



SUPERIOR COURT OF CALIFORNIA

**COUNTY OF TULARE**

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## DOMESTIC VIOLENCE RESTRAINING ORDER: RESPONSE

Forms included in this packet:		
<b>READ</b>	This packet	Instructions and information
	DV-120-INFO	How Can I Respond to a Request for Domestic Violence Restraining Order?
	DV-800-INFO/ JV-270-INFO	How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?
<b>FILE &amp; SERVE</b>	DV-120	Response to Request for Domestic Violence Restraining Order
<b>FILE &amp; SERVE</b> (OPTIONAL)	DV-125	Response to Request for Child Custody and Visitation Orders
	DV-800/JV-270	Receipt for Firearms, Firearm Parts, and Ammunition
	FL-150	Income and Expense Declaration
<b>FILE AFTER SERVICE</b>	DV-250	Proof of Service by Mail
<b>READ</b>	DV-520-INFO	Get Ready for Your Restraining Order Court Hearing

# **Domestic Violence Restraining Order: Response**

## **Completing Forms:**

Fillable, printable PDF versions of the Judicial Council forms contained in this packet are available online at: <https://courts.ca.gov/rules-forms/find-your-court-forms>. You can type the forms and print them out for filing.

You can also use LawHelp Interactive, which is a website that helps you fill out legal documents for free, based on your answers to a series of questions. Details are available at: <https://lawhelpinteractive.org/Interview/GenerateInterview/3039/engine>

## **Self Help Resource Center:**

If you do not have an attorney representing you, free assistance is available. Please contact the Self-Help Resource Center, also known as the Office of the Family Law Facilitator. The Self-Help Resource Center will provide instructions on how to complete the forms and how to properly serve notice on all the necessary parties. Staff can answer your procedural questions and explain the court process but **CANNOT** complete your forms for you, provide legal advice, or represent you in court. The Self-Help Resource Center can be reached at (559) 737-5500 and [selfhelp@tulare.courts.ca.gov](mailto:selfhelp@tulare.courts.ca.gov), and offices are located at:

- County Civic Center: 221 S. Mooney Blvd., Room 203, Visalia CA 93291
- South County Justice Center: 300 E. Olive Ave., Porterville, CA 93257

## **Other Resources:**

If you have further questions or concerns, you may wish to consult with an attorney or use the assistance of a paralegal or typing service. You may also conduct self-research at:

- California Courts' Self-Help website: <https://selfhelp.courts.ca.gov/>
- Tulare County Law Library: <https://tularecounty.ca.gov/lawlibrary/>
  - The Tulare County Law Library is located on the ground floor of the County Civic Center, and Law Library computer terminals are available in the Self-Help Resource Center in the South County Justice Center.
- Sacramento County Public Law Library: <https://saclaw.org/>

# INSTRUCTIONS

This packet contains information and instructions on how to respond to a request for a *Domestic Violence Restraining Order (DVRO)*. As the *Respondent* in the case, you'll learn how to complete the necessary forms, submit them to the Clerk of Court for filing, and serve the requesting party (*the Petitioner*). Read this packet in its entirety before you begin completing your forms. In addition, read the following information sheets which provide general information about what constitutes domestic violence, the required relationship for a DVRO, the process of obtaining a DVRO, and what to do with your firearms:

- **DV-120-INFO – How Can I Respond to a Request for Domestic Violence Restraining Order?**
- **DV-800-INFO/JV-270-INFO – How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?**

## STEP 1: COMPLETE THE FORMS

You should have received file-stamped copies of the forms listed below. Read these forms carefully so you understand what the *Petitioner* has alleged you've done and what orders the *Petitioner* has asked the court to make. If you have not received each of these forms, go to the Clerk of Court at the Visalia or Porterville courthouses to request a copy.

- **DV-100 – Request for Domestic Violence Restraining Order (DVRO)**
  - This form describes the *Petitioner's* relationship with the *Respondent*, instances of abuse, other persons the *Petitioner* wants to protect, and the orders the *Petitioner* has requested. These may include orders not to abuse, stay-away orders, and move-out orders. Additionally, the *Petitioner* may request child custody and visitation orders for mutual children, property orders, support orders, etc.
- **DV-109 – Notice of Court Hearing**
  - This form provides the hearing information at Item 3.
- **DV-110 – Temporary Restraining Order**
  - This form indicates what temporary orders the court has granted. These temporary orders will be in effect through the hearing date.

**Note:** You may agree with some of the *Petitioner's* requests. For example, you may agree to stay away from the *Petitioner*. However, consider whether a court order is **needed** for you to stay away. When a DVRO is granted, *Respondents* may face constitutional limitations and potential issues in custody and visitation matters. In addition, DVROs may last up to 5 years and can be renewed. If you have questions about the consequences of having a DVRO made against you, consult an attorney. After you've read and understood what the *Petitioner* has requested, and what temporary orders the court has granted, complete the following:

## **DV-120 – Response to Request for Domestic Violence Restraining Order**

Complete this form to provide your response to the orders that the *Petitioner* requested in the ***Request for DVRO (DV-100)***.

- **Item 1:** Enter the *Petitioner's* name.
- **Item 2:** Enter your name and address.
  - Note: This document must be served on the *Petitioner*. Thus, if you do not want them to know where you live, do not write your home address here. For privacy, you may use a P.O. Box or another person's address.
- **Items 4 through 6:** Complete these sections to correct any information about you, your relationship with the *Petitioner*, and whether you have any other court cases or restraining orders with the *Petitioner*.
- **Items 7 through 28:** Mark the box indicating that you agree or disagree to the orders requested. If you disagree, explain why.
  - **Item 13:** Child custody and visitation orders
    - If the *Petitioner* requested child custody and visitation orders, mark the box that you are, or are not, the parent of the children. Then mark the box indicating that you agree or disagree with the requested child custody and visitation orders.
    - If you do not agree, complete and attach the ***Response to Request for Child Custody and Visitation Orders (DV-125)***, explained below.
  - **Items 26 and 27:** Prohibited items
    - If you were served with the ***Temporary Restraining Order (DV-110)***, you are prohibited from having certain items: firearms, firearm parts, ammunition, and body armor. You have 48 hours from when you were served to surrender these items to law enforcement or sell/store them with a licensed gun dealer.
      - If you have these prohibited items, complete the ***Receipt for Firearms, Firearm Parts, and Ammunition (DV-800/JV-270)***, explained below.
    - Mark box (a) if you do not own the prohibited items, box (b) if you have already relinquished them, or box (c) if you are requesting an exception to carry a firearm for work. Provide job details in the space provided.
- **Item 29:** Use this space to provide additional facts or reasons why you disagree with any of the orders that the *Petitioner* requested.
- **Item 30:** Complete this section if you are requesting to be reimbursed for certain expenses.
- **Item 31:** Indicate the number of pages you've attached.
- **Item 32:** Date, print your name, and sign.

## **DV-125 – Response to Request for Child Custody and Visitation Orders**

If the *Petitioner* requested child custody and visitation orders, complete this form and attach it to your ***Response to Request for DVRO (form DV-120)***.

- **Item 1:** Enter the *Petitioner's* name and mark the box for their relationship to the children.
- **Item 2:** Enter your name and mark the box for your relationship to the children.
- **Item 3:** Mark the box that you are, or are not, the parent of the children.
- **Item 4:** Mark the box that you agree or disagree with the information that the *Petitioner* provided regarding where the children have lived.
  - If you disagree, complete and attach the ***City and State Where Children Lived (DV-105(A))***, available on the California Court's website (see *URL on page 2*):
- **Item 5:** Complete this section to correct any information about court cases involving your children.
- **Items 6 through 8:** Mark the box indicating that you agree or disagree to the orders requested. If you disagree, explain why. If you would agree to a different order, describe the order you would agree to.
- **Item 9:** Mark the box indicating that you agree or disagree with the requested custody orders. If you disagree, explain why. If you would agree to different custody orders, mark the appropriate boxes at item 9(c).
  - Legal custody refers to the right to make decisions about a child's health, education, and welfare.
    - Joint legal custody means the parents share these decision-making responsibilities regarding the children.
  - Physical custody refers to the actual time a child spends with a parent.
    - Joint physical custody means that each parent has significant periods of physical custody. This does not necessarily mean that the parents will share equal time, but assures that the child has frequent and continuing contact with both parents.
- **Item 10:** Mark the box indicating that you agree or disagree with the requested visitation orders. If you disagree, explain why. If you would agree to a different visitation order, provide details on the days, frequency, and pick-up/drop-off location.

## **DV-800/JV-270 – Receipt for Firearms, Firearm Parts, and Ammunition**

Complete this form if you have prohibited items such as firearms, firearm parts, and ammunition. You will take this form to law enforcement or a licensed gun dealer to surrender, store, or sell these items. **Before** you bring your firearms to law enforcement or a licensed gun dealer, be sure to call and ask them about their surrender/storage/sale process.

- **Item 1:** Enter the *Petitioner's* name.
- **Item 2:** Enter your name and address.
- **Items 4 and 5:** These sections are to be completed by either law enforcement (*item 4*) or a licensed gun dealer (*item 5*).

- **Item 6:** Surrendered items
  - At (a), list the make, model, and serial number of the firearms and firearm parts.
  - At (b), list the brand, type, and amount of ammunition.
  - Mark the box for sold, stored, or destroyed.
  - Attach additional pages if you need more space.
- **Item 7:** Indicate whether you have other prohibited items not listed at item 6 or on an attachment.
  - At (c), if you have not filed proof for these other prohibited items, explain why.
- **Bottom of page 3:** Date, print your name, and sign.

### **FL-150 – Income and Expense Declaration**

Complete this form if the *Petitioner* requested child support or spousal support in their ***Request for DVRO (DV-100)***. Be sure to complete each line. If you do not have certain income or expenses, you may enter “\$0” or “N/A”.

**Note:** You ***must attach*** copies of your last two months of pay stubs to the ***Income and Expense Declaration*** (see boxed text under Item 1 and bolded text at top of Page 2).

- **Top of Page 1:** Enter your name, address and telephone number, plus court address.
- **Items 1 through 4:** Enter details regarding your employment, age, education, tax filing information, and the other party’s income.
- **Bottom of Page 1:** Date, print your name, and sign.
- **Items 5 through 11:** Enter information about your income from all sources, any deductions, and any assets.
- **Item 12:** Enter the names of all persons who live with you. Provide their age, relationship, income, and whether they contribute to your household’s expenses.
- **Item 13:** Enter information about the household expenses that you pay.
  - Mark the appropriate box for estimated or actual expenses, or proposed needs.
- **Item 14:** Enter information about any installment payments or debts not listed in Item 13, such as car payments, credit card bills, court fines, student loans, etc.
- **Item 15:** Enter information about Attorney’s fees.
- **Page 4: Child Support Information.** Complete items 16 through 20 only if your case involves child support.
  - **Item 16:** Enter the number of children you share with the other parent in the case, and specify the parenting schedule.
  - **Items 17 through 19:** Enter information about the children’s healthcare or other expenses, and any special hardships you are facing.
    - If you have children from another relationship in your home, list their names and ages. Indicate whether these children are with you full time or if physical custody is shared with the child’s other parent.
  - **Item 20:** Use this space to add any other information you want the court to know concerning child support.

## STEP 2: FILE YOUR FORMS

Make two copies of each completed form. Take the originals and copies to the Clerk of Court for filing, located in the courthouses in Visalia and Porterville, at:

- County Civic Center: 221 S. Mooney Blvd., Room 201, Visalia, CA 93291
- South County Justice Center: 300 E. Olive Ave., Porterville, CA 93257

There is **no fee** to file your response. The Clerk of Court will file the original forms and return your filed copies. One copy is for your records and the other copy is to be served on the *Petitioner*.

## STEP 3: SERVE THE PETITIONER

The next step is to serve your forms on the *Petitioner*. The server must be someone 18 years or older, other than you, and not someone protected under the restraining order. The server will mail the forms to the *Petitioner* at the address listed on the ***Request for DVRO (DV-100)*** at item 1.

After mailing the forms, the server must complete and sign the ***Proof of Service by Mail (DV-250)***, indicating what forms were mailed, where they were sent, and the date and location they were mailed. The server will enter their name and contact information, and will date, print their name, and sign the bottom. Take the original plus one copy of the ***Proof of Service by Mail (DV-250)*** to the Clerk of Court for filing. The Clerk will keep the original, and give you back a copy for your records.

## STEP 4: ATTEND THE HEARING

You will need to appear at your court date that is listed on the ***Notice of Hearing (DV-109)*** at item 3. If you don't appear, the judge may make orders without your input. You can appear remotely for this hearing. For information on how to appear remotely, visit: <https://www.tulare.courts.ca.gov/online-services/request-remote-hearings>.

To prepare for your hearing, read ***Get Ready for Your Restraining Order Court Hearing (DV-520-INFO)***. At the hearing, tell the judge why you agree or disagree with the requested orders. The court will either grant or deny the requested orders, or set a further "contested" hearing where both parties can bring evidence and witnesses to support their position. If a further hearing is set and a temporary restraining order was granted, the court may extend the temporary restraining order until the next court date.

## FURTHER ASSISTANCE

The informational forms listed below are available on the California Court's website, at:  
<https://courts.ca.gov/rules-forms/find-your-court-forms>.

**Filing for your own restraining order:** If you want to obtain your own restraining order, read:

- **DV-500-INFO – Can A Domestic Violence Restraining Order Help Me?**
- **DV-505-INFO – How to Ask for a Domestic Violence Restraining Order**

**Rescheduling your hearing:** If you are unable to attend your hearing and would like to reschedule to another day, read:

- **DV-115-INFO – How to Ask for a New Hearing Date**

**Domestic Violence Hotline:** The National Domestic Violence Hotline provides free and private safety tips. Help is available every day, 24 hours a day. Visit online at [www.thehotline.org](http://www.thehotline.org), or call (800) 799-7233; (800) 787-3224 (TTY).



**I was served with form DV-100, DV-109, or DV-110. What does this mean?**

Someone has asked for a domestic violence restraining order against you. On the forms, you are the "person in ②" and the person who wants a restraining order against you is listed in ① on all the forms.

**Form DV-100:** This form has all the orders that the person in ① has asked the judge to order.

**Form DV-109:** Your court hearing (court date) is listed on this form. You should attend the court hearing if you do not agree to the orders requested. If you do not attend, the judge can make orders against you without hearing from you.

**Form DV-110:** If you were served with form DV-110, it means that the judge granted a temporary restraining order against you. You must follow the orders.

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

It is a court order that can help protect people who have been abused by someone they have been intimate with, or are closely related to. To be eligible, the person asking for the restraining order must be:

- Someone you date or used to date
- A spouse, ex-spouse, registered domestic partner, or ex-domestic partner
- Someone you live or lived with (more than a roommate)
- Your parent, sibling, child, grandparent, or grandchild related by blood, marriage, or adoption

**What if I have children with the person asking for a restraining order?**

A restraining order can include orders for your children, including listing them as protected persons. It can also include child custody and visitation orders and orders to limit your ability to travel with your children.

**What can a restraining order do?**

A restraining order can include orders for you to:

- Not contact or harm the protected person, including children or others listed as protected people
- Stay away from all protected people and places
- Not have any firearms (guns), firearm parts, ammunition, or body armor. This includes homemade or untraceable guns, like "ghost guns."
- Move out of the place that you share with the protected person
- Follow custody and visitation orders
- Pay child support
- Pay spousal support
- Pay debt for property
- Give control of property (examples: cell phone, car, home) to the person asking for protection.

**How long does the order last?**

If the judge granted a temporary restraining order (form DV-110), it will last until the hearing date. At your court hearing, the judge will decide whether to extend the order or cancel the order. The judge can extend the order 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.

**What if I don't obey the order?**

The police can arrest you. You can go to jail and pay a fine. You must still follow the orders even if you are not a U.S. citizen. If you are worried about your immigration status, talk to an immigration lawyer.

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

You must still comply with the restraining order, including custody and visitation orders. The restraining order is valid anywhere in the United States.

**What do I do next?****Part 1: Turn in or sell prohibited items**

If there is a temporary restraining order against you (see form DV-110), then you must immediately turn in, sell, or store any prohibited items you have or own.

Prohibited items include:



- **Firearms**, including any handgun, rifle, shotgun, and assault weapon
- **Firearm parts**, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame
- **Ammunition**, including bullets, shells, cartridges, and clips

You must then prove to the court that you've complied with the orders. Bring form DV-800/JV-270, *Receipt for Firearms, Firearm Parts, and Ammunition*, to a gun dealer or law enforcement when you turn in your items. After DV-800/JV-270 is complete, file it with the court. You may ask the court for information on how to turn in, sell, or store these items in your city or county. You can also read form DV-800-INFO/JV-270-INFO, *How Do I Turn In, Sell, Or Store My Firearms, Firearm Parts, and Ammunition?*.

**Part 2: Relinquish body armor**

If there is a temporary restraining order against you (see form DV-110), you must relinquish any body armor that you have or own.

Note: If you need to have and use body armor for your work, livelihood, or safety, you may ask for an exception with a chief of police or sheriff in the county where you will have and use the body armor (see Penal Code section 31360(c)).

**Part 3: Respond in writing (optional)**

"Respond" means to let the judge and the other side know whether you agree or disagree with the request for restraining order, and why. Responding in writing is optional and there is no penalty if you don't. If you need more time to prepare for your case, talk to a lawyer or self-help center staff before you file a response.

If you want to respond in writing, complete form DV-120, *Response to Request for Domestic Violence Restraining Order*. After you complete the form, file it with the court. There is no court fee to file this form. Then "serve" the form on the person asking for the restraining order. "Serve" means to have someone 18 years old or older mail a copy to the person asking for the restraining order. You cannot be the one to mail your papers. The person who mails your form must fill out form DV-250, *Proof of Service by Mail*. After form DV-250 is completed, file it with the court.

**Part 4: Get ready and go to your court hearing**

Your court hearing is listed on form DV-109, *Notice of Court Hearing*. You have the option of attending your hearing in-person or remotely (by phone, or videoconference if available). For information on how to attend your hearing remotely, go to the court's website. Some courts may require advance notice. At the hearing, you and the other side will have the opportunity to tell your side of the story. For more information, read form DV-520-INFO, *Get Ready for the Restraining Order Court Hearing*. If you need more time to prepare your case, you may ask the judge for a new court date. The judge will decide whether to grant your request. Read form DV-115-INFO, *How to Ask For a New Hearing Date*, for more information. Note that if the judge does give you a new court date and if there is a temporary restraining order against you, the judge will usually extend the temporary restraining order until the next court date.

**Do I need a lawyer?**

It's possible to go through this process without a lawyer. But having a restraining order against you may have a lot of consequences, and you may want to hire a lawyer. If you don't hire a lawyer, you can get free help from your court's self-help center.

**What if I was arrested or have criminal charges against me?**

Anything you write in your court papers or say at a hearing for this case and for any criminal case can be used against you. Talk to a lawyer if you have any concerns about what you can do and say.

**What if I have more than one restraining order against me?**

If the police are called to enforce the order, they will need to follow the rules of enforcement (see "Priority of Enforcement" listed on the back of form DV-110, DV-130, and CR-160). If you have questions about any of the orders against you, contact your local self-help center or talk to a lawyer. Find your local court's self-help center at [www.selfhelp.courts.ca.gov/find](http://www.selfhelp.courts.ca.gov/find).

**What if I need a restraining order against the other person?**

Do not use form DV-120 to request a domestic violence restraining order. For information on how to file your own restraining order, read form DV-505-INFO. You can also ask the court clerk about free or low-cost legal help.

**Can I use the restraining order to get divorced or end a 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.

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

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

**Information about the court process is also available online**

<https://selfhelp.courts.ca.gov/respond-to-DV-restraining-order>

**What if I am a victim or survivor of domestic violence?**

The National Domestic Violence Hotline provides free and private safety tips. Help is available in over 100 languages. Visit online at [www.thehotline.org](http://www.thehotline.org) or call 1-800-799-7233; 1-800-787-3224 (TTY).

**What if I need an interpreter?**

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

**Request for Accommodations**

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



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.htm](http://www.courts.ca.gov/forms.htm) for *Disability Accommodation Request* (form MC-410). (Civil Code section 54.8.)



**What do I need to turn in, sell, or store?**

You must turn in, sell, or store all of the following prohibited items that you have or own:

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, includes receivers, frames, and any item that may be used as or easily turned into a receiver or frame (also called "ghost guns"); and
- Ammunition, including bullets, shells, cartridges, and clips.

**How do I properly turn in, sell, or store the prohibited items?**

You must take them to:

- Law enforcement, who will accept all prohibited items for safekeeping or to destroy,
- or
- A licensed gun dealer, who can buy or store your firearms. If you have firearm parts or ammunition, call ahead for more information.

**When do I turn in, sell, or store prohibited items?**

Immediately, if law enforcement asks you to. Otherwise, within 24 hours of being served, or told by a judge to do so.

**Can I give my prohibited items to family or friends?**

No, only to law enforcement or a licensed gun dealer. You cannot give your prohibited items to a family member, friend, or anyone else.

**Do I have to pay a fee to store prohibited items?**

You may have to pay a fee. Contact law enforcement or a licensed gun dealer about fees and whether they have space to store your items.

**How do I take prohibited items to law enforcement?**

Call your local law enforcement agency to ask about their procedures. They will give you specific instructions, like making sure your firearms are unloaded and in the trunk of the car. Take a copy of the restraining order with you. **Do not** bring your firearms to court.

**If I turn in my firearms to law enforcement, how long will they keep them?**

It depends. There are procedures for getting your firearms back after a restraining order expires. Ask the law enforcement agency.

**After I give my firearms 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 firearms you are selling.

**How do I prove to the judge that I have complied with (obeyed) the orders?**

- ① Bring a copy of form DV-800/JV-270, *Receipt for Firearms, Firearm Parts, and Ammunition*, with you, and ask the dealer or officer to complete and sign the form.
- ② File form DV-800/JV-270 with the court. Make sure you get two copies. All receipts must be filed with the court within 48 hours from the time you were served with the restraining order, unless the judge gave you another deadline.

**Do I need to bring a copy of the  
receipt to anyone besides the judge?**

Yes, if:

- ▶ Law enforcement served you with the restraining order, you must give them a copy of your receipt (example: form DV-800/JV-270). If you don't know who served you with the restraining order, ask the court clerk for a copy of the proof of service form for the restraining order. The law enforcement agency is listed on that form.
- ▶ You did not obey the order when you were supposed to, and the court notified law enforcement or a prosecuting attorney. (Tip: Look at forms DV-110, DV-130, or DV-820 to see if the court notified another agency. If the court did, give a copy of the receipt to the agencies listed on any of the forms).

**Where can I find free help?**

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

**More information on how to obey these  
orders is available online**

<https://selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders>.

**Response to Request for Domestic Violence Restraining Order***Clerk stamps date here when form is filed.*

**Use this form** if someone has asked for a domestic violence restraining order against you, and you want to respond in writing. You will need a copy of form DV-100, *Request for Domestic Violence Restraining Order*, that was filled out by the person who asked for a restraining order against you. There is no cost to file this form with the court.

**Do not use this form** if you want to ask for your own restraining order. Read form DV-500-INFO, *Can a Domestic Violence Restraining Order Help Me?* to find out more about this type of restraining order.

**1 Name of Person Asking for Protection:***(See form DV-100, item ①):*

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**2 Your Name:****Address where you can receive court papers**

**(This address will be used by the court and by the person in ① to send you official court dates, orders, and papers.** For privacy, you may use another address like a post office box, a Safe at Home address, or another person's address, if you have their permission and can get your mail regularly. If you have a lawyer, give their information.)

Address: 

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City: 

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 State: 

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 Zip: 

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**Your contact information (optional)**

(The court could use this information to contact you. If you don't want the person in ① to have this information, leave it blank or provide a safe phone number or email address. If you have a lawyer, give their information.)

E-Mail Address: 

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 Telephone: 

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 Fax: 

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**Your lawyer's information (if you have one)**Name: 

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 State Bar No.: 

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Firm Name: 

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**3 Your Hearing Date (Court Date)**

Your hearing date is listed on form DV-109, *Notice of Court Hearing*. If you do not agree to having a restraining order against you, attend your hearing date. If you do not attend your hearing, the judge could grant a restraining order that could last up to five years.

*Fill in court name and street address:***Superior Court of California, County of***Fill in case number:***Case Number:****This is not a Court Order.**

**How to complete this form:** To answer the questions below, look at the form DV-100 filled out by the person in ①. Tip: When the restraining order forms say "the person in ②" that means you, and the "person in ①" means the person who is asking for a restraining order against you.

**4 Information About You** (see item ② on form DV-100)

The person in ① listed your name, age, gender, and date of birth. If any of the information is incorrect, use the space below to give the correct information.

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**5 Your Relationship to the Person in ①**

In item ③ of form DV-100, has the person in ① correctly described your relationship with them?

☐ Yes ☐ No If no, what is your relationship with the person in ①?:

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**6 History of Court Cases and Restraining Orders** (see item ④ on form DV-100)

The person in ① may have listed other court cases or restraining orders involving you. If information is incorrect or missing, use the space below to give information.

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☐ Check here if you are including a copy of restraining order or court order that you want the judge to know about.

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**7 ☐ Other Protected People**

If the judge grants a restraining order, it can include family or household members of the person in ①. See item ⑧ on form DV-100 to see if the person in ① is asking for other people to be protected by the restraining order.

- a. ☐ I agree to the order requested.  
b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: 

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**8 ☐ Order to Not Abuse** (see item ⑩ on form DV-100)

- a. ☐ I agree to the order requested.  
b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: 

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**This is not a Court Order.**



**9** ☐ **No-Contact Order** (see item **11** on form DV-100)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**10** ☐ **Stay-Away Order** (see item **12** on form DV-100)

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**11** ☐ **Order to Move Out** (see item **13** on form DV-100)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**12** ☐ **Other Orders** (see item **14** on form DV-100)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**13** ☐ **Child Custody and Visitation** (see item **15** on form DV-100 and DV-105)

- a. ☐ I am **not** the parent of the child listed in form DV-105, *Request for Child Custody and Visitation Orders*
- b. ☐ I am the parent of the child or children listed in form DV-105 (check one):
- (1) ☐ I agree to the orders requested.
- (2) ☐ I do not agree to the orders requested. (Complete form DV-125, *Response to Request for Child Custody and Visitation Orders*, and attach it to this form.)

**This is not a Court Order.**

**14** ☐ **Protect Animals** (see item **16** on form DV-100)

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**15** ☐ **Control of Property** (see item **17** on form DV-100)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**16** ☐ **Health and Other Insurance** (see item **18** on form DV-100)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**17** ☐ **Record Communications** (see item **19** on form DV-100)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.

**18** ☐ **Property Restraint** (see item **20** on form DV-100)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**19** ☐ **Pay Debt (Bills) Owed for Property** (see item **22** on form DV-100)

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**20** ☐ **Pay Expenses Caused by the Abuse** (see item **23** on form DV-100)

- a. ☐ I agree to the order requested.  
b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

**21** ☐ **Child Support** (see item **24** on form DV-100)

- a. ☐ I agree to the order requested.  
b. ☐ I do not agree to the order requested.  
c. ☐ I agree to pay guideline child support. (Learn more about guideline child support at [www.courts.ca.gov/selfhelp-support.htm](http://www.courts.ca.gov/selfhelp-support.htm).)

**22** ☐ **Spousal Support** (see item **25** on form DV-100)

- a. ☐ I agree to the order requested.  
b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

**23** ☐ **Lawyer's Fees and Costs**

If the person in **1** checked item **26** on form DV-100, this means that they have asked the judge to order you to pay their lawyer's fees and costs. You may also ask for lawyer's fees and costs. The judge can order the person in **1** to pay for your lawyer's fees and cost if:

- (1) The person in **1**'s request for restraining order is denied;
- (2) The judge decides that the request was frivolous or was made only to abuse, intimidate, or cause unneeded delay; and
- (3) The person in **1** can afford to pay for your lawyer s fees and costs.

☐ Check here if you want the person in **1** to pay for some or all of your lawyer s fees and costs.

**This is not a Court Order.**

**24 ☐ Batterer Intervention Program** (see item **27** on form DV-100)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**25 ☐ Transfer Wireless Phone Account** (see item **28** on form DV-100)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**26 Firearms (Guns), Firearm Parts, or Ammunition** (see item **29** on form DV-100)

If you were served with form DV-110, *Temporary Restraining Order*, you must follow the orders in **5** on form DV-110. You must file a receipt with the court from the law enforcement agency or a licensed gun dealer within 48 hours after you received form DV-110. You may use form DV-800/JV-270, *Receipt for Firearms, Firearm Parts, and Ammunition*.

(Check all that apply)

- a. ☐ I do not own or have any prohibited items (firearms (guns), prohibited firearm parts, or ammunition).
- b. ☐ I have turned in all prohibited items that I have or own to law enforcement or sold/stored them with a licensed gun dealer. A copy of the receipt showing that I turned in, sold, or stored the prohibited items (check all that apply):
- ☐ is attached
- ☐ has already been filed with the court.
- c. ☐ I ask for an exception to carry a firearm for work only. (You will have to show the judge that your work requires you to have a firearm, and that your employer cannot reassign you to another position where a firearm is not needed. If you are a peace officer, there are additional requirements. Note: Even if the judge grants an exception under California law, you may be subject to federal prosecution for possessing or controlling a firearm.)

(Give details, like what your job is and why you need a firearm): \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**This is not a Court Order.**



**30** ☐ **My Out-of-Pocket Expenses**

If the request for restraining order is denied by the judge at the court hearing, I ask the judge to order the person in ① to pay my out-of-pocket expenses because the temporary restraining order was granted without enough supporting facts. The expenses are:

For: _____	Because: _____	Amount: \$ _____
For: _____	Because: _____	Amount: \$ _____
For: _____	Because: _____	Amount: \$ _____

**31** **Additional Pages**

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

**32** **Your signature**

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*

**33** **Your lawyer's signature** (if you have one)

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

\_\_\_\_\_  
*Lawyer's name*

▶ \_\_\_\_\_  
*Lawyer's signature*

**Your Next Steps**

- Turn in your completed form with the court.
- If the person in ① asked for child support, spousal support, or lawyer's fees, you must complete form FL-150 *Income and Expense Declaration*. If the person in ① is only asking for child support (item 24 on form DV-100), you may be eligible to fill out a simpler form, form FL-155. Read form DV-570 to see if you are eligible to fill out form FL-155. Before your court date, you must file form FL-150 or FL-155 with the court.
- Have someone else (not you) mail the person in ① a copy of your forms, and complete form DV-250, *Proof of Service by Mail*. File form DV-250 with the court. (The person who mails this form must be at least 18 years old and cannot be you or someone protected on the restraining order.)
- Prepare for your court date by gathering evidence or witnesses, if you have any. Learn more at <https://selfhelp.courts.ca.gov/respond-domestic-violence-restraining-order>. More information is also available on form DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*

**This is not a Court Order.**

This form is attached to form DV-120.

**How to complete this form:** To answer the questions below, look at the form DV-105 filled out by the person in ①. Tip: Where form DV-105 refers to "person in ②," that means you. If you need more space to complete your answer, you can use a separate piece of paper and attach it to this form. Include a title at the top of the paper (example: DV-125, Custody of Children).

**1 Person Asking for Protection** (see ① on form DV-105)

- a. Name: \_\_\_\_\_
- b. Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): \_\_\_\_\_

**2 Your Information**

- a. Name: \_\_\_\_\_
- b. Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): \_\_\_\_\_

**3 Children** (see ③ on form DV-105)

- a. ☐ I am the parent of the child or children listed on form DV-105.
- b. ☐ I am **not** the parent of all the children listed on form DV-105.
- c. ☐ I am **not** the parent of the following children (list names): \_\_\_\_\_
- d. ☐ Other (describe): \_\_\_\_\_

**4 City and State Where Children Lived** (see ④ on form DV-105)

- a. ☐ I agree with the information given by the person in ①.
- b. ☐ I do not agree. (Use form DV-105(A) to list where the children have lived.)

**5 History of Court Cases Involving Children** (see ⑤ on form DV-105)

The person in ① may have listed other court cases involving your children. If information is incorrect or missing, use the space below to give information.

(Check all that apply. List where it was filed (city, state, or tribe), year it was filed, and case number, if known.)

- ☐ Custody or Divorce \_\_\_\_\_
- ☐ Criminal \_\_\_\_\_
- ☐ Juvenile Court (child welfare, juvenile justice) \_\_\_\_\_
- ☐ Guardianship \_\_\_\_\_
- ☐ Other (example: child support case) \_\_\_\_\_

(If a judge has already made a custody or visitation order for children in this case, attach a copy of the order if you have one.)

**This is not a Court Order.**

**6** ☐ **No Travel With Children Without Permission** (see **6** on form DV-105)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested because: \_\_\_\_\_
- c. ☐ I would agree to a different order (*describe the order you would agree to*): \_\_\_\_\_

**7** ☐ **Stop Access to Children's School, Health, and Other Information** (see **7** on form DV-105)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested because: \_\_\_\_\_
- c. ☐ I would agree to a different order (*describe the order you would agree to*): \_\_\_\_\_

**8** ☐ **Request for Orders to Prevent Child Abduction** (see **4**–**10** on form DV-108)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested because: \_\_\_\_\_
- c. ☐ I would agree to a different order (*describe the order you would agree to*): \_\_\_\_\_

**9** ☐ **Custody of Children** (see **9** on form DV-105)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested because: \_\_\_\_\_
- c. ☐ I would agree to a different order:

Legal Custody (*The person that makes decisions about the child's health, education, and welfare.*)  
(*check one*):

- ☐ Sole to me
- ☐ Sole to person in **1**
- ☐ Jointly (shared) by persons in **1** and me.
- ☐ Other (*describe*): \_\_\_\_\_

Physical Custody (*The person that the child regularly lives with.*)  
(*check one*):

- ☐ Sole to me
- ☐ Sole to person in **1**
- ☐ Jointly (shared) by persons in **1** and me.
- ☐ Other (*describe*): \_\_\_\_\_

**This is not a Court Order.**



Case Number:

10 ☐ **Your Visitation (Parenting Time) with Children** (see pages 3–5 on form DV-105)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested because: \_\_\_\_\_
- c. ☐ I would agree to a different order:  
(Use the lines or chart below to describe the parenting time you want. Give as much detail as you can.)

	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start:		
	End, if applies:		
Tuesday	Start:		
	End, if applies:		
Wednesday	Start:		
	End, if applies:		
Thursday	Start:		
	End, if applies:		
Friday	Start:		
	End, if applies:		
Saturday	Start:		
	End, if applies:		
Sunday	Start:		
	End, if applies:		
<b>Follow the schedule listed above (check one):</b> <input type="checkbox"/> Every week <input type="checkbox"/> Every other week <input type="checkbox"/> Other _____			
<b>Start date for visits (month, day, year)</b> _____			

11 The statements made on this form are made under penalty of perjury as declared on form DV-120.

**This is not a Court Order.**



Clerk stamps date here when form is filed.

**1 Person Asking For Protection:**

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

**2 Your Information (Restrained Person)**

a. Your Name: \_\_\_\_\_

b. Your Address

(This address could be used by the court and by the person in ① to send you official court dates, orders, and papers. For privacy, you may use another address like a post office box, or another person's address, if you have their permission and can get your mail regularly. If you have a lawyer, give their information.)

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

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

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

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

c. Your Lawyer (if you have one for this case):

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

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

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:****3 To the Restrained Person:**

If a judge has ordered you to turn in, sell, or store your firearms (guns), firearm parts, and ammunition, use this form to prove to the judge that you have obeyed their orders. Take this form to a law enforcement officer or a licensed gun dealer to complete ④ or ⑤. For more information on how to properly turn in your items, read form DV-800-INFO/JV-270-INFO, *How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?*

**4****To Law Enforcement**

(Complete the section below. Keep a copy and give the original to the person in ②.)

Name of Law Enforcement Agency: \_\_\_\_\_

Name of Law Enforcement Agent: \_\_\_\_\_

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

Telephone number: \_\_\_\_\_ Email address: \_\_\_\_\_

**Items Surrendered**

a. Firearms, firearm parts, and ammunition transferred on:

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

b. List of items. (List all the items surrendered by the person in ②. You may attach a separate form from your agency (e.g., a property report), use ⑥, or both.) Check below if you have attached a separate form:

☐ Separate form is attached. (If it does not include all surrendered items, list additional items in ⑥.)

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 \_\_\_\_\_

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

5

### To Licensed Gun Dealer

(Complete the section below. Keep a copy and give the original to the person in ②.)

Name of Licensed Gun Dealer: \_\_\_\_\_

License number: \_\_\_\_\_

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

Telephone number: \_\_\_\_\_ Email address: \_\_\_\_\_

#### Items Stored or Sold

a. Firearms, firearm parts, and ammunition transferred on:

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

b. List of items. (List all the items surrendered by the person in ②. You may attach a separate form (e.g., DOJ's Report of Firearm Acquisition), use ⑥, or both.) Check below if you have attached a separate form:

☐ Separate form is attached. (If it does not include all surrendered items, list additional items in ⑥.)

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

#### ☐ List of Items Surrendered

a. Firearms and firearm parts

	Make	Model	Serial Number, if there is one	Sold	Stored	To be destroyed
(1)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b. Ammunition

	Brand	Type	Amount	Sold	Stored	To be destroyed
(1)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Check here if there is not enough space above for your answer. Use a separate sheet of paper to list other items and attach it to this form. Use "DV-800/JV-270, List of Surrendered Items" as a title.



Case Number:

**7 To the Restrained Person:**

**Besides the items listed on page 2 or in an attached form, do you have or own any other firearms (guns), firearm parts, or ammunition?**

☐ No

☐ Yes (*If yes, check one of the boxes below:*)

- a. ☐ I filed a *Receipt for Firearms, Firearm Parts, and Ammunition* (form DV-800/JV-270) or other proof for those items with the court on (*date*): \_\_\_\_\_
- b. ☐ I am filing the proof for those firearms (guns), firearm parts, or ammunition along with this proof.
- c. ☐ I have not yet filed the proof for the other firearms (guns), firearm parts, or ammunition. (*Explain why not*):

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**Your signature**

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*

**Your Next Steps**

- After the form is complete, make two additional copies. Take the copies and original to the court clerk to file.
- If law enforcement served you with the restraining order, give a copy to the law enforcement agency that served you with the restraining order.
- Keep a copy for yourself.

**Note that failure to file a receipt with the court and with the law enforcement agency is a violation of the judge's order.**



PARTY WITHOUT ATTORNEY OR ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: E-MAIL ADDRESS: ATTORNEY FOR (name):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	
<b>INCOME AND EXPENSE DECLARATION</b>	CASE NUMBER:

**1. Employment** (Give information on your current job or, if you're unemployed, your most recent job.)

Attach copies of your pay stubs for last two months (black out Social Security numbers).	a. Employer: b. Employer's address: c. Employer's phone number: d. Occupation: e. Date job started: f. If unemployed, date job ended: g. I work about _____ hours per week. h. I get paid \$ _____ gross (before taxes) <input type="checkbox"/> per month <input type="checkbox"/> per week <input type="checkbox"/> per hour.
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(If you have more than one job, attach an 8 1/2-by-11-inch sheet of paper and list the same information as above for your other jobs. Write "Question 1—Other Jobs" at the top.)

**2. Age and education**

- a. My age is (specify): \_\_\_\_\_
- b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed (specify): \_\_\_\_\_
- c. Number of years of college completed (specify): \_\_\_\_\_ Degree(s) obtained (specify): \_\_\_\_\_
- d. Number of years of graduate school completed (specify): \_\_\_\_\_ Degree(s) obtained (specify): \_\_\_\_\_
- e. I have: ☐ professional/occupational license(s) (specify): \_\_\_\_\_  
☐ vocational training (specify): \_\_\_\_\_

**3. Tax information**

- a. ☐ I last filed taxes for tax year (specify year): \_\_\_\_\_
- b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately  
☐ married, filing jointly with (specify name): \_\_\_\_\_
- c. I file state tax returns in ☐ California ☐ other (specify state): \_\_\_\_\_
- d. I claim the following number of exemptions (including myself) on my taxes (specify): \_\_\_\_\_

**4. Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at (specify): \$ \_\_\_\_\_  
 This estimate is based on (explain): \_\_\_\_\_

(If you need more space to answer any questions on this form, attach an 8 1/2-by-11-inch sheet of paper and write the question number before your answer.) Number of pages attached: \_\_\_\_\_

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

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

\_\_\_\_\_  
 (TYPE OR PRINT NAME)

\_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:
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**Attach copies of your pay stubs for the last two months and proof of any other income. Take a copy of your latest federal tax return to the court hearing. (Black out your Social Security number on the pay stub and tax return.)**

5. **Income** (For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)

	Last month	Average monthly
a. Salary or wages (gross, before taxes) .....	\$ .....	.....
b. Overtime (gross, before taxes) .....	\$ .....	.....
c. Commissions or bonuses .....	\$ .....	.....
d. Public assistance (for example: TANF, SSI, GA/GR) <input type="checkbox"/> currently receiving .....	\$ .....	.....
e. Spousal support <input type="checkbox"/> from this marriage <input type="checkbox"/> from a different marriage <input type="checkbox"/> federally taxable* .....	\$ .....	.....
f. Partner support <input type="checkbox"/> from this domestic partnership <input type="checkbox"/> from a different domestic partnership .....	\$ .....	.....
g. Pension/retirement fund payments .....	\$ .....	.....
h. Social Security retirement (not SSI) .....	\$ .....	.....
i. Disability: <input type="checkbox"/> Social Security (not SSI) <input type="checkbox"/> State disability (SDI) <input type="checkbox"/> Private insurance .....	\$ .....	.....
j. Unemployment compensation .....	\$ .....	.....
k. Workers' compensation .....	\$ .....	.....
l. Other (military allowances, royalty payments) (specify): .....	\$ .....	.....

6. **Investment income** (Attach a schedule showing gross receipts less cash expenses for each piece of property.)

a. Dividends/interest .....	\$ .....	.....
b. Rental property income .....	\$ .....	.....
c. Trust income .....	\$ .....	.....
d. Other (specify): .....	\$ .....	.....

7. **Income from self-employment, after business expenses for all businesses** ..... \$ .....

I am the ☐ owner/sole proprietor ☐ business partner ☐ other (specify):

Number of years in this business (specify):

Name of business (specify):

Type of business (specify):

**Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your Social Security number. If you have more than one business, provide the information above for each of your businesses.**

8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months (specify source and amount):

9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because (specify):

10. **Deductions**

	Last month
a. Required union dues .....	\$ .....
b. Required retirement payments (not Social Security, FICA, 401(k), or IRA) .....	\$ .....
c. Medical, hospital, dental, and other health insurance premiums (total monthly amount) .....	\$ .....
d. Child support that I pay for children from other relationships .....	\$ .....
e. Spousal support that I pay by court order from a different marriage <input type="checkbox"/> federally tax deductible* .....	\$ .....
f. Partner support that I pay by court order from a different domestic partnership .....	\$ .....
g. Necessary job-related expenses not reimbursed by my employer (attach explanation labeled "Question 10g") .....	\$ .....

11. **Assets**

	Total
a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts .....	\$ .....
b. Stocks, bonds, and other assets I could easily sell .....	\$ .....
c. All other property, <input type="checkbox"/> real and <input type="checkbox"/> personal (estimate fair market value minus the debts you owe) .....	\$ .....

\* Check the box if the spousal support order or judgment was executed by the parties and the court before January 1, 2019, or if a court-ordered change maintains the spousal support payments as taxable income to the recipient and tax deductible to the payor.



PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:
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**12. The following people live with me:**

Name	Age	How the person is related to me (ex: son)	That person's gross monthly income	Pays some of the household expenses?	
a.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
b.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
c.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
d.				<input type="checkbox"/> Yes	<input type="checkbox"/> No
e.				<input type="checkbox"/> Yes	<input type="checkbox"/> No

**13. Average monthly expenses**      ☐ Estimated expenses      ☐ Actual expenses      ☐ Proposed needs

<p>a. Home:</p> <p>(1) <input type="checkbox"/> Rent or <input type="checkbox"/> mortgage .....\$</p> <p style="padding-left: 20px;">If mortgage:</p> <p style="padding-left: 40px;">(a) average principal: .....\$</p> <p style="padding-left: 40px;">(b) average interest: .....\$</p> <p>(2) Real property taxes .....\$</p> <p>(3) Homeowner's or renter's insurance (if not included above) .....\$</p> <p>(4) Maintenance and repair .....\$</p> <p>b. Health-care costs not paid by insurance .....\$</p> <p>c. Child care .....\$</p> <p>d. Groceries and household supplies .....\$</p> <p>e. Eating out .....\$</p> <p>f. Utilities (gas, electric, water, trash) .....\$</p> <p>g. Telephone, cell phone, and e-mail .....\$</p>	<p>h. Laundry and cleaning .....\$</p> <p>i. Clothes .....\$</p> <p>j. Education .....\$</p> <p>k. Entertainment, gifts, and vacation .....\$</p> <p>l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.) .....\$</p> <p>m. Insurance (life, accident, etc.; do not include auto, home, or health insurance) .....\$</p> <p>n. Savings and investments .....\$</p> <p>o. Charitable contributions .....\$</p> <p>p. Monthly payments listed in item 14 (itemize below in 14 and insert total here) \$</p> <p>q. Other (specify): .....\$</p> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <p>r. <b>TOTAL EXPENSES</b> (a-q) (do not add in the amounts in a(1)(a) and (b)) .....\$</p> </div> <p>s. <b>Amount of expenses paid by others</b> .....\$</p>
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**14. Installment payments and debts not listed above**

Paid to	For	Amount	Balance	Date of last payment
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	
		\$	\$	

**15. Attorney fees** (This information is required if either party is requesting attorney fees.):

- a. To date, I have paid my attorney this amount for fees and costs (specify): \$
- b. The source of this money was (specify):
- c. I still owe the following fees and costs to my attorney (specify total owed): \$
- d. My attorney's hourly rate is (specify):

I confirm this fee arrangement.

Date:

(TYPE OR PRINT NAME OF ATTORNEY)		(SIGNATURE OF ATTORNEY)
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PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:
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**CHILD SUPPORT INFORMATION**

**(NOTE: Fill out this page only if your case involves child support.)**

**16. Number of children**

- a. I have *(specify number)*: \_\_\_\_\_ children under the age of 18 with the other parent in this case.
- b. The children spend \_\_\_\_\_ percent of their time with me and \_\_\_\_\_ percent of their time with the other parent.  
*(If you're not sure about percentage or it has not been agreed on, please describe your parenting schedule here.)*

**17. Children's health-care expenses**

- a. ☐ I do ☐ I do not have health insurance available to me for the children through my job.
- b. Name of insurance company: \_\_\_\_\_
- c. Address of insurance company: \_\_\_\_\_
- d. The monthly cost for the **children's** health insurance is or would be *(specify)*: \$ \_\_\_\_\_  
*(Do not include the amount your employer pays.)*

**18. Additional expenses for the children in this case**

Amount per month

- a. Child care so I can work or get job training ..... \$ \_\_\_\_\_
- b. Children's health care not covered by insurance ..... \$ \_\_\_\_\_
- c. Travel expenses for visitation ..... \$ \_\_\_\_\_
- d. Children's educational or other special needs *(specify below)*: ..... \$ \_\_\_\_\_

**19. Special hardships.** I ask the court to consider the following special financial circumstances

*(attach documentation of any item listed here, including court orders):*

Amount per month

For how many months?

- a. Extraordinary health expenses not included in 18b ..... \$ \_\_\_\_\_
- b. Major losses not covered by insurance *(examples: fire, theft, other insured loss)* ..... \$ \_\_\_\_\_
- c. (1) Expenses for my minor children who are from other relationships and are living with me ..... \$ \_\_\_\_\_
- (2) Names and ages of those children *(specify)*: \_\_\_\_\_

(3) Child support I receive for those children ..... \$ \_\_\_\_\_

The expenses listed in a, b and c create an extreme financial hardship because *(explain)*:

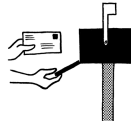
**20. Other information I want the court to know concerning support in my case *(specify)*:**

Clerk stamps date here when form is filed.

**1 Name of Person Asking for Protection:****2 Name of Person to Be Restrained:****3 Notice to Server**

The server must:

- Be 18 years of age or over.
- Not be listed in items ①, ② or ③ of form DV-100, *Request for Domestic Violence Restraining Order*.
- Mail a copy of all documents checked in ④ to the person in ⑤.

**4 I (the server) am 18 years of age or over and live in or am employed in the county where the mailing took place. I mailed a copy of all documents checked below to the person in ⑤:**

- a. ☐ DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*
- b. ☐ DV-120, *Response to Request for Domestic Violence Restraining Order*
- c. ☐ FL-150, *Income and Expense Declaration*
- d. ☐ FL-155, *Simplified Financial Statement*
- e. ☐ DV-130, *Restraining Order After Hearing (Order of Protection)*
- f. ☐ Other (specify): \_\_\_\_\_

**5 I placed copies of the documents checked above in a sealed envelope and mailed them as described below:**

- a. Name of person served: \_\_\_\_\_
- b. To this address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- c. Mailed on (date): \_\_\_\_\_
- d. Mailed from (city): \_\_\_\_\_ (state): \_\_\_\_\_

**6 Server's Information**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

If you are a registered process server:

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

**7 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 server's name

Server to sign here

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**



**Make arrangements before your court hearing**

- **If you or a witness wants to attend court remotely (by phone or videoconference)**

Check the court's website as soon as possible to see what you need to do to attend remotely. You can use [www.courts.ca.gov/find-my-court.htm](http://www.courts.ca.gov/find-my-court.htm) to find your court's website.

- **Court interpreter:** If you need an interpreter, use form INT-300 to request an interpreter or ask the court clerk how you can request one. You can also use this form to ask for an interpreter for a witness.
- **Childcare:** Find childcare because court may take all morning or afternoon, even all day. Some courts have a Children's Waiting Room, a safe place for children to wait while parents are in court. You can check with your court in advance to see if this is available.
- **Support person:** You can have someone attend court with you. The person you bring cannot speak for you but can sit next to you when your case is called (if you attend in person). If you attend by videoconference, your support person can also attend with you.
- **Disability accommodation:** You may use form MC-410 to request assistance. Contact the disability/ADA coordinator at your local court for more information.

**Bring evidence or witnesses to your court hearing**

If you have evidence or witnesses, read the information below. Bringing evidence or witnesses is optional and not required. Your statements alone can be proof for your case. If you are the person asking for the restraining order you will have to convince the judge that abuse occurred. The judge will make a decision based on all evidence and statements made by both sides.

- **Evidence:** Evidence can include pictures, emails, medical records showing injuries, police reports, etc. If you have evidence, you will need to make it available to the judge and other side to see. Sometimes the judge cannot look at or consider certain documents. The judge will decide which documents can be included in your case. If you are attending court in person, bring three copies of your written evidence, if you have not already filed and served it on the other side. If you have evidence and want to attend your court date by phone or videoconference, contact your local self-help center for information on how to share your evidence with the judge and other side
- **Witnesses:** You can ask the judge to allow witnesses to speak at your court hearing. If you have a lot of witnesses, you may need to complete paperwork before your court hearing. Ask your local self-help center for more information.

**Request for Accommodations**

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

## **Tips for your court hearing**

### **Plan what you want to say to the judge**

It may help to plan out and make notes about what you want to say to the judge. If needed, you can use your notes for your court hearing. Read over the court papers in your case and write out anything else you want the judge to know. Focus on the facts and details that support your side of the story. Go over any papers you received from the other side. Try to understand what they are asking for and arguing in the case (their allegations). If you do not agree, tell the judge. Think about and write down how you want to defend against their arguments

### **Attend early and safely**

Show up or call in to your hearing early. If you are attending online, practice using the technology, like Zoom, before your court date. If you are late, you may miss your case being called. If you might be late, try to call the court right away to let courtroom staff know that you will be late.

- ▶ If you attend in person, do not sit near or talk to the other person. If you are afraid of the other person, tell the officer who is in the courtroom.
- ▶ If you attend by videoconference, and you don't want the other side to see where you are or your phone number (if you call in), talk with an advocate about how to safely attend using videoconference. This may include using a virtual background or using another phone number to call in. You can contact the National Domestic Violence Hotline for free help. See page 4 for information.

### **Follow courtroom rules**

Here are some common rules:

- Put your cellphone on silent mode, if you're attending in person.
- Do not eat or drink during your hearing, except for water.
- Do not wear a hat or sunglasses on your head.
- When speaking to the judge, call the judge "Your honor" or "judge."
- Don't interrupt anyone who is speaking.
- Wait until it's your turn to speak and let the judge know you want a chance to speak

## **What will happen during my case?**

### **The judge will give both sides time to speak**

Usually, the judge asks the person who wants the restraining order to talk first. No matter who talks first, you will both get a chance to speak. Attending court can be difficult and stressful but it is important not to talk over anyone. If you have something to say and it is not your turn, let the person finish talking and then ask the judge for permission to speak.

### **The judge will reschedule your court hearing or make a decision**

- ▶ There are a few reasons why the judge may have rescheduled your court date. This is called a continuance. Here are some examples:

- Person asking for the restraining order did not serve the other side in time (by the deadline).
- The judge needs to set aside more time to hear your case.
- If the restrained person has not filed a response (form DV-120) and asks for more time to prepare for the case, the judge must grant their request if they ask for one at the first court date.

If the judge reschedules your court date, the judge will usually extend the temporary restraining order, if one was granted. If the judge reschedules your court date, make sure you get a new order (form DV-116, *Order on Request to Continue Hearing*).

- ▶ If the restraining order is denied, this means that the judge has decided that there was not enough evidence to prove that abuse happened. This means that your restraining order case is finished and any temporary protection expires.
- ▶ If the restraining order is granted, this means that the judge has decided that there is enough evidence to prove that abuse happened. You should go over the restraining order to make sure you understand all the orders. See the next page for information on next steps.

**What do I do after a restraining order is granted?**

If you've had your day in court and the judge granted you a long-term restraining order, you may have a couple more steps to take. Make sure all steps are completed as soon as possible. If you do not, the police may not be able to enforce your restraining order.

**Protected person:**

- ① Your restraining order will be on form DV-130, *Restraining Order After Hearing*. If you don't have a form DV-130 that is signed by the judge, check with the clerk to see if one was filed. If it has, ask for a copy. If one has not been filed, you will need to fill out:
  - Form DV-130 (required).
  - Form DV-140, *Child Custody and Visitation Order* (required if court made orders for your children).
  - Form FL-342, *Child Support Information and Order Attachment*, or form FL-343, *Spousal, Domestic Partner, or Family Support Order Attachment*, if the judge orders child support or spousal support.
- ② Turn in your completed form(s) to the court clerk. The clerk will then give it to the judge to review and sign. You will need to pick it up once it is signed. Ask the court clerk when your forms will be ready. There is no fee for turning in this form, and you should receive some free copies.
- ③ Look at form DV-130 to see if the judge ordered you to serve the form by mail or in person. If you are ordered to serve the form by mail, this means your server only has to mail a copy of the restraining order. But, serving someone in person is always best. When you mail court papers, it may be hard to prove that the person actually received a copy especially if the person moves a lot. Learn more about service at: <https://selfhelp.courts.ca.gov/DV-restraining-order/serve-longterm-order>.

**Restrained person:**

- ① You must obey orders the judge makes. The orders will be on form DV-130, *Restraining Order After Hearing*. If you do not obey them, you could be arrested, or convicted of a crime.
- ② If you have any prohibited items (firearms (guns), firearm parts, ammunition), you must bring all items to a licensed gun dealer or police. For more information, read form DV-800-INFO/JV-270-INFO, *How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?* The information is also available online at: [www.selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders](http://www.selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders). Free help is also available at your local self-help center. Find your local court's self-help center at [www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp).

**What if I have a child with the other side?**

If you ask for child custody or visitation (parenting time) orders, the judge may have you meet with a court professional to see if you and the other parent can agree on parenting time. This process is called "mediation." You can ask to meet separately and not with the other side in your case. Ask the court staff how you can make this request. For more information on mediation, go to: [www.selfhelp.courts.ca.gov/child-custody/what-to-expect-mediation](http://www.selfhelp.courts.ca.gov/child-custody/what-to-expect-mediation).

**What happens if I don't attend the court hearing?**

- ▶ If you asked for a restraining order and you do not attend the hearing, any protection you have in this case will expire. If the other side attends the hearing and you don't, the judge could make some orders against you, like lawyer's fees. To get another restraining order, you would have to fill out and file a new set of forms. If you've changed your mind and no longer want a restraining order, talk with self-help center staff or a lawyer.
- ▶ If someone asked for a restraining order against you, and you do not attend the hearing, a judge may grant a restraining order against you without hearing your side. The order can last for up to five years, and can include orders regarding children or property that you have with the person asking for protection.

**Information about the court process is also available online**

<https://selfhelp.courts.ca.gov/DV-restraining-order/process>.

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

Find your local court's self-help center at [www.courts.ca.gov/selfhelp](http://www.courts.ca.gov/selfhelp). Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case.

**Where can I find other help?**

The National Domestic Violence Hotline provides free and private safety tips. Help is available every day, 24 hours a day, and in over 100 languages. Visit online at [www.thehotline.org](http://www.thehotline.org) or call 1-800-799-7233; 1-800-787-3224 (TTY).