



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF TULARE**
www.tularesuperiorcourt.ca.gov
559-737-5000

REQUEST FOR DOMESTIC VIOLENCE RESTRAINING ORDER

| Forms included in this packet: | | |
|--------------------------------|---|---|
| To read | Instructions | |
| | Can A Domestic Violence Restraining Order Help Me ? | Judicial Council Form # DV-500-INFO |
| | How Do I Ask For a Temporary Restraining Order? | Judicial Council Form # DV-505-INFO |
| | Get Ready for the Restraining Order Court Hearing | Judicial Council Form # DV-520-INFO |
| | How to Enforce Your Restraining Order | Judicial Council Form # DV-530-INFO |
| To complete and file | Request for Domestic Violence Restraining Order | Judicial Council Form # DV-100 |
| | Request for Child Custody and Visitation Orders (Optional: If minor children) | Judicial Council Form # DV-105 |
| | Request for Order: No Travel With Children (Optional: if minor children) | Judicial Council Form # DV-108 |
| | Notice of Court Hearing | Judicial Council Form # DV-109 |
| | Temporary Restraining Order | Judicial Council Form # DV-110 |
| | Child Custody and Visitation Order (include if orders requested) | Judicial Council Form # DV-140 |
| | Order: No Travel With Children (include if orders requested) | Judicial Council Form # DV-145 |
| | CONFIDENTIAL CLETS Information | Judicial Council Form # CLETS-001 |
| To serve (leave blank) | How Can I Respond to A Request for a Domestic Violence Restraining Order? | Judicial Council Form # DV-120-INFO |
| | Response to Request for Domestic Violence Restraining Order | Judicial Council Form # DV-120 |
| | How Do I Turn In, Sell or Store My Firearms? | Judicial Council Form DV-800-INFO/JV-252-INFO |
| | Proof of Firearms Turned In, Sold, or Stored | Judicial Council Form DV-800/JV-252 |
| | Proof of Service by Mail (CLETS) | Judicial Council Form DV-250 |
| To file | Proof of Personal Service | Judicial Council Form # DV-200 |
| To read | What is Proof of Personal Service | Judicial Council Form # DV-200-INFO |

SELF HELP RESOURCE CENTER

If you are filing a Request for Domestic Violence Restraining Order and do not have an attorney representing you, free assistance is available. Please contact:

Superior Court of California, County of Tulare

SELF-HELP RESOURCE CENTER

(559) 737-5500

3400 W. Mineral King, Suite C, Visalia CA 93291

OR

300 E. Olive (South County Justice Center), Porterville, CA 93257

The Self-Help Resource Center (also known as the Family Law Facilitator) will provide instructions on how to complete the forms and how to properly serve notice on all the necessary parties. They can answer your procedural questions and explain the court process. The Self-Help Resource Center **CANNOT** represent you in court.

This is an instructional guide to filing a Request for Domestic Violence Restraining Order, designed to explain the process of filing your paperwork and going to court.

Fillable, printable pdf versions of the Judicial Council forms contained in this packet are available online at <https://www.courts.ca.gov/forms.htm>. You can print and handwrite, or type the forms online and print them out to file.

You can also use the **SHARPCourts** program, which will ask for information and use it to fill out the forms for you. If you create a free account, you can save the forms and your information in case you need to make changes or want to file other paperwork at a later date. You can access the program at this website: <https://lawhelpinteractive.org/Interview/GenerateInterview/4871/engine>.

If you have further questions or concerns regarding your restraining order case, you may wish to consult with an attorney, use the assistance of a paralegal or typing service, or do self-research at the Tulare County Law Library (on the ground floor of the Visalia Courthouse, with Law Library computer terminals also available in the Self-Help Resource Center in the Porterville courthouse) or on the California Courts' Self-Help website at <https://www.courts.ca.gov/selfhelp-custody.htm>. Select the Spanish icon at the right of the webpage for information in Spanish.

INSTRUCTIONS

This packet contains the forms you need to request a Domestic Violence restraining Order. These instructions will explain how to complete these forms and the process of submitting them to the Clerk for filing.

No Fee: There is **no** fee to file these forms.

Before filling out the necessary forms, read *Can A Domestic Violence Restraining Order Help Me? (DV-500-INFO)* and *How Do I Ask For a Temporary Restraining Order? (DV-505-INFO)*. These information sheets will give you general information about what constitutes domestic violence and explain about the process of obtaining a Restraining Order. Confirm that the person you want to restrain is included within a Domestic Violence Restraining Order. If not, ask the Clerk for a Civil Harassment or Elder and Dependent Abuse Restraining Order packet

You will fill out the following forms to start your request:

- **Form DV-100 – Request for Domestic Violence Restraining Order**
 - **Attach DV-101 Description of Abuse** if you have more incidents of abuse to list.
 - **Attach DV-105 Request for Child Custody and Visitation Orders** if you have minor children with the Restrained Party and want to ask the court for temporary custody and visitation orders).
 - **Attach DV-108 Request for Order: No Travel With Children** if you are asking for orders that include visitation time for the Restrained Person.
- **Form DV-109 – Notice of Court Hearing**
- **Form DV-110 – Temporary Restraining Order**
 - **Attach DV-140 - Child Custody and Visitation Order** (if you requested orders)
 - **Attach DV-145 - Order: No Travel With Children** (if you requested such orders)
- **CLETS-001**

Detailed instructions for completing and filing your forms are included below.

Complete the following forms:

1. Form DV-100 – Request for Domestic Violence Restraining Order

- **Section 1** – write in your name and an address where you can reliably receive mail. You can write in a P.O. Box. If you do not want the Restrained Party to know where you live, do not write your home address here because this document must be served on the Restrained Party.
- **Section 2** – write in the name and identifying information of the person you are asking the court to restrain. Fill in as much of the requested information as you know.
- **Section 3**—Check the box that tells what your relationship is to the person you are asking to restrain.
- **Section 4** –

- If you have a restraining order that is still current or has expired in the last 6 months, give details of the order in section 4a. If you and the Restrained Person have another court case together, list the information about those cases in section 4b.
- **Section 5** – tell the court what happened most recently that made you feel you need a restraining order, and how many times the person has done the same sort of thing to you that happened most recently.
- **Section 6** – Tell the court if the person you are asking to restrain has abused you in some different way from the behavior you described in Section 5.
- **Section 7** – Tell the judge if you want to describe any additional and different behavior by the person you are asking to restrain that makes you feel you need a restraining order.
- **Section 8** – If you are asking the court to protect other household members besides you, list them in section 8(b)(1) and explain why they need protection in section 8(b)(2).
- **Section 9** – Tell the court if the person you are asking to restrain has any guns or ammunition.
- **Sections 10 through 30** – in these sections, check the box for any specific orders you want the court to make.

PLEASE NOTE:

- Custody and Visitation orders. If you are asking for these orders, you must have either (1) given birth to the child, (2) been married to the other party at the time of the child's birth, (3) received a court order in a family, child support, or juvenile case establishing you as the parent, (4) legally adopted the child (or have an adoption pending), or (5) have signed a voluntary declaration of paternity more than 60 days before filing. **If you have a document showing that you are the parent of the child, attach a copy to your Request form.**
 - If you are requesting these orders, complete and attach a **Request for Child Custody and Visitation Orders (DV-105)** and, if you are requesting to restrict the other parent's travel with the children, complete and attach the **Request for Order: No Travel With Children (DV-108)** form too.
- Child support/Spousal Support orders. If you are requesting these, ask the Clerk's office or the Self-Help Resource Center for an **Income and Expense Declaration (FL-150)**.
- Other Orders: The court can order restitution for loss of earnings, out of pocket expenses (such as medical care or temporary housing) and other expense you have incurred as a result of the abuse. If you want the court to order restitution, attach receipts or bring copies to your hearing.
- **Section 32** – date, write your name and sign on this section.
- **NOTE:** Attach a copy of your **Emergency Protective Order** if one has been granted.

2. Form DV-109 - Notice of Court Hearing

- Fill in sections 1 and 2 only.

3. Form DV-110 – Temporary Restraining Order

- Fill in sections 1, 2, and (if applicable) 3. If you are requesting a move-out order, write your address in Section 10. The court will fill in the rest.
- If you are requesting custody and visitation orders, attach the **DV-140** form (complete the party and children's information). Attach **DV-145 - Order: No Travel With Children** if

you requested such orders.

4. CLETS-001

- Fill in your personal information; all information you have about the Restrained Person; any guns or firearms or ammunition in the Restrained Person's possession; and any persons you are asking to be protected under the restraining order.

Filing the Documents

Return your forms to the Visalia Courthouse, Clerk of the Court (Rm 201) located at 221 S. Mooney Blvd, Room 201, Visalia, CA 93291 **OR** the South County Justice Center, Court Clerk's window located at 300 E. Olive Ave, Porterville, CA 93257:

- **Form DV-100 – Request for Domestic Violence Restraining Order** (with attachments if any) – original and 1 copy
- **Form DV-109 – Notice of Court Hearing**
- **Form DV-110 – Temporary Restraining Order** (with attachments if you requested custody and visitation orders in your DV-100)
- **CLETS-001**
- **FL-150 (Income and Expense Declaration)** – if you are requesting child support or spousal support – original and 2 copies.

There is no fee to file.

The Court Clerk will file the forms and send them to the judge for review right away.

The judge will carefully review and consider your request. The court will grant a temporary restraining order if it appears necessary to keep you safe until the hearing. Even if the court does not grant a temporary restraining order, a hearing will be set for about three weeks from the date you file your Request.

After the court makes a decision, the clerk will call to let you know your paperwork is ready for pickup. You will receive copies of the Notice of Hearing and certified copies of the Temporary Restraining Order if one is granted.

Serving the Paperwork

You will need to have the respondent served by 5 calendar days (or the amount of time listed on the **DV-109, Notice of Hearing**) before the hearing.

You will need to serve copies of the following forms that you filed:

- DV-100 - Request for Domestic Violence Restraining Order
- DV-109 - Notice of Hearing
- DV-110 - Temporary Restraining Order
- FL-150 - Income and Expense Declaration – if filed
- You will also need to serve the following blank forms:

- DV-120 - Response to Domestic Violence Restraining Order
- DV-120 - INFO - How Can I Respond to A Domestic Violence Restraining Order?
- DV-800-INFO - How Do I Turn In, Sell or Store My Firearms?
- DV-800 - Proof of Firearms Turned In, Sold, or Stored

The Sheriff's Department, located at 221 S. Mooney Blvd. Room 102, County Civic Center Visalia CA 93291 will serve the paperwork at no charge to you. You will need to provide two copies of each form you want the Sheriff's Department to serve.

Next Steps

You will need to appear at your court date that is listed on the **Notice of Hearing (DV-109)**. You can appear remotely or in person. At that hearing, the court will either grant or deny your Request, or set a further "contested" hearing where both parties can bring evidence to support their side of the story. If this happens and you were granted a temporary restraining order, the order will be extended until the new court date.

Further Assistance

If you need further assistance, please contact the Self-Help Resource Center at 3400 W. Mineral King, Suite C, Visalia or 300 E. Olive Street, Porterville (inside the South County Justice Center). Call: 559-737-5500 or email tccselfhelpinfo@tulare.courts.ca.gov. The Resource Center cannot give you legal advice or tell you what to say to the judge, but staff can review your forms and tell you if they are complete and correct before you file.

What is a “domestic violence restraining order”?

It is a court order that can help protect people who have been abused by someone they've had an intimate relationship with, are closely related to, or have lived with as more than just roommates.

How can the restraining order help me?

The court can order the restrained person to:

- Not contact or go near you, your children, other relatives, or others who live with you;
- Not have any guns or ammunition;
- Move out of your home;
- Obey child custody and visitation orders;
- Pay child support;
- Pay spousal support; and
- Obey orders about property.

Does this request cost money to file?

No, filing this request with the court is free.

How soon can I get the order?

The judge will decide within one business day whether to grant you a temporary restraining order. Sometimes the judge decides sooner.

How long does the order last?

If the judge makes a temporary order, it will last until your hearing date (court date). At your court date, the judge will decide whether to grant you a long-term restraining order that can last up to five years.

Do I have to go to court?

Yes. Go to court on the date the clerk gives you. If you do not, any order you have will end. To learn more about what to expect at your court date go to <https://selfhelp.courts.ca.gov/prepare-your-restraining-order-court-date> or read [form DV-520-INFO, Get Ready for the Restraining Order Court Hearing](#).

Am I eligible?

You can ask for one if:

① You want a restraining order against:

- Your spouse, ex-spouse, registered domestic partner, or ex-registered domestic partner;
- Someone you have a child with;
- Your parent, child, sibling, or grandparent (includes in-laws);
- Someone you live with or used to live with (more than just roommates);

and

② That person has been abusive.

Abuse can be spoken, written, or physical. It can be physical, sexual, or emotional. It includes threats to harm you or your family, stalking, harassment, destroying personal property, repeatedly contacting you, and disturbing your peace.

Disturbing your peace means destroy your mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.

Coercive control means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating someone from their friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something that they don't want to do by force, threat, or intimidation. This includes threats related to actual or suspected immigration status.

How do I ask for a domestic violence restraining order?

See [form DV-505-INFO, How Do I Ask for a Temporary Restraining Order?](#) The forms are available at any California courthouse or county law library or at: www.courts.ca.gov/forms.



What if I don't qualify for a domestic violence restraining order?

There are other kinds of restraining orders you can ask for. Here are some examples:

- **Civil harassment order** (can be used for neighbors, roommates, cousins, uncles, and aunts).
- **Dependent adult or elder abuse restraining order** (if you are at least 65 or a dependent adult).
- **Gun violence restraining order** (to prevent someone from hurting themselves or others with a firearm). Note that all restraining orders include a firearms restriction. A gun violence restraining order gives limited protection because it only restrains the person from having firearms and ammunition.

To learn more about other kinds of restraining orders go to <https://www.courts.ca.gov/selfhelp-abuse.htm>.

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.

Can the order stop the other parent from taking our children away?

If you get a temporary restraining order that includes an order for custody, the parent with custody may not remove the child from California before notice to the other parent and a court hearing on the request to establish or modify custody. Read the order and form DV-140, *Child Custody and Visitation Order*, if issued, for any other limits. There are some exceptions. Ask a lawyer.

Is the restraining order valid outside of California?

Yes, the restraining order would be valid anywhere in the United States. This means that police must enforce the restraining order anywhere in the country.

What if I don't have a green card?

You can get a restraining order even if you are not a U.S. citizen. If you are worried about deportation, talk to an immigration lawyer.

Do I need a lawyer to make this request?

No, but this type of request can be hard to get through on your own. Free help may be available at your local court's self-help center. (See below.)

Where can I find a self-help center?

Find your local court's self-help center at 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 and help in over 100 languages. Call them at 1-800-799-7233; 1-800-787-3224 (TTY); or visit online at www.thehotline.org.

I need an interpreter. How can I get help?

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

I have a disability. How can I get help?

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

Request for Accommodations

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

1 Use this form as a checklist.

(Look at the numbers at the top of your forms.)

a. For a restraining order you need these forms:

- DV-100 *Request for Domestic Violence Restraining Order*
- CLETS-001 *(Confidential CLETS Information)*
- DV-109 *Notice of Court Hearing*
- DV-110 *Temporary Restraining Order*

b. If you have children with the person you want protection from, you also need these forms:

- DV-105 *Request for Child Custody and Visitation Orders*
- DV-140 *Child Custody and Visitation Order*

c. If you want child support or spousal/partner support, you also need form:

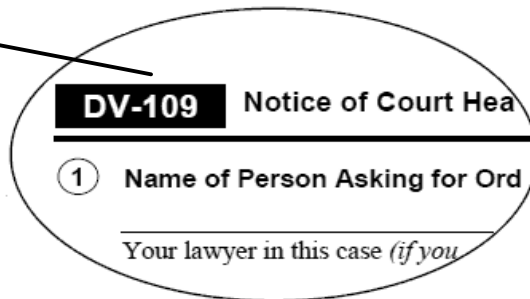
- FL-150* *Income and Expense Declaration* or
- FL-155* *Financial Statement (Simplified)*

* Read *Which Financial Form—FL-155 or FL-150?* (form DV-570) to know which one is right for you.

d. Ask the clerk if your county has special forms or rules.

e. There are other forms you will need later (*do not fill them out now*):

- DV-120 *Response to Request for Domestic Violence Restraining Order*
- DV-130 *Restraining Order After Hearing (Order of Protection)*
- DV-200 *Proof of Personal Service*



2 **Fill out the forms you need and take them to the court clerk.** The clerk will give your forms to the judge. The judge will look at them and decide whether to make (“grant”) the temporary orders. Sometimes the judge will want to talk to you. If so, the clerk will tell you.

3 **Find out if the judge made the temporary restraining orders.** Ask the clerk when to come back to see if the judge signed the order form DV-110. The judge must decide by the next business day. If the judge grants a temporary restraining order, check it carefully to see what the orders are. The judge might not order everything you requested. The court will set a hearing date on form DV-109 whether or not the judge grants any temporary orders.

4 **“File” the judge’s order.** The clerk will keep the original forms for the court and will file-stamp up to three copies for you. If you need more, you may make them yourself.

What to do with your copies:

- Keep one copy with you, always. You may need to show it to the police.
- Keep another copy in a safe place.
- Give a copy to anyone else protected by the order.
- Take copies to places where the restrained party is ordered not to go (school, work, child care, etc.)
- Give a copy to the security officers in your apartment building and workplace.

Restraining orders get entered into CLETS, a statewide computer system that lets police know about your order. The court will send the order to law enforcement or CLETS for you.

5 Know your hearing date: Form DV-109

Look at form DV-109 for the date and time of your hearing.

You **must** go to your hearing to get a permanent order.

The order you have now only lasts for about three weeks. Any orders made on form DV-110 (Temporary Restraining Order) will end on the hearing date.

You have the right to cancel the hearing. Read page 2 of form DV-109 for information.

6 "Serve" the restrained party.

Ask someone you know, a process server, or law enforcement to personally "serve" (give) the restrained party a copy of the notice of hearing, the order, and other papers. You **cannot** serve the papers yourself. They **cannot** be sent by mail. The server must:

- Be 18 years of age or older
- Not be listed in item (1) or (3) of form DV-100, Request for Domestic Violence Restraining Order.

Law enforcement will serve the orders for **free**, but you have to ask.

A "process server" is a business you pay to deliver court forms. Look in the Yellow Pages or on the Internet under "Process Serving."

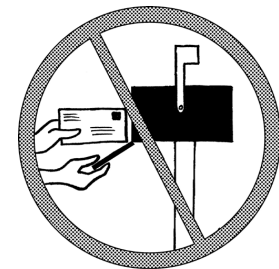
If law enforcement or the process server uses a different proof of service form, make sure the form lists all the forms served.

7 File the Proof of Personal Service (Form DV-200).

The Proof of Personal Service shows the judge and police that the restrained person got a copy of the request for orders. Make three copies of the completed Proof of Personal Service. Take the original and copies to the court clerk as soon as possible **before your hearing**. The clerk will keep the original and give you back the copies stamped "Filed." Bring a copy to your hearing.

Keep one copy with you and another in a safe place in case you need to show it to the police. Give the other copies out as you did in (4). The court will send your completed Proof of Personal Service to law enforcement or CLETS for you. CLETS is a statewide computer system that lets police know about your order.

If the sheriff serves your order, he or she will send the Proof of Personal Service to the court and to CLETS for you.



Don't serve it by mail!

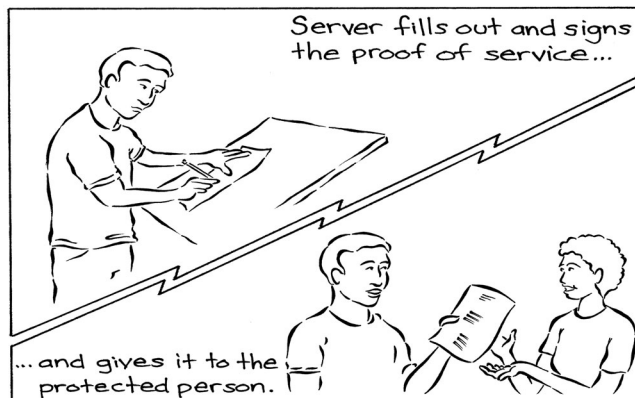


8 If the restrained person wasn't served . . .

The restrained party **must** be served before the hearing. If the restrained party wasn't served, fill out form DV-115 (Request to Continue Hearing) and the top of form DV-116 (Order on Request to Continue Hearing) to ask the judge for a new hearing date. Do this **before** or **at** your hearing. (If you wait until after the hearing, you have to start from the beginning and complete all of the forms again.)

If the judge signs form DV-116, any restraining orders will last until the end of the new hearing.

- File the signed order (form DV-116) with the clerk. The clerk will send it to law enforcement or CLETS for you.
- Attach form DV-115 and form DV-116 to your other court papers and have the restrained party personally served.
- After serving the orders, the server fills out and signs form DV-200, Proof of Personal Service, and gives it to you.
- File the original form DV-200, *Proof of Personal Service*, and bring a copy to your hearing.
- Bring a copy of form DV-115 and form DV-116 to your hearing.



9 Need help?

The clerk has information sheets that can help you. Or you can get them at: www.courts.ca.gov/forms

- *Can a Domestic Violence Restraining Order Help Me?* (form DV-500-INFO)
- *What Is "Proof of Personal Service"?* (form DV-200-INFO)
- *Get Ready for the Court Hearing* (form DV-520-INFO)
- *How to Enforce Your Restraining Order* (form DV-530-INFO)
- *How Can I Respond to a Request for Domestic Violence Restraining Order?* (form DV-120-INFO)
- *How Do I Ask the Court to Renew My Restraining Order?* (form DV-700-INFO)
- *Which Financial Form—FL-155 or FL-150?* (form DV-570)

10 Need more help?

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.

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This form explains what to do *before*, *during*, and *after* the restraining order hearing. You can go to www.courts.ca.gov/dvforms for more information and to find the court forms listed in this information form

Before the hearing

Take these papers to court (you can use the check boxes on this page to keep track of what you need or have):

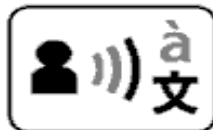
- 3 copies of **all** papers you filed for your case.
- 3 copies of documents that support your case (police or medical reports, rental agreements or receipts, photos, bills). Be ready to give the other party copies of what you give to the judge. Sometimes the judge cannot look at or consider certain documents. The judge will decide which documents can be included in your case.
- 3 copies of pay stubs or other proof of income (only if orders about money, such as child or spousal support, were requested). If the judge accepts your proof, s/he will also give a copy to the other person.
- The signed *Proof of Service* form.** For more information, see **DV-200-INFO**, *What Is "Proof of Personal Service?"*
- Make a list of the orders you want (or don't want), and practice saying it. You may only have a few minutes to talk to the judge. If you get nervous at the hearing, just read from your list. You may also write a statement and read it to the judge. You may also say other things after you read the statement.

If needed, make arrangements for:

- A support person.** But that person cannot speak for you in court.
- Witness(es)** to testify in court. Or you may bring a witness's signed statement of what they saw or heard. The witness's statement can be on a sheet of paper that says *Declaration* at the top, and *Signed under penalty of perjury* at the bottom, just above the witness's signature. Or the witness may use form MC-030, *Declaration* instead.
- Childcare.** Most of the time, children will not be allowed in the courtroom during the hearing. Call the court and ask if they have a children's waiting room. If not, arrange for childcare.
- If you do not speak English well, ask the clerk for an **interpreter**. The clerk may ask you to fill out a request form if you want the court to have an interpreter at the hearing. If the court cannot give you an interpreter, bring an adult to interpret for you. Do not ask a witness or a child involved in your case to interpret for you.



Exception: If the other person objects to your witness, that witness must be in court if you want the judge to hear from him or her.



If the hearing is about getting a restraining order **against** you:

- **Go to the hearing!** If you miss it, the judge can make orders without hearing your side.
- Read DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- You can fill out and file a court form to tell the judge your side (form DV-120, *Response to Request for Domestic Violence Restraining Order*). Take 3 copies of this form to the court hearing.
- **Note:** If the other person asks for orders about money (child or spousal support or other financial orders), read form DV-570 to see if you should fill out an Income and Expense Declaration or a Simplified Financial Statement.

At the hearing

Get to court at least **30 minutes early**. Find your courtroom. When it opens, go in and tell the courtroom clerk or law enforcement officer you are present, and the names of any witnesses, and if the witness needs an interpreter.

- Do not sit near or talk to the other person. If you are afraid of the other person, tell the officer.
- Watch the other cases so you will know what to do.
- Go to the front of the courtroom when they call your name.
- You may be at court several hours. It depends on how many cases there are. Your hearing may last just a few minutes or over an hour.

Warning! If you asked for the restraining order but do not go to the hearing, your temporary restraining order will end and there may not be a hearing. The court could make other orders if the other side asks, even if the restraining order is not granted. To get another restraining order, you must fill out and file a new set of forms.

**In the courtroom**

The judge may ask you questions. The other people in the case and their lawyers may ask questions, too.

- Tell the truth. Speak slowly. Give complete answers. You can read from your list.

- Try to answer exactly what the judge asks.
- If you don't understand, say "I don't understand the question."
- Speak only to the judge unless it's your turn to ask questions or the judge tells you to answer a question from the other person or his/her lawyer.
- Do not interrupt anyone! If the other person tells a lie, wait until s/he finishes talking, then tell the judge.

Family Court Services

If you ask for parenting time (custody and visitation) orders, the court may send both parents to Family Court Services for *court-connected mediation* or *child custody recommending counseling*. For more information, see forms: FL-313-INFO, *Child Custody Information Sheet—Recommending Counseling*, or FL-314-INFO, *Child Custody Information Sheet—Child Custody Mediation*. If you are sent to Family Court Services, the judge may extend the date of the orders (or make new temporary orders) to last until your next court date.

The court may postpone (continue) your case if:

- The person to be restrained has not been served or needs time to get a lawyer or prepare an answer.
- The judge wants more information or your hearing is taking longer than planned.

If this happens, you will have to come back another day. The person who asked for the order may ask the judge to make the temporary orders last until the new hearing date. The court might use form DV-116 for the new hearing.

At the end of the hearing

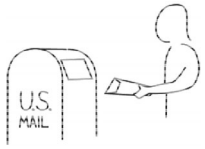
For most cases, the judge will make decisions about your case at the end of the hearing. To decide if the requested orders should be approved or not, the judge will decide if the evidence shows that the person asking for protection is entitled to a restraining order. The judge will consider the evidence and the safety risks of the adults and children involved in the case. If the judge makes orders at the hearing, the orders will be on form DV-130, *Restraining Order After Hearing*.

If you asked for the order(s):

- The court clerk might fill out form DV-130. If so, s/he will take it to the judge. If not, ask who should fill it out, and where to file it. After the form is filed, the court clerk will give you up to 3 copies.
- Read the signed form DV-130 carefully. If anything is different from what the judge said in court, ask the clerk for help right away. Or talk to your lawyer, if you have one.
- Your temporary orders expire at midnight of the date of your hearing. File your new order the same day so you will be protected.
- If the court makes the restraining order, the clerk will send form DV-130, *Restraining Order After Hearing* to law enforcement. Doing this puts your orders in a database called CLETS. This lets police everywhere in the state know about the orders.
- **Important!** Always keep a copy of the restraining order with you.

After the hearing

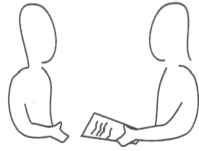
If you **asked** for the restraining order, and the court made the order...



You must have the other person served with a copy of form DV-130. You may have him or her served with a copy of form DV-130 in the courtroom after the hearing or by mail.

If the restrained person was *not* at the hearing and the new orders are

- the **same** as the temporary order, you may have the other person served with a copy of form DV-130 by mail. Ask the server to complete form DV-250.
- **different** from the temporary order, you must have someone serve form DV-130 in person, not by mail. Ask the server to complete form DV-200, *Proof of Personal Service*, and give it back to you.



Important! You must file a completed form DV-200, *Proof of Personal Service*, or form DV-250, *Proof of Service by Mail*. Keep a copy for your records. Keep a copy of the orders with you at all times.

Other orders

If you asked for support or child custody/visitation orders, you may also get one of these forms:

- Form DV-140, *Child Custody and Visitation Order*, if the judge ordered child custody or visitation.
- Form FL-342, *Child Support Information and Order Attachment*, or form FL-343, *Spousal, Partner, or Family Support Order Attachment*, if the judge orders child support and/or spousal support.

If the court made a restraining order **against** you...

- You must obey orders the judge makes at the hearing. Orders are written on form DV-130. If you do not obey them, you could be arrested.
- You will be served the *Restraining Order After Hearing* (form DV-130) at the hearing or within a few days, by mail or in person.
- Read the signed form DV-130 carefully when you receive it. If anything is different from what the judge said, ask the court clerk for help right away. Or talk to your lawyer, if you have one.

If you do not receive a copy of the orders within a few days, ask the clerk for a copy.

Review *How Do I Turn In, Sell, or Store My Firearms* (DV-800-INFO/JV-252-INFO).

Need more help?

Ask the court clerk about free or low-cost legal help. Ask for information at the court about the Self-Help Center or Family Law Facilitator Office.

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.

**What if you are 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 for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8)

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Get copies.

Get copies of your restraining order (DV-110 or DV-130) and *Proof of Service* (Form DV-200 or DV-250) from the court clerk if you don't already have them:

- Always keep a copy with you. You may need to show it to the police.
- Keep another copy in a safe place and consider keeping a copy in your car.
- Give a copy to anyone else protected by the order.
- Take copies to places where you and the other protected people go (e.g. school, work, daycare, etc.).
- Give a copy to the security officers in your apartment building and workplace.
- Staple the restraining order (DV-110 or DV-130) to the *Proof of Service* (DV-200 or DV-250).

When should I call the police?

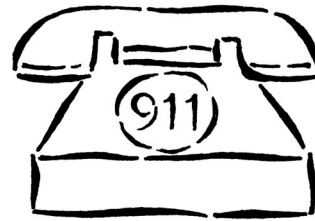
Call the police *right away* if the restrained person violates any of the orders. Also:

- Write down what happened, when, where, and the names of any witnesses.
- Get copies of police reports.
- If you are hurt, get copies of medical reports.

Even if you haven't served the orders yet, call the police.

Show the police a copy of your orders. If the restrained person is there, ask the officer to serve the orders. If the officer serves the orders, he or she will send the *Proof of Service* to the court and CLETS for you.

CLETS is a statewide computer system that lets police know about your orders.



If you're in danger, call 911!

What can the police do?

It is a crime to disobey the judge's orders.

The restrained person can be arrested, pay a fine, and/or go to jail or prison.

Ask your local district attorney (D.A.) how he or she will handle your case. The D.A. may file criminal or contempt charges. You can always call the D.A. for information about a criminal case.

You can also file a civil contempt action. Ask the court clerk for forms or visit www.courts.ca.gov.

Guns, Other Firearms and Ammunition

The restrained person cannot

- own
- have
- buy or try to buy

a gun or firearm or ammunition while the order is in effect. If the person does any of these things, he or she can go to jail and be ordered to pay a fine of \$1,000.

A law enforcement officer can give you information about any firearms the restrained person has registered, transferred, or sold. (Penal Code section 11106). You may disclose the information as needed to protect yourself or someone else. Tell law enforcement if you have any information about any guns the restrained person has or where they are located.



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Clerk stamps date here when form is filed.

Instructions: To ask for a domestic violence restraining order, you will need to complete this form and other forms. After you complete this form, see next steps on page 12.

1 Person Asking for Protectiona. **Your name:** _____b. **Your age:** _____c. **! Address where you can receive court papers**

(This address will be used by the court and by the person in **2** 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: _____

d. **! Your contact information (optional)**

(The court could use this information to contact you. If you don't want the person in **2** to have this information, leave it blank or provide a safe phone number or email address. If you have a lawyer, give their information.)

Telephone: _____ Fax: _____

Email Address: _____

e. **Your lawyer's information (if you have one)**

Name: _____ State Bar No.: _____

Firm Name: _____

2 Person You Want Protection Froma. **Full Name:** _____b. **Age (give estimate if you do not know exact age):** _____c. **Date of Birth (if known):** _____d. **Gender:** M F Nonbinarye. **Race:** _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:**This is not a Court Order.**

3 Your Relationship to the Person in 2

(If you do not have one of these relationships with the person in 2, you are not eligible for this type of restraining order. You may be eligible for another type of restraining order. Learn more at www.courts.ca.gov/selfhelp-abuse.htm.)

Check all that apply

a. We have a child or children together
(names of children): _____

b. We are married or registered domestic partners.

c. We used to be married or registered domestic partners.

d. We are dating or used to date.

e. We are or used to be engaged to be married.

f. We are related. The person in 2 is my (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Parent, stepparent, or parent-in-law | <input type="checkbox"/> Brother, sister, sibling, or sibling-in-law |
| <input type="checkbox"/> Child, stepchild, or legally adopted child | <input type="checkbox"/> Grandparent or grandparent-in-law |
| <input type="checkbox"/> Child's spouse | <input type="checkbox"/> Grandchild or grandchild-in-law |

g. We live together or used to live together. (If checked, answer question below):

Have you lived together with the person in 2 as a family or household (more than just roommates)?

- Yes No (If no, you do not qualify for this kind of restraining order unless you checked one of the other relationships listed above.)

4 Other Restraining Orders and Court Cases

a. Are there any restraining orders currently in place or that have expired in the last six months (examples: Did the police give you a restraining order that lasts a few days? Do you have one from the criminal court?)

- No
 Yes (If yes, give information below and attach a copy if you have one.)

(1) (date of order): _____ (date it expires): _____

(2) (date of order): _____ (date it expires): _____

b. Are you involved in any other court case with the person in 2?

- No
 Yes (If you know, list where the case was filed (city, state, or tribe), the year it was filed, and case number.)

Custody _____

Divorce _____

Juvenile Court _____

Criminal _____

Other (what kind of case?): _____

This is not a Court Order.



Describe Abuse

In this section, explain how the person in ② has been abusive. The judge will use this information to decide your request. Here are some examples of what "abuse" means under the law (*not a complete list*):

- harassed you
- made repeated unwanted contact with you
- tracked, controlled, or blocked your movements
- kept you from getting food or basic needs
- isolated you from friends, family, or other support
- made threats based on actual or suspected immigration status
- made you do something by force, threat, or intimidation
- stopped you from accessing or earning money
- hit, kicked, pushed, or bit you
- injured you or tried to
- threatened to hurt or kill you
- sexually abused you
- abused a pet or animal
- destroyed your property
- choked or strangled you
- abused your children

5 Most recent abuse

- a. Date of abuse (*give an estimate if you don't know the exact date*): _____
- b. Did anyone else hear or see what happened on this day?
 I don't know No Yes (*If yes, give names*): _____
- c. Did the person in ② use or threaten to use a gun or other weapon?
 No Yes (*If yes, describe gun or weapon*): _____
- d. Did the person in ② cause you any emotional or physical harm?
 No Yes (*If yes, describe harm*):

- e. Did the police come? I don't know No Yes (*If the police gave you a restraining order, list it in ④.*)
- f. Give more details about how the person in ② was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.

- g. How often has the person in ② abused you like this?
 Just this once 2–5 times Weekly Other: _____
 Give dates or estimates of when it happened, if known:

This is not a Court Order.



6 Has the person in **2** abused you in a different way from the abuse you described in **5**?
If yes, describe below.

a. Date of abuse (give an estimate if you don't know the exact date): _____

b. Did anyone else hear or see what happened on this day?
 I don't know No Yes (If yes, give names): _____

c. Did the person in **2** use or threaten to use a gun or other weapon?
 No Yes (If yes, describe gun or weapon): _____

d. Did the person in **2** cause you any emotional or physical harm?
 No Yes (If yes, describe harm):

e. Did the police come? I don't know No Yes (If the police gave you a restraining order, list it in **4**.)

f. Give more details about how the person in **2** was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.

g. How often has the person in **2** abused you like this?
 Just this once 2–5 times Weekly Other: _____
Give dates or estimates of when it happened, if known:

This is not a Court Order.

7 Is there other abuse by the person in 2 that you want the judge to know about? If yes, describe below.

a. Date of abuse (give an estimate if you don't know the exact date): _____

b. Did anyone else hear or see what happened on this day?
 I don't know No Yes (If yes, give names): _____

c. Did the person in 2 use or threaten to use a gun or other weapon?
 No Yes (If yes, describe gun or weapon): _____

d. Did the person in 2 cause you any emotional or physical harm?
 No Yes (If yes, describe harm):

e. Did the police come? I don't know No Yes (If the police gave you a restraining order, list it in 4.)

f. Give more details about how the person in 2 was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.

g. How often has the person in 2 abused you like this?
 Just this once 2-5 times Weekly Other: _____
Give dates or estimates of when it happened, if known:

Check this box if you need more space to describe the abuse. You can use form DV-101, Description of Abuse, and turn it in with this form. You can also use a separate sheet of paper, write "Describe Abuse" abuse at the top, and turn it in with this form.

This is not a Court Order.

8 Other Protected People

Do you want the restraining order to protect your children, family, or someone you live with?

- a. No
- b. Yes *(If yes, complete the section below):*

| (1) <u>Full name</u> | <u>Age</u> | <u>Relationship to you</u> | <u>Lives with you?</u> |
|----------------------|------------|----------------------------|--|
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| _____ | _____ | _____ | <input type="checkbox"/> Yes <input type="checkbox"/> No |

Check this box if you need to list more people. Use a separate piece of paper and write "DV-100, Other Protected People" at the top. Turn it in with this form.

(2) Why do these people need protection?

9 Does Person in (2) Have Firearms (Guns) or Ammunition?

- a. I don't know
- b. No
- c. Yes *(If you have information, complete the section below.)*

(1) Describe firearms or ammunition *(examples: long, short, black, silver, handgun, rifle, semiautomatic):*

(2) Number of firearms or ammunition, if known: _____

(3) Where they are located or stored, if known: _____

This is not a Court Order.



Choose the Orders That You Want a Judge to Make

In this section, you will choose the orders you want a judge to make now. Every situation is different.
Choose the orders that fit your situation.

Check all the orders that you want a judge to make (order).

10 Order to Not Abuse

I ask the judge to order the person in (2) to not do the following things to me or anyone listed in (8):

Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace.

Disturbing the peace includes, but is not limited to:

- Isolating you from friends, relatives, or other support; keeping you from food or basic needs; controlling or keeping track of you, including your movements, contacts, actions, money, or access to services; and making you do something by force, threat, or intimidation, including threats related to actual or suspected immigration status.
- Destroying your mental or emotional well-being. This can be done directly or indirectly, such as through someone else. This can also be done in any way, including by phone, text, or online.

11 No-Contact Order

I ask the judge to order the person in (2) to not contact me or anyone listed in (8).

12 Stay-Away Order

a. I ask the judge to order the person in (2) to stay away from:

Check all that apply

Me.

My vehicle.

My children's school or childcare.

My home.

My school.

Other (*please explain*):

My job or workplace.

Each person in (8).

b. How far do you want the person to stay away from all the places you checked above?

100 yards (300 feet) Other (*give distance in yards*): _____

This is not a Court Order.



12 Stay-Away Order (continued)

c. Do you and the person in (2) live together or live close to each other?

- No Yes (*If yes, check one*):
- Live together (*If you live together, you can ask that the person in (2) move out in (13) .*)
 - Live in the same building, but not in the same home
 - Live in the same neighborhood
 - Other (*please explain*): _____

d. Do you and the person in (2) have the same workplace or go to the same school?

- No Yes (*If yes, check all that apply*):
- Work together at (*name of company*): _____
 - Go to the same school (*name of school*): _____
 - Other (*please explain*): _____

13 Order to Move Out

a. I ask the judge to order the person in (2) to move out of the home, located at:

(Give address): _____

b. I have a right to live at this address because:

 Check all that apply

- | | |
|---|--|
| <input type="checkbox"/> I own the home. | <input type="checkbox"/> I have lived at this address for _____ years, _____ months. |
| <input type="checkbox"/> My name is on the lease. | <input type="checkbox"/> I pay for some or all the rent or mortgage. |
| <input type="checkbox"/> I live at this address with my child(ren). | <input type="checkbox"/> Other (<i>please explain</i>): _____ |

14 Other Orders*(Describe any additional orders you want the judge to make to keep you, your children, or the people in (8) safe.):*

15 Child Custody and VisitationCheck this box if you have a child with the person in (2) and want the court to make or change a child custody/visitation order. You must also fill out form DV-105, Request for Child Custody and Visitation Orders, and attach**This is not a Court Order.**

16 **Protect Animals**

a. (You may ask the court to protect your animals, your children’s animals, or the person in ②’s animals.)

| | Name (or other way to ID animal) | Type of animal | Breed (if known) | Color |
|-----|----------------------------------|----------------|------------------|-------|
| (1) | _____ | _____ | _____ | _____ |
| (2) | _____ | _____ | _____ | _____ |
| (3) | _____ | _____ | _____ | _____ |
| (4) | _____ | _____ | _____ | _____ |

b. I ask the judge to protect the animals listed above by ordering the person in ② to:

Check all that apply

(1) Stay away from the animals by at least:

100 yards (300 feet) Other (give distance in yards): _____

(2) **Not** take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.

(3) Give me sole possession, care, and control of the animals because (check all that apply):

Person in ② abuses the animals. I take care of these animals.

I purchased these animals. Other (please explain): _____

17 **Control of Property**

a. I ask the judge to give **only me** temporary use, possession, and control of the property listed here (describe):

b. Explain why you want control of the property you listed:

18 **Health and Other Insurance**

I ask the judge to order the person in ② to **not** make any changes to any insurance or other coverage for me, the person in ②, or our children, including not being allowed to cancel, cash, borrow against, transfer, dispose of, or change the beneficiaries for the insurance.

19 **Record Communications**

I ask the judge to allow me to record calls or communications the person in ② makes to me, when those calls or communications violate this restraining order.

This is not a Court Order.



20 **Property Restraint** *(only if you are married or a registered domestic partner with the person in 2.)*

I ask the judge to order the person in 2 not to 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.

21 **Extend My Deadline to Give Notice to Person in 2**

(Usually, the judge will give you about two weeks to give notice, or to "serve" the person in 2 of your request. If you need more time to serve, the judge may be able to give you a few extra days.)

I ask the judge to give me more time to serve the person in 2 because *(explain why you need more time)*:

22 **Pay Debts (Bills) Owed for Property**

(If you want the person in 2 to pay any debts owed for property, list them and explain why. The amount can be for the entire bill or only a portion. Some examples include rent, mortgage, car payment, etc.)

a. I ask the judge to order the person in 2 to make these payments while the restraining order is in effect:

- (1) Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
- (2) Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
- (3) Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Explain why you want the person in 2 to pay the debts listed above:

b. **Special decision (finding) by the judge if you did not agree to the debt** *(optional)*

(If you did not agree to the debt or debts listed above, you can ask the judge to decide (find) that one or more debts was made without your permission and resulted from the person in 2's abuse. This may help you defend against the debt if you are sued in another case.)

Do you want the judge to make this special decision (finding)?

No Yes *(If yes, answer the questions below.)*

(1) Which of the debts listed above resulted from the abuse? *(check all that apply):*

a(1) a(2) a(3)

(2) Do you know how the person in 2 made the debt or debts?

No Yes

(If yes, explain how the person in 2 made the debt or debts):

This is not a Court Order.



Orders That You Want a Judge to Make at Your Court Date

Below is a list of orders that a judge cannot make right away but can make at your court date in a few weeks. The person in (2) must be notified of your court date before the judge can consider making any of the orders listed below. Check all the orders that you want the judge to make at your court date.

(23) Pay Expenses Caused by the Abuse

I ask the judge to order the person in (2) to pay for things **caused directly** by the person in (2) (damaged property, medical care, counseling, temporary housing, etc.). Bring proof of these amounts to your court date.

Pay to: _____ For: _____ Amount: \$ _____

Pay to: _____ For: _____ Amount: \$ _____

Pay to: _____ For: _____ Amount: \$ _____

(24) Child Support *(this only applies if you have a minor child with the person in (2))*

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 *(attach a copy if you have one)*.
- c. I now receive or have applied for TANF, Welfare, or CalWORKS.

(25) Spousal Support *(this only applies if you are married or a registered domestic partner with person in (2))*

I ask the judge to order the person in (2) to give me financial assistance.

(26) Lawyer's Fees and Costs

I ask that the person in (2) pay for some or all of my lawyer's fees and costs.

(27) Batterer Intervention Program

I ask the judge to order the person listed in (2) to go to a 52-week batterer intervention program. (The goal of a batterer's intervention program is to stop abuse. There are weekly classes to teach accountability, abuse effects, and gender roles. If ordered to complete this program, the person in (2) would have to show proof to the judge that they enrolled and completed the program.)

(28) Transfer of Wireless Phone Account

(If the person in (2) holds the rights to your cell phone account, you can ask the judge to transfer your number or your child's number to you. This means you will be financially responsible for these accounts. If you want to have control over a mobile device, like a cell phone, make this request at (17).)

I ask the judge to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed below to me because the account currently belongs to the person in (2):

a. My number Number of child in my care (including area code): _____

b. My number Number of child in my care (including area code): _____

This is not a Court Order.



Automatic Orders That a Judge Can Make Right Away

29 No Guns, Other Firearms, or Ammunition

If the judge grants you a restraining order, the person in ② must sell or turn in any firearms that they have or control. The person in ② would also be prohibited from buying firearms and ammunition.

30 Cannot Look for Protected People

If the judge grants you a restraining order, the person in ② will not be allowed to look for the address or location of any person protected by the restraining order, unless the court finds good cause not to make this order.

31 Additional pages

If you used additional paper or forms, enter the number of extra pages attached to this form: _____

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

- 1 You must complete at least three additional forms:**
 - Form DV-110, Temporary Restraining Order (only items 1, 2 and 3)
 - Form DV-109, Notice of Court Hearing (only items 1 and 2)
 - Form CLETS-001, Confidential CLETS Information
 - **If you are asking for child custody and visitation**, you must complete form DV-105, Request for Child Custody and Visitation Orders and form DV-140, Child Custody and Visitation Order.
- 2** Turn in your completed forms to the court. Find out when your forms will be ready for pick up.
- 3** Once you get your forms back from the court, have someone "serve" a copy of all forms on the person in ②. The sheriff or marshal can do this for free. Learn more about how to "serve" your papers and prepare for your court date: <https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order>.
- 4** If you are asking for child support, spousal support, or lawyer's fees, you must also complete form FL-150, Income and Expense Declaration. If you are only asking for child support (item 23), you may be eligible to fill out a simpler form, FL-155. Read form DV-570 to see if you are eligible. Turn in your completed form to the court before your court date. You must also have someone mail or personally deliver a copy to the person in ②.

This is not a Court Order.

This form is attached to (check one): form DV-100 form DV-120

1 Your name: _____ Mom Dad Other*

2 Other parent's name: _____ Mom Dad Other*

*If Other, specify relationship to child: _____

3 Child Custody

I ask the court for custody as follows:

Legal Custody to (Person who makes decisions about health, education, and welfare):

Physical Custody to (Person you want the child to live with):

Table with columns: Child's Name, Date of Birth, Legal Custody (Mom, Dad, Other), Physical Custody (Mom, Dad, Other). Rows a, b, c, d.

Check here if you need more space. Attach a sheet of paper and write "DV-105, Child Custody" for a title.

4 Change Current Court Order

I want to change a current child custody or visitation court order.

Case Number (if you have it): _____ County: _____

Explain your current order and why you want a change: _____

Check here if you need more space. Attach a sheet of paper and write "DV-105, Change Current Court Order" for a title.

5 Child's Address

Where has the child in 3a lived for the last five years? List each city and state the child has lived in unless it is unknown to the other parent and you want to keep it confidential because of domestic violence or child abuse. Start with where the child lives now and work backwards in time. If the current address is confidential, check the box below and just provide the current state.

Child 3a addresses (city and state):

Child 3a lived with:

Dates lived there:

Table with columns: Confidential, Mom, Dad, Other, Dates lived there (From, to). Rows for address history.

Check here if you need more space. Attach a sheet of paper and write "DV-105, Child's Address" for a title.

This is not a Court Order.



6 Other Children's Addresses

- Check here if the other child's (or children's) address information is the same as listed in **5**.
- If it is different, check here. Attach a sheet of paper and write "DV-105, Other Children's Addresses" for a title. List other children's address information, including dates, and name of person(s) children lived with.

7 Other Custody Case

Were you involved in, or do you know of, any other custody case for any child listed in this form?

- No Yes *(If yes, fill out below and attach a copy of any custody or visitation orders if you have them):*

a. Name of each child in other case: _____

- b. Type of case: Parentage (Paternity) Domestic Violence Child Support
 Juvenile/Dependency Guardianship Other (specify): _____
 Divorce

c. I was a party witness Other (specify): _____

d. Court (name): _____

Address: _____ County: _____ State: _____

e. Date of court order: _____

f. Case number (if you have it): _____

8 Other People With or Claiming to Have Custody or Visitation Rights

Do you know of anyone who is not involved in this case who has or claims to have custody or visitation rights with any child listed on this form? No Yes *(If yes, fill out below.)*

That person (give name and address): _____

- has custody claims custody rights claims visitation rights

for these children (name of each child): _____

9 Visitation

I ask the court to order that the person in **2** have the following temporary visitation rights:

Check all that apply

- a. No visitation until the hearing
- b. No visitation after the hearing
- c. The following visitation until the hearing after the hearing

(1) Weekends (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)

1st 2nd 3rd 4th 5th weekend of month
 from _____ at _____ a.m. p.m. to _____ at _____ a.m. p.m.
(day of week) (time) (day of week) (time)

(2) Weekdays (starting): _____

from _____ at _____ a.m. p.m. to _____ at _____ a.m. p.m.
(day of week) (time) (day of week) (time)

This is not a Court Order.



10 **Other Visitation**

I ask the court to make other visitation orders, like summer vacation, birthdays, and holidays. (List the orders you want on a separate sheet of paper. Write "DV-105, Other Visitation" for a title and attach it to this form.)

11 **Responsibility for Transportation**

(The parent will take or pick up the child or make arrangements for someone else to do so.)

I ask the court to order that:

- a. Mom Dad Other (name): _____ **take children to the visits.**
- b. Mom Dad Other (name): _____ **pick up children from the visits.**
- c. Drop-off / pick-up of children will be at (address): _____
- d. Check here if other arrangement. Attach a sheet of paper and write "DV-105, Responsibility for Transportation" for a title.

12 **Supervised Visitation**

a. I ask that the visitation in **9** be supervised by:

a professional supervisor a nonprofessional supervisor Other: _____
(Name and telephone number, if known): _____

b. I ask that the visitation in **10** be supervised by:

a professional supervisor a nonprofessional supervisor Other: _____
(Name and telephone number, if known): _____

c. I ask that any costs for supervision be paid by:

Mom _____ % Dad _____ % Other (name): _____ %

13 **Travel With Children**

I ask the court to order that:

Mom Dad Other (name): _____ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a. California
- b. County of (list): _____
- c. Other place(s) (list): _____

14 **Child Abduction Risk**

I believe that there is a risk the other parent will take our child out of California and hide the child from me.

(If you check this box you must fill out and attach form DV-108, Request for Order: No Travel with Children.)

Important Instructions

- You must tell the court if you find out any other information about a custody case in any court for the children listed on this form.
- If the court makes a temporary custody order, the parent receiving custody must not take the child out of California without a noticed hearing. (See Family Code, § 3063.)

This is not a Court Order.

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This form is attached to DV-105, *Request for Child Custody and Visitation Orders*.

1 Your name: _____ Mom Dad Other*

2 Other parent's name: _____ Mom Dad Other*

*If "Other," specify relationship with children: _____

3 Do you think the other parent may take the children without your permission to:

a. Another county in California? Yes No *If "yes," what county?* _____

b. Another state? Yes No *If "yes," what state?* _____

c. A foreign country? Yes No *If "yes," what country?* _____

If "Yes," is the other parent a citizen of that country? Yes No

If "Yes," does the other parent have family or emotional ties to that country? Yes No

Explain:

4 Why do you think the other parent may take the children without your permission?

The other parent: *(Check all that apply)*

a. Has violated - or threatened to violate - a custody or visitation order in the past.

b. Does not have strong ties to California.

c. Has done things recently that make it easy for him or her to take the children away without permission.
He or she has: *(Check all that apply)*

Quit his or her job

Sold his or her home

Closed a bank account

Ended a lease

Sold or gotten rid of assets

Hidden or destroyed documents

Applied for a passport, birth certificate, or school or medical records

d. Has a history of: *(Check all that apply)*

Domestic violence

Child abuse

Not cooperating with me in parenting

Child abduction

e. Has a criminal record

f. Please explain your answers to a-e:

This is not a Court Order.



What orders do you want? Check the boxes that apply to your case. **5** **Post a Bond**

I ask the court to order the other parent to post a bond for \$ _____. If the other parent takes the children without my permission, I can use this money to bring the children back.

6 **Do Not Move Without My Permission or Court Order**

I ask the court to order the other parent *not* to move with the children without my written permission or a court order.

7 **No Travel Without My Permission**

I ask the court to order the other parent *not* to travel with the children outside: *(Check all that apply)*

This county California The United States Other *(specify)*: _____

8 **Notify Other State of Travel Restrictions**

I ask the court to order the other parent to register this order in the state of _____ before the children can travel to that state for visits.

9 **Turn In and Do Not Apply for Passports or Other Vital Documents**

I ask the court to order the other parent to turn in and *not* apply for passports or other documents (such as visas or birth certificates) that can be used for travel.

10 **Provide Itinerary and Other Travel Documents**

If the other parent is allowed to travel with the children, I ask the court to order the other parent to give me before leaving:

- The children's travel itinerary
- Copies of round-trip airline tickets
- Addresses and telephone numbers where the children can be reached
- An open airline ticket for me in case the children are not returned
- Other *(specify)*:

11 **Notify Foreign Embassy or Consulate of Passport Restrictions**

I ask the court to order the other parent to notify the embassy or consulate of _____ of this order and to provide the court with proof of that notification within _____ calendar days.

12 **Foreign Custody and Visitation Order**

I ask the court to order the other parent to get a custody and visitation order equal to the most recent U.S. order before the child can travel to that country for visits. I understand that foreign orders may be changed or enforced depending on the laws of the country.

13 I declare under penalty of perjury under the laws of the State of California that the information on this form is true and correct.

Date: _____

Type or print your name

Sign your name

This is not a Court Order.

Clerk stamps date here when form is filed.

1 Name of Person Asking for Order:

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**2 Name of Person to Be Restrained:***The court will fill out the rest of this form.*

Court fills in case number when form is filed.

Case Number:**3 Notice of Hearing****A court hearing is scheduled on the request for restraining orders against the person in 2:****Hearing**
DateDate: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court if different from above:

4 Temporary Restraining Orders (Any orders granted are attached on form DV-110.)a. Temporary Restraining Orders for personal conduct and stay-away orders as requested in form DV-100, *Request for Domestic Violence Restraining Order*, are (check only one box below):

- (1) All **GRANTED** until the court hearing.
 (2) All **DENIED** until the court hearing. (Specify reasons for denial in b, below.)
 (3) Partly **GRANTED** and partly **DENIED** until the court hearing. (Specify reasons for denial in b, below.)

b. Reasons for denial of some or all of those personal conduct and stay-away orders as requested in form DV-100, *Request for Domestic Violence Restraining Order*, are:

- (1) The facts as stated in form DV-100 do not show reasonable proof of a past act or acts of abuse. (Family Code, §§ 6320 and 6320.5.)
 (2) The facts do not describe in sufficient detail the most recent incidents of abuse, such as what happened, the dates, who did what to whom, or any injuries or history of abuse.
 (3) Further explanation of reason for denial, or reason not listed above:



5 Confidential Information Regarding Minor

- a. A Request to Keep Minor's Information Confidential (form DV-160) was made and **GRANTED** (see form DV-165, Order on Request to Keep Minor's Information Confidential, served with this form.)
- b. If the request was granted, the information described on the order (form DV-165, item **7**) must be kept **CONFIDENTIAL**. The disclosure or misuse of the information is punishable as a sanction, with a fine of up to \$1,000 or other court penalties.

6 Service of Documents by the Person in 1

At least five _____ days before the hearing, someone age 18 or older—not you or anyone to be protected—must personally give (serve) a court file-stamped copy of this form (DV-109, Notice of Court Hearing) to the person in **2** along with a copy of all the forms indicated below:

- a. DV-100, Request for Domestic Violence Restraining Order (file-stamped)
- b. DV-110, Temporary Restraining Order (file-stamped) **IF GRANTED**
- c. DV-120, Response to Request for Domestic Violence Restraining Order (blank form)
- d. DV-120-INFO, How Can I Respond to a Request for Domestic Violence Restraining Order?
- e. DV-250, Proof of Service by Mail (blank form)
- f. DV-170, Notice of Order Protecting Information of a Minor, and DV-165, Order on Request to Keep Minor's Information Confidential (file-stamped), **IF GRANTED**
- g. Other (specify): _____

Date: _____

Judicial Officer**Right to Cancel Hearing: Information for the Person in 1**

- If item **4** a(2) or **4** a(3) is checked, the judge has denied some or all of the temporary orders you requested until the court hearing. The judge may make the orders you want after the court hearing. You can keep the hearing date, or you can cancel your request for orders so there is no court hearing.
- If you want to cancel the hearing, use form DV-112, Waiver of Hearing on Denied Request for Temporary Restraining Order. Fill it out and file it with the court as soon as possible. You may file a new request for orders, on the same or different facts, at a later time.
- If you cancel the hearing, do not serve the documents listed in item **6** on the other person.
- If you want to keep the hearing date, you must have all of the documents listed in item **6** served on the other person within the time listed in item **6**.
- At the hearing, the judge will consider whether denial of any requested orders will jeopardize your safety and the safety of children for whom you are requesting custody or visitation.
- You must come to the hearing if you want the judge to make restraining orders or continue any orders already made. If you cancel the hearing or do not come to the hearing, any restraining orders made on form DV-110 will end on the date of the hearing.

To the Person in ① :

- The court cannot make the restraining orders after the court hearing unless the person in ② has been personally given (served) a copy of your request and any temporary orders. To show that the person in ② has been served, the person who served the forms must fill out a proof of service form. Form DV-200, *Proof of Personal Service*, may be used.
- For information about service, read form DV-200-INFO, *What Is “Proof of Personal Service”?*
- If you are unable to serve the person in ② in time, you may ask for more time to serve the documents. Read form DV-115-INFO, *How to Ask for a New Hearing Date*.

To the Person in ② :

- If you want to respond in writing, mail a copy of your completed form DV-120, *Response to Request for Domestic Violence Restraining Order*, to the person in ① and file it with the court. You cannot mail form DV-120 yourself. Someone age 18 or older—**not you**—must do it.
- To show that the person in ① has been served by mail, the person who mailed the form must fill out a proof of service form. Form DV-250, *Proof of Service by Mail*, may be used. File the completed form with the court before the hearing and bring a copy with you to the hearing.
- For information about responding to a restraining order and filing your answer, read form DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the order requested. You may bring witnesses and other evidence.
- **At the hearing, the judge may make restraining orders against you that could last up to five years.**
- **The judge may also make other orders about your children, child support, spousal support, money, and property and may order you to turn in or sell any firearms that you own or possess.**



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 for *Request for Accommodations by Persons with Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk’s Certificate—

Clerk’s Certificate
[seal]

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

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Clerk stamps date here when form is filed.

Instruction: The person asking for a restraining order must complete items 1, 2, and 3 only. The court will complete the rest of this form.

1 Protected Person (name): _____

2 Restrained Person

*Full Name: _____

*Gender: M F Nonbinary

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

Date of Birth: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

*Race: _____

Relationship to person in 1: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

Type, number, and location of firearms or ammunition: _____

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

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____

3 Other Protected People

In addition to the person named in 1, the people listed below are protected by the orders listed in 6 through 9.

Table with 3 columns: Full name, Relationship to person in 1, Age. Includes three rows of blank lines for entry.

Check here if you need to list more people. List them on a separate piece of paper, write "DV-110, Other Protected People" at the top, and attach it to this form.

(The court will complete the rest of this form)

4 Your Hearing Date (Court Date)



This order expires at the end of the hearing listed below:

Hearing Date: _____ Time: _____ a.m. p.m.

This is a Court Order.



This order must be enforced throughout the United States. See page 5.

To the Person in ②

The judge has granted temporary orders. See items ⑤ through ⑱.

- If you do not obey these orders, you can be charged with a crime, 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.

⑤ No Guns, Other Firearms, or Ammunition

- 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.
 - **Within 24 hours of receiving this order, you must** sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms you have in your immediate possession or control.
 - **Within 48 hours of receiving this order, you must** file a receipt with the court that proves guns have been turned in or sold. (You may use [form DV-800, Proof of Firearms Turned In, Sold, or Stored](#), for the receipt.)
- The court has received information that you own or possess firearm(s) or ammunition.

⑥ Cannot Look for Protected People

You must not take any action to look for any person protected by this order, including their addresses or locations.

- If checked, this order was **not granted** because the judge found good cause not to make the order.

⑦ Order to Not Abuse Not requested Denied until the hearing Granted as follows:

You must not do the following things to the person in ① and any person listed in ③:

- Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace.
- "Disturb the peace" means to destroy someone's mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- "Coercive control" means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status.

This is a Court Order.



8 No-Contact Order Not requested Denied until the hearing Granted as follows:

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

b. Exception to 8a:

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

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

(3) Other (*explain*): _____

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

9 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*):

Person in ①.

School of person in ①.

Home of person in ①.

Persons in ③.

Job or workplace of person in ①.

Children's school or child care.

Vehicle of person in ①.

Other (*explain*): _____

b. Exception to 9a:

The stay-away orders do not apply:

(1) For you to briefly and peacefully exchange your children for court-ordered visits.

(2) For you to visit with your children for court-ordered contact or visits.

(3) Other (*explain*): _____

10 Order to Move Out 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*): _____

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

12 Child Custody and Visitation Not requested Denied until the hearing Granted as follows:

Child custody and visitation are ordered on the attached form DV-140, Child Custody and Visitation Order, or (*list other form*): _____. The parent with temporary custody of the child must not remove the child from California without permission from the court.

This is a Court Order.



13 Protect Animals Not requested Denied until the hearing Granted as follows:

- a. You must stay at least _____ yards away from the animals listed below.
- b. You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
- c. The person in ① is given the sole possession, care, and control of the animals listed below.

| Name (or other way to ID animal) | Type of animal | Breed (if known) | Color |
|----------------------------------|----------------|------------------|-------|
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ |

14 Control of Property 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:

15 Health and Other Insurance Not requested Denied until the hearing Granted as follows:

The person in ① in ② is ordered **not** to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties —or their children, if any— for whom support may be ordered, or both.

16 Record Communications Not requested Denied until the hearing Granted as follows:

The person in ① may record communications made by the person in ② that violate this order.

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

The person in ① 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. (If the court granted ⑧, the person in ② must not contact the person in ①. To notify the person in ① of new or big expenses, have a server mail or personally give the information to the person in ① or contact their lawyer, if they have one.)

18 Pay Debts Owed for Property 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: _____

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

This is a Court Order.



19 Orders That May Be Made at the Hearing Date (Court Date)

If the person in ① checked any of these orders on form DV-100, a judge could grant them at your court date.

- Child Support
- Spousal Support
- Lawyer’s Fees and Costs
- Pay Expensed Caused by Abuse
- Batterer Intervention Program
- Transfer of Wireless Phone Account

20 No Fee to Serve (Notify) Restrained Person

The sheriff or marshal will serve this order for free.
Bring a copy of all the papers that you need to be served to the sheriff or marshal.

21 Attached pages

Number of pages attached to this seven-page form: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

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.**

This is a Court Order.



Warnings and Notices to the Restrained Person in 2**Your Address to Receive Court Orders**

If the judge makes a restraining order at the hearing (court date), which has the same orders as in this Temporary Restraining Order, you will get a copy of that order by mail at your last known address, which is written in ② on page 1. If your address was not listed on this form or is incorrect, contact the court. If you did not go to your court date and want to know if the judge granted a restraining order against you, contact the court.

Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not go to your hearing (court date), 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 a parent's paycheck. Child support can be a lot of money, and usually you have to pay until the child is age 18. File and serve form FL-150, Income and Expense Declaration, or form FL-155, Financial Statement (Simplified), if you want the judge to have information about your finances. Otherwise, the court may make support orders without hearing from you.
- **Spousal support:** File and serve form FL-150, Income and Expense Declaration, 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.

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.

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. (Penal Code, § 13710(b).)

This is a Court Order.

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced according to the following priorities (see Penal Code, § 136.2, and Family 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, Juvenile, or Civil Order:** If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Child Custody and Visitation

- The custody and visitation orders are on form DV-140. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- At items 8b(1) or 9b(1) of this order, the judge may allow the person in ② to have brief and peaceful contact with the person in ①, as needed to follow court-ordered visits. Conduct of the person in ② that is **not** brief and peaceful is a violation of this order.
- **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

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.

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This form is attached to (check one): DV-110 DV-130

1 Name of Protected Person: _____ Mom Dad Other*

2 Other Parent's Name: _____ Mom Dad Other*

* If Other, specify relationship to child: _____

The Court Orders:

3 Child Custody is ordered as follows: Legal Custody to: (Person who makes decisions about health, education. Check at least one.) Physical Custody to: (Person the child lives with. Check at least one.)

Table with columns: Child's Name, Date of Birth, Mom, Dad, Other*, Mom, Dad, Other*. Rows a, b, c.

If more children, check here. Attach a sheet of paper and write "DV-140, Child Custody" for a title.

*If Other, specify relationship to child and name of person: _____

4 Child Visitation is ordered as follows: a. No visitation to Mom Dad Other (name): _____

b. See the attached _____- page document, dated: _____

c. The parties must go to mediation at: _____

d. Until the next court order, visitation for Mom Dad Other (name): _____ will be:

(1) Weekends (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)

1st 2nd 3rd 4th 5th weekend of month

from _____ at _____ a.m. p.m. to _____ at _____ a.m. p.m.

(2) Weekdays (starting): _____

from _____ at _____ a.m. p.m. to _____ at _____ a.m. p.m.

(3) Other Visitation

Check here and attach a sheet of paper if there are other visitation days and times, like holidays, birthdays, sports events. List dates and times. Write "DV- 140, Other Visitation" for a title.

5 Supervised Visitation or Exchange

Visits and/or exchanges of children are supervised as specified on Form DV-150, Supervised Visitation and Exchange Order.

This is a Court Order.



6 **Responsibility for Transportation for Visitation**

"Responsibility for transportation" means the parent will take or pick up the child or make arrangements for someone else to do so.

- a. Mom Dad Other (name): _____ **take children to** the visits.
- b. Mom Dad Other (name): _____ **pick up children from** the visits.
- c. Drop-off/pick-up of children will be at (address): _____

7 **Travel With Children**

Mom Dad Other (name): _____ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a. The State of California
- b. The United States of America
- c. Other place(s) (list): _____

8 **Child Abduction**

There is a risk that one of the parents will take the children out of California without the other parent's permission. The orders in Form DV-145, *Order: No Travel with Children*, are attached and must be obeyed. (Fill out and attach Form DV-145 to this form.)

9 **Other Orders**

Check here and attach any other orders to this form. Write "DV-140, Other Orders" as a title.

10 **Jurisdiction**

This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code starting with § 3400).

11 **Notice and Opportunity to Be Heard**

The responding party was given reasonable notice and an opportunity to be heard as provided by the laws of the State of California.

12 **Country of Habitual Residence**

The country of habitual residence of the child or children in this case is The United States of America or Other (specify): _____.

13 **Penalties for Violating This Order**

If you violate this order, you may be subject to civil or criminal penalties, or both.

14 **Duration of Child Custody, Visitation, and Support Orders**

If this form is attached to Form DV-130 (*Restraining Order After Hearing*), the custody and visitation orders in this form remain in effect after the restraining orders on Form DV-130 end.

This is a Court Order.

This form is attached to DV-140, *Child Custody and Visitation Order*.

- ① **Name of Protected Person:** _____ Mom Dad Other*
- ② **Other Parent's Name:** _____ Mom Dad Other*
- *If Other, specify relationship to child: _____*

The Court Finds:

- ③ There is a risk that (*name of parent*): _____ might take the children without permission because that parent: (*check all that apply*):
- a. Has violated - or threatened to violate - a custody or visitation order in the past
 - b. Does not have strong ties to California
 - c. Has done things that make it easy for him or her to take the child without permission.
 He or she has (*check all that apply*):
 - Quit his or her job Sold his or her home
 - Closed a bank account Ended a lease
 - Sold or gotten rid of assets Hidden or destroyed documents
 - Applied for a passport, birth certificate, or school or medical records
 - d. Has a history of: (*check all that apply*):
 - Domestic violence
 - Child abuse
 - Not cooperating with the other parent in parenting
 - Taking the children without permission
 - e. Has a criminal record
 - f. Has family or emotional ties to another county, state or foreign country
- Note: If (f) is checked, at least one other item in items (a)-(e) must be checked also.*

The Court Orders:

The Court makes the orders, checked below, to prevent the parent in ③ from taking the children without permission. These orders are valid in other states and any country that has signed The Hague Convention on the Civil Aspects of International Child Abduction.

- ④ **Post a Bond**
 The parent in ③ must post a bond for \$ _____.
- ⑤ **Do Not Move Without Written Permission of the Other Parent or Court Order**
 The parent in ③ must **not** move with the children outside This county California The United States Other (*specify*): _____ without written permission from the other parent or a court order.
- ⑥ **Do Not Travel Without Permission of the Other Parent or Court Order**
 The parent in ③ must **not** travel with the children outside: (*check all that apply*): This county California The United States Other (*specify*): _____ without written permission of the other parent or a court order.

This is a Court Order.



- 7** **Notify Other State of Travel Restrictions**
 The parent in **3** must register this order in the state of _____ before the children can travel to that state for visits.
- 8** **Turn In and Do Not Apply for Passports or Other Vital Documents**
 The parent in **3** must *not* apply for passports or other documents (such as visas or birth certificates) that can be used for travel, and must turn in the following documents: _____
- 9** **Provide Itinerary and Other Travel Documents**
 The parent in **3** must give the other parent the following before traveling with the children:
- The children's travel itinerary
 - Copies of round-trip airline tickets
 - Addresses and telephone numbers where the children can be reached
 - An open airline ticket for the other parent in case the children are not returned
 - Other (*specify*): _____
- 10** **Notify Foreign Embassy or Consulate of Passport Restrictions**
 The parent in **3** must notify the embassy or consulate of _____ of this order and provide the court with proof of that notification within _____ calendar days.
- 11** **Foreign Custody and Visitation Order**
 The parent in **3** must get a foreign custody and visitation order equal to the most recent U.S. order before the children can travel to that country for visits. The court recognizes that foreign orders may be changed or enforced depending on the laws of that country.
- 12** **Enforcing the Order**
 The court authorizes any law enforcement officer to enforce this order. In this county, contact the Child Abduction Unit of the Office of the District Attorney at:

- 13** **Other**

Notice to Authorities in Other States and Countries

This court has jurisdiction to make child custody orders under California's Uniform Child Custody Jurisdiction and Enforcement Act (California Family Code, part 3, § 3400 et seq.) and The Hague Convention on the Civil Aspects of International Child Abduction (42 U.S.C. § 11601 et seq.). If jurisdiction is based on other factors, they will be listed in paragraph 13 above.

This is a Court Order.

**California Law Enforcement Telecommunications System (CLETS)
Information Form**

This form is submitted with the initial filing (date): _____

This is an amended form (date): _____

Important: This form **MUST NOT** become part of the public court file. It is confidential and private.

Fill out as much of this form as you can and give it to the court clerk. If the court issues a restraining order, this form will provide law enforcement with information that will help them enforce it. If any of this information changes, fill out a new (amended) form.

Case Number (if you know it): _____

1 Person to Be Protected (Name): _____
Sex: M F Height: _____ Weight: _____ Race: _____
Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____
Mailing Address (listed on restraining order): _____
City: _____ State: _____ Zip: _____ Telephone (optional): _____
Vehicle (Type, Model, Year): _____ (License Number and State): _____

2 Person to Be Restrained (Name): _____
Sex: M F Height: _____ Weight: _____ Race: _____
Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____
Residence Address: _____
City: _____ State: _____ Zip: _____ Telephone: _____
Business Address: _____
City: _____ State: _____ Zip: _____ Telephone: _____
Employer: _____
Occupation/Title: _____ Work Hours: _____
Driver's License Number and State: _____ Social Security Number: _____
Vehicle (Type, Model, Year): _____ (License Number and State): _____
Describe any marks, scars, or tattoos: _____
Other names used by the restrained person: _____

3 Guns or Firearms Describe any guns or firearms that you believe the person in **2** owns or has access to (Number, types, and locations):

4 Other People to Be Protected

| Name | Date of Birth | Sex | Race | Relation to Person in 1 |
|-------|---------------|-------|-------|--------------------------------|
| _____ | _____ | _____ | _____ | _____ |
| _____ | _____ | _____ | _____ | _____ |

Additional persons to be protected are listed on Attachment 4.

This is not a Court Order—Do not place in court file.

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What is a Domestic Violence Restraining Order?

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

Abuse can be physical or emotional. It can be spoken or written.

What does the order do?

The court can order you to:

- Not contact or harm the protected person, including children or others listed as protected people
- Stay away from all protected people
- Not have any guns or ammunition
- Move out of the place that you share with the protected person
- Follow custody and visitation orders
- Pay child support
- Pay spousal support
- Obey property orders
- Follow other types of orders (listed on *Form DV-100*)

Who can ask for a domestic violence restraining order?

The person requesting the order must have a relationship with you:

- Someone you date or used to date
- Married, registered domestic partners, separated, engaged, or divorced
- Someone you live or lived with (more than just a roommate)
- A parent, grandparent, sibling, child, or grandchild related by blood, marriage, or adoption

I've been served with a request for domestic violence restraining order. What do I do now?

Read the papers very carefully. You must follow all the orders the judge made. The *Notice of Court Hearing* tells you when to appear in court. You should go to the hearing, if you do not agree to the orders requested. If you do not go to the hearing, the judge can make orders against you without hearing from you.

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.

How long does the order last?

If there is a *Temporary Restraining Order* in effect, it will last until the hearing date. At the 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 agree with what the order says?

You still must obey the orders until the hearing. If you do NOT agree with the orders the person is asking for, fill out Form DV-120, *Response to Request for Domestic Violence Restraining Order*. After you fill out the form, file it with the court clerk and "serve" the form on the person asking for the restraining order. "Serve" means to have someone 18 years or older - **not you** - mail a copy to the other party. The person who serves your form must fill out Form DV-250, *Proof of Service by Mail*. After Form DV-250 is completed, make sure it is filed with the court clerk. You will also have a chance at the hearing to tell your side of the story. For more information on how to prepare for the hearing, read Form DV-520-INFO, *Get Ready for the Restraining Order Court Hearing*.

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

No.

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.

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 the order 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. You must also prove to the court that you turned in or sold your gun. Read Form DV-800-INFO, *How Do I Turn In, Sell, or Store My Firearms?*, for more information.

Do I need a lawyer?

You are not entitled to a free court-appointed lawyer for this case but having a lawyer represent you or getting legal advice from a lawyer is a good idea, especially if you have children. If you cannot afford a lawyer, you can represent yourself. There is free or low-cost help available in every county. For help, ask the court clerk how to find free or low-cost legal services and self-help centers in your area. You can also get free help with child support at your local family law facilitator's office.

What if I do not speak English?

When you file Form DV-120, ask the court clerk if a court interpreter is available for your hearing. If an interpreter is not available, 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 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 clerks' office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civ. Code, § 54.8.)

Can I use the restraining order to get divorced or terminate 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.

What if I have children with the other person?

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 restrictions. There may be some exceptions. Ask a lawyer for more information.

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.

Will I see the person who asked for the order at the court hearing?

Yes. Assume that the person who is asking for the order will attend the hearing. Do not talk to him or her unless the judge or that person's attorney says that you can. Any temporary restraining order made by the court is in effect until the end of the hearing.

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

Do not use this form 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.

What if I am a victim of domestic violence?

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.

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.

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:****! 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 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: _____

! 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.)

Email Address: _____ Telephone: _____ Fax: _____

Your lawyer's information (if you have one)

Name: _____ State Bar No.: _____

Firm Name: _____

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, go to your hearing date. If you do not go to your hearing date, the judge could grant a restraining order that could last up to five years.

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 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.

⑤ History of Court Cases and Restraining Orders (see 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.

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

⑥ 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?:

⑦ Other Protected People

If the judge grants a restraining order, it can include family or household members of the person in ①. See 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: _____

⑧ Order to Not Abuse (see 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: _____

This is not a Court Order.



9 **No-Contact Order** (see **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 **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 **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 **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 **15** on form DV-100)
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 all that apply below):
(1) I agree to the order requested.
(2) I do not agree to the order requested, because: _____

(3) I would agree to a different order (explain the orders that you would agree to, or use form DV-105):

 Check here if you will complete form DV-105 and attach it to this form.

This is not a Court Order.



14 **Protect Animals** (see **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 **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 **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 **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 **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 **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: _____

This is not a Court Order.



20 **Pay Expenses Caused by the Abuse** (see **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 **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.)

22 **Spousal Support** (see **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** (see **26** 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: _____

- c. I ask that the person in **1** pay for some or all of my lawyer's fees and costs.

24 **Batterer Intervention Program** (see **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: _____

This is not a Court Order.



25 **Transfer Wireless Phone Account** (see 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 **Guns, Other Firearms, or Ammunition** (see 29 on form DV-100)

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.

Check all that apply

- a. I do not own or have any guns, firearms, or ammunition.
- b. I have turned in my guns and firearms 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 my firearms (*check all that apply*):
 - is attached has already been filed with the court.
- c. I ask for an exemption from the firearms prohibition under Family Code section 6389(h) because (*explain*): _____

27 **Cannot Look for Protected People** (see 30 on form DV-100)

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

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

28 **Additional Reasons I Do Not Agree with the Request** (*optional*)

Explain why you do not agree to any of the orders requested by the person in 1 (*give specific facts and reasons*):

Check here if you need more space. Attach a sheet of paper, and write “DV-120, Additional Reasons I Do Not Agree” at the top.

This is not a Court Order.



29 **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: \$ _____ |

30 **Additional Pages**

Number of pages attached to this form, if any: _____

31 **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

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

Date: _____

Lawyer's name



Lawyer's signature

Your Next Steps

- If the person in **1** asked for child support, spousal support, or anyone is asking for 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. Then you must have a server mail a copy to the person in **1** and have your server complete [form DV-250, Proof of Service by Mail](#). After form DV-250 is completed, file it with the court.
- 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.

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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 law enforcement agency.

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.

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Clerk stamps date here when form is filed.

1 Protected Person

Name: _____

2 Restrained Person

a. Your Name: _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give 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:

3 To the Restrained Person:

If the court has ordered you to turn in, sell, or store your firearms, you may use this form to prove to the court that you have obeyed its orders. When you deliver your unloaded weapons, ask the law enforcement officer or the licensed gun dealer to complete item (4) or (5) and item (6). After the form is signed, file it with the court clerk. Keep a copy for yourself. For help, read form DV-800-INFO/JV-252-INFO, *How Do I Turn In, Sell, or Store My Firearms?*

4 To Law Enforcement

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

The firearms listed in (6) were turned in on:

Date: _____ at: _____ a.m. p.m.

To: _____
Name and title of law enforcement agent

Name of law enforcement agency

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 law enforcement agent

5 To Licensed Gun Dealer

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

The firearms listed in (6) were

sold to me transferred to me for storage 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



Case Number: _____

6 Firearms

| | <u>Make</u> | <u>Model</u> | <u>Serial Number</u> |
|----|-------------|--------------|----------------------|
| a. | _____ | _____ | _____ |
| b. | _____ | _____ | _____ |
| c. | _____ | _____ | _____ |
| d. | _____ | _____ | _____ |
| e. | _____ | _____ | _____ |

Check here if you turned in, sold, or stored more firearms. Attach a sheet of paper and write "DV-800/JV-252, Item 6—Firearms Turned In, Sold, or Stored" for a title. Include make, model, and serial number of each firearm. You may use form MC-025, Attachment.

7 Do you have, own, possess, or control any other firearms besides the firearms listed in **6**? Yes No

If you answered yes, have you turned in, sold, or stored those other firearms? Yes No
If yes, check one of the boxes below:

- a. I filed a *Proof of Firearms Turned In, Sold, or Stored* for those firearms with the court on (date):
- b. I am filing the proof for those firearms along with this proof.
- c. I have not yet filed the proof for the other firearms. (explain why not):

Check here if there is not enough space below for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 7c" for a title.

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

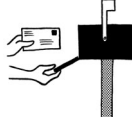
Sign your name

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).



Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**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

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Clerk stamps date here when form is filed.

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

The server must:

- Be 18 years of age or older.
- Not be listed in items **1** or **3** of form DV-100, *Request for Domestic Violence Restraining Order*.
- Give a copy of all documents checked in **4** to the restrained party in **2** (You cannot send them by mail.) Then complete and sign this form, and give or mail it to the person in **1**.

**4** I gave the person in **2** a copy of all the documents checked:

- a. DV-109 with DV-100 and a blank DV-120 (*Notice of Court Hearing; Request for Domestic Violence Restraining Order; blank Response to Request for Domestic Violence Restraining Order*)
- b. DV-110 (*Temporary Restraining Order*)
- c. DV-105 and DV-140 (*Request for Child Custody and Visitation Orders, Child Custody and Visitation Order*)
- d. FL-150 with a blank FL-150 (*Income and Expense Declaration*)
- e. FL-155 with a blank FL-155 (*Financial Statement (Simplified)*)
- f. DV-115 (*Request to Continue Hearing*)
- g. DV-116 (*Order on Request to Continue Hearing*)
- h. DV-130 (*Restraining Order After Hearing*)
- i. Other (*specify*): _____

5 I personally gave copies of the documents checked above to the party in **2** on:a. Date: _____ b. Time: _____ a.m. p.m.

c. At this address: _____

City: _____ State: _____ Zip: _____

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

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What is "service"?

Service is the act of giving your court papers to the other party in your case. There are different ways to serve the other party: in person, by mail, and others.

Why do I have to serve my legal papers?

Before a judge can grant a domestic violence restraining order (that can last up to five years), the person you want a restraining order against must know about your request and have a chance to go to court to explain their side. Also, if a restraining order is in place, the police cannot arrest the restrained person for violating the restraining order until the restrained person is served with the order.



What is "personal service"?

Personal service is when someone, known as a server, personally delivers your court papers to the other party.

In most cases, these forms must be served to the other party by personal service:

- ▶ Form DV-109;
- ▶ Form DV-100;
- ▶ Form DV-110;
- ▶ Form DV-120 (leave this form blank);
- ▶ Form DV-120-INFO; and
- ▶ Form DV-250 (leave this form blank).

Who can serve?

Any adult who is not protected by the restraining order can serve your court papers. **You cannot serve your own court papers.**



Some situations may be dangerous. Think about people's safety when deciding who you want to serve your papers.

A sheriff or marshal will serve your court papers for free. A registered process server is a business you pay to deliver papers. To hire a process server, look for "process server" on the internet or in the yellow pages.

How do I have my court papers served?

○ Step 1: Choose a server

The person who gives your court papers to the other party is called a server. Your server must be at least 18-years-old. They must not be protected by the restraining order or involved in your case. This means that you cannot serve your own court papers.

○ Step 2: Have your server give your court papers to the other party

Give your server these instructions:

- 1 Before you serve the forms, note which forms you have, including the name of the form and the form number. See form DV-200 for a list of forms.
- 2 Find the person you need to serve. Make sure you are serving the right person by asking the person's name.
- 3 Give the person the papers. If the person refuses to take the papers, put them on the ground or somewhere next to the person. The person doesn't have to touch or sign for the papers. It is okay if they tear them up.
- 4 Fill out form DV-200 completely and sign.
- 5 File form DV-200 with the court or give form DV-200 to the person who is asking for the restraining order so they can file it.

○ Step 3: File proof with the court

The court needs proof that service happened and that it was done correctly. If your server was successful, have your server fully complete and sign form DV-200. **The person you want restrained does not sign anything.**

Take form DV-200 to the court to file in your case as soon as possible. This information will automatically go into a restraining order database that police have access to.

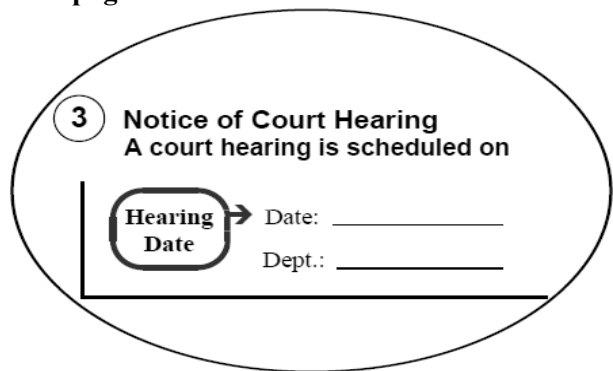
If the sheriff or marshal served your court papers, they may use another form for proof besides form DV-200. Make sure a copy is filed with the court and that you get a copy.



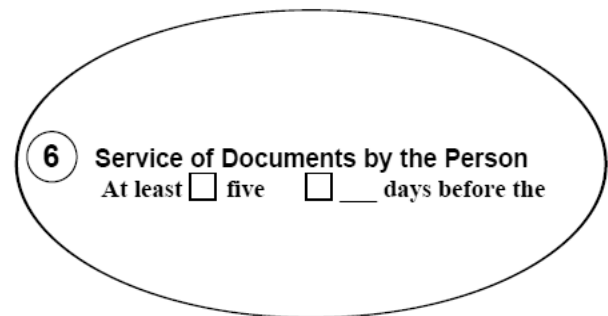
When is the deadline to serve my court papers?

It depends. To know the exact date, you need to look at two items on form DV-109. Follow these steps:

- **Step 1: Look at the court date listed under ③ on page 1.**



- **Step 2: Look at the number of days written in ⑥ on page 2.**



- **Step 3: Look at a calendar.** Subtract the number of days in ⑥ from the court date. That's the deadline to have your court papers served. It's okay to serve your court papers before the deadline.


If nothing is written in ⑥, you must have your court papers served at least five days before your court date.

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

You will need to ask the court to reschedule (continue) your court date. Fill out and file form DV-115 and form DV-116. These forms ask the judge for a new court date and to make any temporary orders last until the end of the new court date.

If the judge gives you a new court date, the person you want restrained will have to be served with form DV-116, form DV-115, **and** the original papers you filed. You should keep a copy of form DV-115, form DV-116, and a copy of your original paperwork. That way, the police will know your orders are still in effect.

For more information on asking for a new court date, read form DV-115-INFO.

What if the other party is avoiding (evading) service? 

If you've tried many times to serve the restrained person, and you can show the judge that the restrained person is avoiding (evading) service, you may ask the court to allow you to serve another way. If you want to make this request, at your first court date tell the judge details about your attempts to have the restrained person served. The judge may require a written statement for this.

Read form DV-205-INFO, *What if the Person I Want Protection From is Avoiding (Evading) Service?*, for more information.