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address (if known): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Relationship to protected person: \_\_\_\_\_

**3  Additional Protected Persons**

In addition to the person named in 1, the following persons are protected by orders as indicated in item 6 and 7 (family or household members):

Full name	Relationship to person in 1	Sex	Age
_____	_____	_____	_____
_____	_____	_____	_____

Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-130, Additional Protected Persons," as a title.

**4 Expiration Date**

The orders, except as noted below, end on

(date): \_\_\_\_\_ at (time): \_\_\_\_\_  a.m.  p.m. or  midnight

- 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.
- Note: Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. Custody, visitation, and child support orders usually end when the child is 18.
- The court orders are on pages 2, 3, 4, and 5 and attachment pages (if any).

**This order complies with VAWA and shall be enforced throughout the United States. See page 5.**

**This is a Court Order.**



**5 Hearings**

- 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): \_\_\_\_\_
- c. The people in ① and ② must return to dept. \_\_\_\_\_ of the court on (date): \_\_\_\_\_  
 at (time): \_\_\_\_\_  a.m.    p.m. to review (specify issues): \_\_\_\_\_

**To the person in ②**

The court has granted the orders checked below. Item ⑨ is also an order. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

**6 Personal Conduct Orders**

- a. The person in ② must **not** do the following things to the protected people in ① and ③:  
 Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the internet, electronically or otherwise), or block movements.
  - Contact, either directly or indirectly, by any means, including, but not limited to, by telephone, mail, e-mail, or other electronic means.
  - Take any action, directly or through others, to obtain the addresses or locations of any protected persons. (If this item is not checked, the court has found good cause not to make this order.)
- b. 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.
- c.  Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

**7 Stay-Away Order**

- a. The person in ② must stay at least (specify): \_\_\_\_\_ yards away from (check all that apply):
  - The person in ①       School of person in ①
  - The persons in ③       The children's school or child care
  - Home of person in ①       Other (specify): \_\_\_\_\_
  - The job or workplace of person in ①      \_\_\_\_\_
  - Vehicle of person in ①      \_\_\_\_\_
- b.  Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

**8 Move-Out Order**

The person in ② must move out immediately from (address): \_\_\_\_\_

**9 No Guns or Other Firearms or Ammunition**

- a. The person in ② cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.

**This is a Court Order.**



- 9 b. The person in 2 must:
- Sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms within his or her immediate possession or control. Do so within 24 hours of being served with this order.
  - Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, stored, or sold. (Form DV-800, Proof of Firearms Turned In, Stored, or Sold, may be used for the receipt.) Bring a court filed copy to the hearing.
- c.  The court has received information that the person in 2 owns or possesses a firearm.
- d.  The court has made the necessary findings and applies the firearm relinquishment exemption under Family Code section 6389(h). The person in 2 is not required to relinquish this firearm (specify make, model, and serial number of firearm): \_\_\_\_\_

The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment.

- 10  **Record Unlawful Communications**  
The person in 1 has the right to record communications made by the person in 2 that violate the judge's orders.

- 11  **Animals: Possession and Stay-Away**  
The person in 1 is given the sole possession, care, and control of the animals listed below. The person in 2 must stay at least \_\_\_\_\_ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: \_\_\_\_\_

- 12  **Child Custody and Visitation**  
Child custody and visitation are ordered on the attached Form DV-140, *Child Custody and Visitation Order* or (specify other form): \_\_\_\_\_

- 13  **Child Support**  
Child support is ordered on the attached Form FL-342, *Child Support Information and Order Attachment* or (specify other form): \_\_\_\_\_

- 14  **Property Control**  
Only the person in 1 can use, control, and possess the following property: \_\_\_\_\_

- 15  **Debt Payment**  
The person in 2 must make these payments until this order ends:
- |               |            |                  |                 |
|---------------|------------|------------------|-----------------|
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
| Pay to: _____ | For: _____ | Amount: \$ _____ | Due date: _____ |
- Check here if more payments ordered. Attach a sheet of paper and write "DV-130, Debt Payments" as a title.

- 16  **Property Restraint**  
The  person in 1  person in 2 must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, the person must notify the other of any new or big expenses and explain them to the court. (The person in 2 cannot contact the person in 1 if the court has made a "Personal Conduct" order.)  
Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

**This is a Court Order.**



**17**  **Spousal Support**  
Spousal support is ordered on the attached Form FL-343, *Spousal, Partner, or Family Support Order Attachment* or (specify other form): \_\_\_\_\_

**18**  **Health, Automobile, and Other Insurance**  
The  person in ①  person in ② is ordered not to cash, borrow against, cancel, transfer, dispose of or change the beneficiaries of any health, automobile, life or other insurance or coverage **currently in place** that benefits the other party or the child(ren).

**19**  **Lawyer's Fees and Costs**  
The person in ② must pay the following lawyer's fees and costs:  
Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

**20**  **Payments for Costs and Services**  
The person in ② must pay the following:  
Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_  
 Check here if more payments ordered. Attach a sheet of paper and write "DV-130, Payments for Costs and Services" as a title.

**21**  **Batterer Intervention Program**  
The person in ② must go to and pay for a 52-week batterer intervention program and show written proof of completion to the court. This program must be approved by the probation department.

**22**  **Other Orders**  
Other orders (specify): \_\_\_\_\_

**23**  **No Fee to Serve (Notify) Restrained Person**  
If the sheriff or marshal serves this order, he or she will do it for free.

**24** **Service**  
a.  The people in ① and ② were at the hearing or agreed in writing to this order. No other proof of service is needed.  
b.  The person in ① was at the hearing. The person in ② was not.  
(1)  Proof of service of Form DV-109 and Form DV-110 (if issued) was presented to the court. The judge's orders in this form are the same as in Form DV-110 except for the end date. The person in ② must be served. This order can be served by mail.  
(2)  Proof of service of Form DV-109 and Form DV-110 (if issued) was presented to the court. The judge's orders in this form are different from the orders in Form DV-110, or Form DV-110 was not issued. Someone—not the people in ① or ③—must personally "serve" a copy of this order to the person in ②.

**25**  **Criminal Protective Order**  
a.  Form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.  
Case Number: \_\_\_\_\_ County: \_\_\_\_\_ Expiration Date: \_\_\_\_\_  
(If more orders, list them on extra sheet of paper and write "DV-130, Other Criminal Protective Orders" as a title.)  
b.  No information has been provided to the judge about a criminal protective order.

**This is a Court Order.**

**26**  **Attached pages are orders.**

- Number of pages attached to this six-page form: \_\_\_\_\_
- All of the attached pages are part of this order.
- Attachments include (*check all that apply*):
  - DV-140  DV-145  DV-150  FL-342  FL-343
  - Other (*specify*): \_\_\_\_\_

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

\_\_\_\_\_  
*Judge (or Judicial Officer)*

**Certificate of Compliance With VAWA**

This restraining (protective) order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) 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.**

**Warnings and Notices to the Restrained Person in 2**

**If you do not obey this order, you can be arrested and charged with a crime.**

- If you do not obey this order, you can go to jail or prison and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.

**You cannot have guns, firearms, and/or ammunition.**



**You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and/or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.**

**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 item 5 (a) on page 2, or
- The date next to the judge’s signature on this page.

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.

**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. (Penal Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

## 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. (Fam. Code, § 6383.)

Consider the restrained person “served” (noticed) 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 Domestic Violence Restraining Orders System (DVROS). (Fam. Code, § 6381(b)(c).)

## If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, §13710(b).)

## Child Custody and Visitation

- The custody and visitation orders are on Form DV-140, items ③ and ④. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

## 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.

## Conflicting Orders

**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 order (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):**

1. *EPO*: If one of the orders is an Emergency Protective Order (Form EPO-001) and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family or Civil Order*: If more than one family or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)

### —Clerk's Certificate—

Clerk's Certificate  
[seal]

I certify that this *Restraining Order After Hearing (Order of Protection)* is a true and correct copy of the original on file in the court.

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

**This is a Court Order.**

Clerk stamps date here when form is filed.

DRAFT

Not approved by the Judicial Council

This form is used only when parents agree to be named as legal parents of their children. Parents complete 1 through 9.

1 Protected Person:

Name:
Relationship to the children in this case (check one): Mother Father
Your lawyer in this case (if you have one):
Name: State Bar No.:
Firm Name:
Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):
Address:
City: State: Zip:
Telephone: Fax:
E-Mail Address:

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

2 Restrained Person:

Name:
Relationship to the children in this case (check one): Mother Father
Address:
City: State: Zip:

Agreement of Parentage

3 No Other Parentage Case

- a. We are the parents of the children listed below.
b. To the best of our knowledge (check each box that is true):
1. There is no court case in which another person claims to be or is alleged to be the parent of the children.
2. No court has ordered or found that someone other than us is a parent of the children.
3. There is no pending adoption or guardianship case for the children.
4. No other person has signed a voluntary declaration of paternity for the children.
5. The mother was not married to another person when the children were conceived.

4 The children in this case are (specify):

Table with 3 columns: Child's Name, Date of Birth, Sex. Rows a, b, c, d.

Check here if you need more space. Use a sheet of paper and print "DV-180, Children" as a title.



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

Your name: \_\_\_\_\_

**5 Orders Requested**

- a. We ask the court to find that we are the legal parents of the children in **4** and to enter a judgment of parentage.
- b. We ask the court to order the children’s birth certificates to be amended by (*check each order you want*):
  1.  Adding the father’s name.
  2.  Changing the last name of the children to: \_\_\_\_\_

**6 If you sign this form, you will give up these rights:**

- **Right to a trial.** You can ask a judge, in a separate case, to decide if you are the parent of the children in this case. You can bring evidence and witnesses to that trial. And you can question the witnesses against you.
- **Right to genetic tests.** You can ask a judge, in a separate case, to order genetic tests to see if you are the parent of the children in this case. Depending on your case, the court may order you to pay for those tests.

**7 If you sign this form, the court may decide you are the legal parent.**

**The court may order you to:**

- **Pay child support.** Child support may be taken out of your paycheck without notifying you first. Child support can be a lot of money, and it usually lasts until the child turns 18. If you do not support the children as ordered, you can face criminal charges.
- **Pay other expenses and costs.** The court may also order that you pay other expenses for the children in this case. You will have all the legal duties of a parent.

**Before you sign this form, you can hire a lawyer.**

If you cannot afford to pay for a lawyer to represent you, call the local bar association for help. You can also ask the court’s Family Law Facilitator for information on how to find a lawyer.

**8 Sign below only if you understand and give up your rights.**

- We are saying that we are the legal parents of the children in this case.
- If either of us has a lawyer for this agreement, that lawyer has read and explained this information to the person being represented and that person understands it.
- We have read and understand this form.
- If someone translated this form, we understood the translation.

**9 We have read and understand the rights listed in this form. Both people named in 1 and 2 give up these rights and freely agree that the court can make orders naming us as legal parents of the children listed on this form. We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.**

_____	_____	▶	_____
Date	Type or print Protected Person’s name		Protected Person signs here
_____	_____	▶	_____
Date	Type or print Restrained Person’s name		Restrained Person signs here
_____	_____	▶	_____
Date	Type or print Protected Person’s lawyer’s name		Protected Person’s lawyer signs here
_____	_____	▶	_____
Date	Type or print Restrained Person’s lawyer’s name		Restrained Person’s lawyer signs here



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

Your name: \_\_\_\_\_

### Judgment of Parentage

#### 10 The court finds

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

Mother  Father

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

Mother  Father

are the parents of the children listed below:

	<u>Child's Name</u>	<u>Date of Birth</u>	<u>Sex</u>
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____
d.	_____	_____	_____

Additional children noted on an attachment. Use a sheet of paper and print "DV-180, Additional Children" as a title.

#### 11 The court orders

a.  The last names of the children are changed (*specify the FULL name of the child*): \_\_\_\_\_

b.  The birth certificates must be amended to conform to this court order by:  
(1)  adding the father's name      (2)  changing the last name of the children

12  Other (*specify*): \_\_\_\_\_  
Number of pages attached: \_\_\_\_\_

#### 13 Notice of Entry of Judgment

The parties must provide self-addressed, stamped envelopes and one original and two copies of the completed *Notice of Entry of Judgment* (form FL-190) to the court.

Date: \_\_\_\_\_  
\_\_\_\_\_  
*Judicial Officer*

#### 14 Interpreter's Declaration

I have read or translated or interpreted this *Agreement and Judgment of Parentage*, to the best of my ability, to the (*check one*):

Protected Person       Restrained Person      who said that:

- He or she was unable to read or understand the English documents;
- His or her primary language is (*specify*): \_\_\_\_\_ ; and
- He or she now understands this document.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_  
 \_\_\_\_\_  
*Type or print interpreter's name*      *Interpreter signs here*

Date: \_\_\_\_\_  
 \_\_\_\_\_  
*Type or print interpreter's name*      *Interpreter signs here*

Clerk stamps date here when form is filed.

**DRAFT**

**Not approved by the Judicial Council**

Fill in court name and street address:

**Superior Court of California, County of**

Clerk fills in case number when form is filed.

**Case Number:**

**1 Name of Protected Person:**

Your lawyer in this case (if you have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

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

**Address** (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

**2 Name of Restrained Person:**

**Description of restrained person:**

Sex:  M  F Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

Race: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address (if known): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Relationship to protected person: \_\_\_\_\_

Court will fill in the rest of this form.

**3 Court Hearing**

The judge has set a court hearing date.

**The restraining order (Order of Protection) stays in effect until the expiration date on that order or the end of the hearing below, whichever is later.**

**Hearing Date & Time**

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

Name and address of court if different from above:

**To the person in (2):**

At the hearing, the judge can renew the current restraining order for another five years or permanently. Before the hearing, you can file a response on form DV-720. You *must* continue to obey the current restraining orders until the hearing. At the hearing, you can tell the judge why you agree or disagree with the request to renew the orders. If the restraining orders are renewed, you *must* obey the orders even if you do not attend the hearing.

**This is a Court Order.**



**4 Service and Response****To the Person in ①**

Someone 18 or over—**not you or anyone else protected by the restraining order**—must personally “serve” a copy of the following forms on the person in ② at least \_\_\_\_\_ days before the hearing.

- DV-700, *Request to Renew Restraining Order* (file stamped);
- DV-710, *Notice of Hearing to Renew Restraining Order* (this form);
- DV-720, *Response to Request to Renew Restraining Order* (blank copy);
- DV-130, the current *Restraining Order After Hearing (Order of Protection)* that you want to renew.

After the person in ② has been served, file Form DV-200, *Proof of Personal Service*, with the court clerk. For help with service, read Form DV-200-INFO, *What Is “Proof of Personal Service”?* **Bring a copy of Form DV-200, Proof of Personal Service, to the court hearing.**

**To the Person in ②**

If you want to respond in writing to the request to renew the restraining order, fill out form DV-720, *Response to Request to Renew Restraining Order*. File the original with the court, and have someone 18 or over—**not you**—mail a copy of it to the person in ① before the hearing. Also file form DV-250, *Proof of Service by Mail*, with the court before the hearing. **Bring a copy of Form DV-250, Proof of Service by Mail, to the court hearing.**

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




---

*Judicial Officer*
**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 [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for *Request for Accommodations by Persons with Disabilities and Response* (Form MC-410). (Civ. Code, § 54.8.)

*Clerk stamps date here when form is filed.*

**DRAFT**

**Not approved by the  
Judicial Council**

*Fill in court name and street address:*

**Superior Court of California, County of**

*Clerk fills in case number when form is filed.*

**Case Number:**

**1** Protected person's name: \_\_\_\_\_

**2** Your name (*restrained person*): \_\_\_\_\_

Your address (*skip this if you have a lawyer*): (*If you want your address to be private, give a mailing address instead*): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Your phone number (*optional*): \_\_\_\_\_

Your lawyer (*if you have one*)(*name, address, phone number, and State Bar number*): \_\_\_\_\_

**3 To the person selling, storing or turning in firearms:**

When you sell, store, or turn in your firearms, ask law enforcement or the gun dealer to complete item **4** or **5** and item **6**. After the form is signed, take it to the court clerk. Keep a copy. For help, read Form DV-800-INFO/JV-252-INFO.

**4 To: Law Enforcement**

Fill out parts **4** and **6** of this form. Keep a copy and give the original to the person who turned in the firearms.

The firearms listed below were turned in on:

Date: \_\_\_\_\_ at: \_\_\_\_\_  a.m.  p.m.

To: \_\_\_\_\_  
*Name and title of law enforcement agent*

\_\_\_\_\_  
*Name of law enforcement agency*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

▶ \_\_\_\_\_  
*Signature of law enforcement agent*

**5 To: Licensed Gun Dealer**

Fill out parts **5** and **6** of this form. Keep a copy and give the original to the person who sold the firearms to or stored them with you.

The firearms listed below were sold or stored on:

Date: \_\_\_\_\_ at: \_\_\_\_\_  a.m.  p.m.

To: \_\_\_\_\_  
*Name of licensed gun dealer*

\_\_\_\_\_  
*License number Telephone*

\_\_\_\_\_  
*Address*

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

▶ \_\_\_\_\_  
*Signature of licensed gun dealer*

**6 Firearm Make**

**Model**

**Serial #**

- |          |       |       |
|----------|-------|-------|
| 1. _____ | _____ | _____ |
| 2. _____ | _____ | _____ |
| 3. _____ | _____ | _____ |

Check here if more firearms. Attach a sheet of paper and write "DV-800, Item 6 — Firearms Turned In, Stored, or Sold" at the top. Include make, model, and serial number for all other firearms.

**1 What is a firearm?**

A firearm is a

- Handgun
- Shotgun
- Rifle
- Assault Weapon



**2 If you own or have a firearm, you must:**

- Turn it in to local law enforcement, *or*
- Sell it to or store it with a licensed gun dealer.

**3 How do I sell or store my firearm?**

Find a licensed gun dealer in your area.

Look under “Firearms Dealers” in your local Yellow Pages or on the Internet. Make sure the dealer is licensed.

**4 How do I take my firearm to law enforcement?**

Call your local law enforcement agency to ask about their procedures. Take a copy of the restraining order with you. Go directly to the law enforcement agency. Do not go anywhere else with firearms in your vehicle!

**5 If I turn my firearm in to law enforcement, how long will they keep it?**

Ask the law enforcement agency.

**6 After I give my firearm to law enforcement, can I change my mind?**

Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a Bill of Sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

**7 Do I have to pay the law enforcement agency to keep my firearm?**

You may have to pay the agency for keeping your firearm. Contact your local law enforcement agency and ask if a fee is charged. The agency will tell you how much you need to pay.

**8 Questions?**

Call your local law enforcement agency:  
*[insert local information here]*

DO:

- unload your firearm.
- put your firearm in the trunk.
- call ahead to the police department

DO NOT:

- bring a loaded firearm to the law enforcement agency.
- bring ammunition with the firearm when you turn it in.
- put your firearm in a locked glove compartment.
- bring a firearm to court.

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):  TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR ( <i>Name</i> ): _____	<b>DRAFT</b>  <b>Not approved by the Judicial Council</b>	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CASE NAME:		
<b>NOTICE OF HEARING <input type="checkbox"/> AND TEMPORARY RESTRAINING ORDER—JUVENILE</b>		CASE NUMBER: JUVENILE: FAMILY:

**1. Protected persons**

Full Name: \_\_\_\_\_ Sex: \_\_\_\_\_ Age: \_\_\_\_\_ Relationship to Child: \_\_\_\_\_

**2. Restrained person**

Full Name: _____					
Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Height: _____	Weight: _____	Hair Color: _____	Eye Color: _____	
Race: _____	Age: _____		Date of Birth: _____		
Address ( <i>if known</i> ): _____					
City: _____	State: _____		Zip: _____		

**3. Expiration date/Notice of court hearing**

**A court hearing is scheduled on the request for restraining orders against the person in item 2.** Any temporary orders granted will expire at the end of the hearing scheduled for the date and time shown in the box below unless otherwise ordered. At the hearing, the judge may make restraining orders that could last up to three years.

<div style="border: 1px solid black; border-radius: 15px; padding: 5px; display: inline-block;"> <b>Hearing Date &amp; Time</b> </div>	→ Date: _____ Time: _____ Dept.: _____ Room: _____	Name and address of court if different from above: _____
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CASE NAME:	CASE NUMBER:
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4.  Hearing on this temporary restraining order
- a. Date hearing held: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_
- b. Judicial officer (*name*): \_\_\_\_\_
- c. Persons and attorneys present (*names*): \_\_\_\_\_

5.  Temporary orders (*select one*)
- a.  Granted. The court has granted the temporary orders that are checked below.
- b.  Not granted. No temporary orders are granted pending the scheduled hearing in item 3.

**THE COURT FINDS AND ORDERS**

6.  Restrained person (child in delinquency proceedings) (*Complete either 6 or 7, not both.*)
- a.  is a ward of the court or the subject of a petition under Welfare and Institutions Code section 601 or 602 and **must not** contact, threaten, stalk, or disturb the peace of the person or persons in item 1.
- b.  may have peaceful contact with the protected persons in item 1 only for the safe exchange of children for court-ordered visitation as stated in the attached Family, Juvenile, or Probate court order in Case No.: \_\_\_\_\_ issued on (*date*): \_\_\_\_\_, as an exception to the "no-contact" provision in item 6a of this order.
- c.  may have peaceful contact with the protected persons in item 1 only for the safe exchange of children for visitation as stated in a Family, Juvenile, or Probate court order issued after the date this order is signed, as an exception to the "no-contact" provision in item 6a on this order.

7.  Restrained person (other than child in delinquency proceeding) (*Complete either 6 or 7, not both.*)
- a. **must not do the following things to the person or persons in item 1:**
- (1)  Molest, attack, strike, stalk, threaten, sexually assault, batter, harass, destroy the personal property of, or disturb the peace.
- (2)  Contact, either directly or indirectly in **any** way, including but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.  
 except for visitation as indicated in c below.
- b.  **must stay away** at least (*specify*): \_\_\_\_\_ yards from (*check all that apply*).
- (1)  protected person or persons in item 1, except for visitation as indicated in c below.
- (2)  home of person or persons in item 1.
- (3)  job or workplace of person or persons in item 1.
- (4)  vehicle of person or persons in item 1.
- (5)  school of person or persons in item 1.
- (6)  the children's school or child care.
- (7)  Other (*specify*): \_\_\_\_\_  
 except for visitation as indicated in c below.
- c.  has the right to visit the minor children named in item 1 as follows:
- (1)  None
- (2)  Visitation according to the attached schedule (*Form JV-205 must be attached if any visitation is ordered.*)
- d.  **must move** immediately from (*address*): \_\_\_\_\_  
 \_\_\_\_\_  
 and take only personal clothing and belongings.
- e.  must NOT take any action to get the address or location of any person named in item 1 or the addresses or locations of the family members, caregivers, or guardians of any persons named in item 1. If this box is not checked, the court has found good cause not to make this order.

CASE NAME:	CASE NUMBER:
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8. **No guns or other firearms or ammunition** (*applies only if box 5a is checked on this form*)
- a. The restrained person cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
  - b. The restrained person must
    - sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms within his or her immediate possession or control. This must be done within 24 hours of being served with this order.
    - within 48 hours of receiving this order file with the court a receipt that proves guns have been turned in, stored, or sold. (*Proof of Firearms Turned In, Stored, or Sold* (form DV-800/JV-252) may be used for the receipt.)
    - bring a copy of the receipt or *Proof of Firearms Turned In, Stored, or Sold* (form DV-800/JV-252) to the hearing listed in item 3.
  - c.  The court has received information that the restrained person owns or possesses a firearm.
9.  The protected persons have the right to record communications made by the restrained person that violate the judge's orders.
10. **Other orders** (*specify*):

11.  A criminal protective order on form CR-160 is in effect as follows:  
 Case number: \_\_\_\_\_ (*expiration date*): \_\_\_\_\_ County (*if known*): \_\_\_\_\_

12. **Transmittal order.** The data in this order must be transmitted within one business day to law enforcement personnel. This order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS).

- a.  The court will enter the order into CARPOS through CLETS directly.
- b.  The court or its designee will transmit a copy of the order to a local law enforcement agency authorized by the Department of Justice to enter orders into CARPOS through CLETS.

If designee, insert name:

13.  Service of temporary order
- a.  Restrained person was present at the time the order was made. No further service is needed.
  - b.  Restrained person was not present at the time the order was made. This order must be served.
14.  Service of this notice of hearing must be at least  five or  (*specify*): \_\_\_\_\_ days before the hearing.

Date:

\_\_\_\_\_  
 JUDICIAL OFFICER

CASE NAME:	CASE NUMBER:
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**Warnings to the Restrained Person**

**If you do not obey these orders, you can be arrested and charged with a crime.** And you may have to go to jail or prison, pay a fine of up to \$1,000, or both. Taking or hiding a child in violation of this order is subject to state and federal criminal penalties.

**You cannot have guns, firearms, or ammunition.** If box 5a is checked, the court issued a temporary restraining order, which means you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

**Service of order by mail.** If the judge makes a restraining order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known address, which is written in item 2. If this address is not correct, or to find out if the orders were made permanent, contact the court.

**Instruction for Law Enforcement**

**Applicable only if box 5a is checked.**

**Enforcing the restraining order.** This order is effective when made. It is enforceable in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it.

**Conflicting orders. 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 order (see Pen. Code, § 136.2, and Fam. Code, §§ 6383(h)(2), 6405(b)):**

1. *EPO*: If one of the orders is an Emergency Protective Order (Form EPO-001) and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order*: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order*: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family or Civil Order*: If more than one family or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

**Certificate of Compliance With VAWA for Temporary Orders**

This temporary protective order meets all full faith and credit requirements of the Violence Against Women Act (18 U.S.C. § 2265) (VAWA) 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 all jurisdictions throughout the 50 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 those jurisdictions.**

**CLERK'S CERTIFICATE**

[SEAL] I certify that the foregoing *Temporary Restraining Order—Juvenile* is a true and correct copy of the original on file in the court.

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

ATTORNEY OR PARTY WITHOUT ATTORNEY ( <i>Name, State Bar number, and address</i> ):  TELEPHONE NO.: _____ FAX NO.: _____ E-MAIL ADDRESS: _____ ATTORNEY FOR ( <i>Name</i> ): _____	<b>DRAFT</b>  <b>Not approved by the Judicial Council</b>	
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:		
CASE NAME:		
<b>RESTRAINING ORDER—JUVENILE</b> <b>Order After Hearing</b>		CASE NUMBER: JUVENILE: FAMILY:

**1. Protected person or persons**

<u>Full Name</u>	<u>Sex</u>	<u>Age</u>	<u>Relationship to Child</u>
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2.

Full Name:	Sex: <input type="checkbox"/> M <input type="checkbox"/> F	Height:	Weight:	Hair Color:	Eye Color:
Race:	Age:	Date of Birth:			
Address ( <i>if known</i> ):					
City:	State:			Zip:	

**3. Order after hearing**

- a. This order after hearing expires on (*date and time*):
- If no expiration date is written, the restraining order ends three years after the date of the hearing, as indicated below.
  - If no time is written, the restraining order ends at midnight on the expiration date.
- b. Date hearing held: \_\_\_\_\_ Time: \_\_\_\_\_ Dept.: \_\_\_\_\_ Room: \_\_\_\_\_
- c. Judicial officer (*name*): \_\_\_\_\_
- d. Persons and attorneys present (*names*): \_\_\_\_\_
- e.  Restrained person present. No further service needed.
- f.  Restrained person not present. This order must be served.
- (1)  The judge's orders in this form are the same as in the prior temporary restraining order except for the expiration date, and the temporary order and notice of hearing was personally served on the restrained person. The restrained person can be served by mail.
- (2)  The judge's orders are different from those in the prior temporary restraining order. An adult 18 years or older—not the person or persons to be protected—must personally serve a copy of this order on the restrained person.

CASE NAME:	CASE NUMBER:
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**THE COURT FINDS AND ORDERS**

4.  Restrained person (child in delinquency proceedings) *(Complete either 4 or 5, not both.)*
- a.  is a ward of the court or the subject of a petition under Welfare and Institutions Code section 601 or 602 and **must not** contact, threaten, stalk, or disturb the peace of the person or persons in item 1.
- b.  may have peaceful contact with the protected persons named above only for the safe exchange of children for court-ordered visitation as stated in the attached family, juvenile, or probate court order in Case No. \_\_\_\_\_, issued on *(date)*: \_\_\_\_\_, as an exception to the "no-contact" provision in item 4a of this order.
- c.  may have peaceful contact with the protected persons named above only for the safe exchange of children for visitation as stated in a family, juvenile, or probate court order issued after the date this order is signed, as an exception to the "no-contact" provision in item 4a on this order.
5.  Restrained person (other than child in delinquency proceedings) *(Complete either 4 or 5, not both.)*
- a. **must not do the following things to the person or persons in item 1:**
- (1)  Molest, attack, strike, stalk, threaten, sexually assault, batter, harass, destroy the personal property of, or disturb the peace.
- (2)  Contact, either directly or indirectly in **any** way, including but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means  
 except for visitation as indicated in c below.
- b.  **must stay away** at least *(specify)*: \_\_\_\_\_ yards from *(check all that apply)*
- (1)  protected person or persons in item 1, except for visitation as indicated in c below.
- (2)  home of person or persons in item 1.
- (3)  job or workplace of person or persons in item 1.
- (4)  vehicle of person or persons in item 1.
- (5)  school of person or persons in item 1.
- (6)  the children's school or child care.
- (7)  Other *(specify)*: \_\_\_\_\_  
 except for visitation as indicated in c below
- c.  has the right to visit the minor children named in item 1 as follows:
- (1)  None
- (2)  Visitation according to the attached schedule *(Form JV-205 must be attached if any visitation is ordered.)*
- d.  must move immediately from *(address)*: \_\_\_\_\_  
 \_\_\_\_\_ and take only personal clothing and belongings.
- e.  must NOT take any action to get the address or location of any person named in item 1 or the addresses or locations of the family members, caregivers, or guardians of any persons named in item 1. If this box is not checked, the court has found good cause not to make this order.
6. **No guns or other firearms or ammunition**
- a. Restrained person cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. Restrained person must
- sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms within his or her immediate possession or control. This must be done within 24 hours of being served with this order.
  - within 48 hours of receiving this order file with the court a receipt that proves guns have been turned in, stored, or sold. *(Proof of Firearms Turned In, Stored, or Sold (form DV-800/JV-252) may be used for the receipt.)*
- c.  The court has received information that the restrained person owns or possesses a firearm.
7.  A criminal protective order on form CR-160 is in effect as follows:  
 Case number: \_\_\_\_\_ *(expiration date)*: \_\_\_\_\_ County *(if known)*: \_\_\_\_\_
8.  The protected persons have the right to record communications made by the restrained person that violate the judge's orders.

CASE NAME:	CASE NUMBER:
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9. **Other orders** (*specify*):

10. **Transmittal order.** The data in this order must be transmitted within one business day to law enforcement personnel. This order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS).

- a.  The court will enter the order into CARPOS through CLETS directly.
- b.  The court or its designee will transmit a copy of the order to a local law enforcement agency authorized by the Department of Justice to enter orders into CARPOS through CLETS.

If designee, insert name:

Date:

\_\_\_\_\_  
JUDICIAL OFFICER

**Warnings to the Restrained Person**

**If you do not obey these orders, you can be arrested and charged with a crime.** And you may have to go to jail or prison, pay a fine of up to \$1,000, or both. Taking or hiding a child in violation of this order is subject to state and federal criminal penalties.

**You cannot have guns, firearms, or ammunition.** You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

**Instruction for Law Enforcement**

**Enforcing the restraining order.** This order is effective when made. It is enforceable in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If proof of service on the restrained person has not been received and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it.

**Conflicting orders. 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 order (see Pen. Code, § 136.2, and Fam. Code, §§ 6383(h)(2), 6405(b).):**

1. *EPO:* If one of the orders is an Emergency Protective Order (Form EPO-001) and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. *No-Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. *Criminal Order:* If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. *Family or Civil Order:* If more than one family or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

CASE NAME:	CASE NUMBER:
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**Certificate of Compliance With VAWA for Orders After Hearing**

This protective order meets all full faith and credit requirements of the Violence Against Women Act (18 U.S.C. § 2265) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been afforded reasonable notice and an opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in all jurisdictions throughout the 50 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 those jurisdictions.**

**CLERK'S CERTIFICATE**

[SEAL]

I certify that the foregoing *Restraining Order—Juvenile* is a true and correct copy of the original on file in the court.

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