



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-162
For business meeting on October 24, 2025

Title

Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement Assembly Bill 2759

Rules, Forms, Standards, or Statutes Affected

Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV-265

Recommended by

Family and Juvenile Law Advisory Committee

Hon. Tari L. Cody, Cochair

Hon. Stephanie E. Hulsey, Cochair

Report Type

Action Required

Effective Date

January 1, 2026

Date of Report

October 8, 2025

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Executive Summary

Assembly Bill 2759 (Petrie-Norris; Stats. 2024, ch. 535), effective January 1, 2025, created new requirements for granting a firearm exemption to a restraining order that includes a firearm or ammunition prohibition. The Family and Juvenile Law Advisory Committee recommends adopting two new firearm exemption order forms and revising several domestic violence and juvenile restraining order forms to reflect the new requirements. The committee also recommends revisions to form CLETS-001 to include an instruction for petitioners of retail theft protective orders and to make necessary updates.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

1. Adopt two new firearm exemption order forms, *Permission to Have Firearm or Ammunition for Work* (forms DV-850 and JV-276);
2. Revise *Confidential Information for Law Enforcement* (form CLETS-001) to include an instruction for retail theft protective orders; and
3. Revise seven restraining order forms:
 - *Response to Request for Domestic Violence Restraining Order* (form DV-120);
 - *How Can I Respond to a Request for Domestic Violence Restraining Order?* (form DV-120-INFO);
 - *Restraining Order After Hearing (Order of Protection)* (form DV-130);
 - *Response to Request for Juvenile Restraining Order* (form JV-247);
 - *Juvenile Restraining Order After Hearing* (form JV-255);
 - *Response to Request for Juvenile Restraining Order Against a Child* (form JV-259); and
 - *Juvenile Restraining Order Against a Child—Order After Hearing* (form JV-265).

The proposed new and revised forms are attached at pages 8–60.

Relevant Previous Council Action

The Judicial Council provides forms and instructions for use in domestic violence (DV) and juvenile (JV) protective order matters. The forms have been revised when changes to the law required revisions and to respond to suggestions made by the public, judicial officers, and court professionals. The DV and JV restraining order forms were last revised in January 2025 to implement a new law that prevents restrained persons from owning, possessing, or buying body armor. A technical change was also made to form DV-130, effective April 28, 2025.

Analysis/Rationale

This proposal is needed to implement the new provisions in Family Code section 6389(h) created by AB 2759 and to make changes to form CLETS-001. For any restraining order issued in California that includes a firearm or ammunition prohibition (except gun violence restraining orders), the court may grant the restrained person an exemption (permission) to have a specific firearm or ammunition for work if the court makes certain findings. AB 2759 changed a number of requirements related to the exemption.

New firearm exemption forms (forms DV-850 and JV-276)

For each of the DV and JV form sets, the committee recommends adopting a new form, *Permission to Have Firearm or Ammunition for Work* (forms DV-850 and JV-276), to help

ensure that these orders, when granted, are clear and legally accurate. This form will be completed by the court if an exemption is granted and attached to an order form.¹

Response forms (forms DV-120, DV-120-INFO, JV-247, and JV-259)

For the forms used to respond to a request for a restraining order (forms DV-120, JV-247, and JV-259), the committee recommends including questions under the existing item titled “Firearms (Guns), Firearm Parts, and Ammunition” to ascertain whether the restrained person is a sworn peace officer and whether they are prohibited from having firearms or ammunition by any other law or order.² Additionally, the committee recommends adding a note describing some of the requirements of Family Code section 6389(h) and referring the restrained person to the self-help webpage on the California Courts website and section 6389(h) for more information on exemption requirements.³

For form DV-120-INFO, the committee recommends adding information about the availability of the exemption and referring to the self-help webpage on the California Courts website and the applicable law for more information.⁴

Order after hearing forms (forms DV-130, JV-255, and JV-265)

The forms for issuing a restraining order after a hearing (forms DV-130, JV-255, and JV-265) currently contain an item related to the firearm exemption. The committee recommends revising this item to reference the new firearm exemption order form, DV-850. The reference appears as follows in item 8f on form DV-130, item 7f on form JV-255, and item 7f on form JV-265:

f. Permission to have firearm or ammunition for work: The judge has made the necessary findings to grant an exception under Family Code section 6389(h). The orders are included on form DV-850, *Permission to Have Firearm or Ammunition for Work*.

Other revisions to forms JV-255, JV-265, and DV-130

Effective January 1, 2025, the council approved a new notice form for juvenile restraining order hearings, *Notice of Court Hearing* (form JV-249). When this form was approved, the service items on the juvenile restraining order after hearing forms (forms JV-255 and JV-265) were not

¹ Equivalent forms for criminal protective orders and other civil restraining orders are also being proposed. See Judicial Council of Cal., Advisory Com. Rep., *Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899* (pending) and Judicial Council of Cal., Advisory Com. Rep., *Criminal Law: Implementation of Recent Legislation Regarding Criminal Protective Orders* (pending).

² See item 26c on form DV-120, item 13c on form JV-247, and item 9c on form JV-259.

³ The webpage will be created and published by January 1, 2026.

⁴ The recommended revisions to implement AB 2759 are highlighted in yellow. In a separate proposal, the committee is recommending revisions to form DV-120-INFO to add information (highlighted in gray) to implement Assembly Bill 3072. See Judicial Council of Cal., Advisory Com. Rep., *Family Law and Protective Orders: Implementation of Senate Bill 599 and Assembly Bill 3072* (pending).

revised to reflect service of this new form.⁵ The committee therefore recommends revising the service items to (1) include a reference to this new notice form, (2) remove the reference to the request form (form JV-245), and (3) clarify that proof of service of the temporary restraining order (form JV-250) needs to be provided only if that form is issued. The committee further recommends revising the service item to require personal service of the order after hearing if a temporary restraining order was not issued.⁶ These revisions mirror the current service item on the domestic violence restraining order after hearing form.⁷ On form DV-130, at item 32c, the committee recommends replacing the reference to form FL-300 with a reference to form DV-300. As of January 1, 2025, requests to modify orders made after a hearing in a domestic violence restraining order matter must be made on form DV-300. The format of citations was also updated on forms JV-255, JV-265 and DV-130.

Confidential Information for Law Enforcement (form CLETS-001)

The committee recommends the following changes to form CLETS-001:

- Clarify in the instruction box at the top of page 1 that the primary protected person's information goes in items 2 and 3. This instruction is intended for juvenile court attorneys or others who may be completing the form on behalf of the primary protected person.
- Before item 3, instruct petitioners of retail theft restraining orders to skip items 3 and 4.⁸
- Add an instruction to item 3 advising that the date of birth of any protected person is necessary for entry into a federal law enforcement database and that failure to provide the information could result in the restraining order being more difficult to enforce outside of California.

Policy implications

In addition to implementing legislative changes, this proposal promotes Goal III, Modernization of Management and Administration, of *The Strategic Plan for California's Judicial Branch* by ensuring that orders granting permission to carry a specific firearm or ammunition for work are easy to understand and consistent with statutory requirements. Additionally, the proposal helps implement Goal I, Access, Fairness, Diversity, and Inclusion, by making the forms easier to complete for self-represented litigants.

⁵ See item 19b on form JV-255 and item 16b on form JV-265.

⁶ See item 19b(2) on form JV-255 and item 16b(2) on form JV-265.

⁷ See item 32b on form DV-130.

⁸ Assembly Bill 3209 (Stats. 2024, ch. 169) established a new type of restraining order to address retail theft (crime). A proposal to implement AB 3209 was approved by the Judicial Council at its meeting on April 25, 2025, and the new forms became effective July 1, 2025. See Judicial Council of Cal., Advisory Com. Rep., *Protective Orders: New Civil Retail Crime Restraining Order* (Mar. 28, 2025), <https://jcc.legistar.com/View.ashx?M=F&ID=14013772&GUID=B1427CEB-AB8C-4763-AC8D-DC461B7502C4>.

Comments

This proposal circulated for comment from April 15 through May 23, 2025, as part of the council's regular spring cycle. The proposal received nine comments: Four were from superior courts; two were from bar associations; one was from the California Department of Justice; one was from the Family Violence Appellate Project;⁹ and one was from the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee. Three agreed with the proposal; four agreed, if modified; two did not indicate a position; and none disagreed with the proposal.

The substantive comments and the committees' responses are summarized below. A chart with the full text of the comments received and the committee's responses is attached at pages 61–92.

Forms DV-850 and JV-276

In general, commenters supported the changes to implement AB 2759. Some comments suggested that the new exemption forms state that the exemption does not apply to body armor or include the option of granting an exemption for body armor. Because AB 2759 only deals with permission to use a specific firearm or ammunition for work, the committee does not recommend including information or orders regarding body armor. The committee notes that the relinquishment and exemption processes for body armor are different than for firearms and ammunition. For example, under Penal Code section 31360(c), an exception to allow possession and use of body armor may be granted by the chief of police or sheriff of the jurisdiction in which the restrained person wants to possess and use the body armor. As such, the restraining order forms list body armor prohibitions as a separate informational item and do not combine them with the prohibition orders related to firearms and ammunition.¹⁰

One commenter suggested revisions to the temporary restraining order forms (e.g., DV-110) and the new exemption forms to make clear that the exemption may be granted as part of a temporary restraining order. The committee declined to recommend this suggestion, as the committee concluded that granting an exemption in a temporary restraining order is rare. Additionally, including a checkbox for the exemption on the temporary restraining order may lead to the impression that the exemption can be granted without a hearing, as many temporary restraining orders are granted based solely on the pleadings. If a court does grant the exemption in a temporary restraining order that is issued or modified after a hearing, the court could make note of this on the temporary restraining order and attach form DV-850.

One commenter noted that while the court is required to find that a sworn peace officer's "personal safety depends on the officer's ability to carry a firearm or ammunition outside of scheduled work hours" the statute allows the court to limit permission to carry a firearm or ammunition to on duty only. The committee determined that the proposed forms are consistent

⁹ This comment was from a group of 13 agencies.

¹⁰ As an example, see items 8 and 12 on form DV-130.

with AB 2759 and that the commenter's concern regarding the statutory language would need to be addressed by the Legislature.

Forms DV-120, JV-247, and JV-259

One commenter suggested requiring additional questions for a respondent seeking permission to have a firearm or ammunition for work. The committee declined to recommend this suggestion, as the questions proposed on the form are intended to provide the court with some but not all the information needed to grant an exemption. The court would need to conduct a hearing to gather additional information before its ruling on a request for an exemption under Family Code section 6389(h).

Form CLETS-001

In the version of CLETS-001 circulated in the invitation to comment, the committee proposed adding fields for the restrained person's gender, race, age, and date of birth. This proposal was made in response to suggestions from personnel who enter restraining orders into law enforcement databases that including this information could help reduce data entry errors resulting from having to enter information from both CLETS-001 and the restraining order form. In considering the comments received, the committee does not recommend including these additional fields as they duplicate information already contained in the restraining order itself. The committee concluded that errors could result from the court user having to duplicate information across forms, as raised by a commenter. On balance, the committee supports making the form easier to complete for court users, especially for these case types in which the court user is asking the court for a protective order.

In light of comments received, the committee also recommends noting at item 3 that a restraining order may be more difficult to enforce outside of California if the protected person's date of birth is not provided. While the committee proposed a similar instruction in item 4 (for additional protected people) in the invitation to comment, the committee does not recommend including the advisement in item 4 as the California Department of Justice is not currently sending information of additional protected people to the federal database.

Alternatives considered

Because AB 2759 made significant changes to the requirements for granting a firearm exemption, the committee determined that taking no action would be inappropriate. The committee considered not proposing the adoption of the new attachment form but rejected this approach due to the complexity of granting a firearm exemption for work.

Fiscal and Operational Impacts

The committee anticipates that this proposal will require courts to train court staff and judicial officers on the newly approved and revised forms. Courts will also incur costs to incorporate the revised forms into paper and electronic processes. These impacts are a necessary effect of the legislative action. While some courts indicated that more time will be needed for

implementation, the committee does not recommend delaying implementation because the recommended revisions reflect changes in the law that have already taken effect.

Attachments and Links

1. Forms CLETS-001, DV-120, DV-120-INFO, DV-130, DV-850, JV-247, JV-255, JV-259, JV-265, and JV-276, at pages 8–60
2. Chart of comments, at pages 61–92
3. Link A: Assem. Bill 2759,
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240AB2759

CLETS-001 Confidential Information for Law Enforcement**Instructions:**

- If you are asking for a restraining order, you must complete this form and give it to the court clerk, along with the other court forms required in your case. For juvenile orders, list the primary protected person's information in **(2)** and **(3)**.
- If the judge grants the restraining order, information you give on this form will be entered into a California database (called CLETS) to help law enforcement enforce the order.
- If information changes later, you may complete this form again and turn it in to the court.

To Court Clerk: Do not file this form. The information on this form must be entered into the protective order registry in CLETS.

Court fills in case number when form is received.

Case Number:

Date received by court: _____

Information that has a star (*) next to it is required. All other information is helpful.

1 Person You Want a Restraining Order Against

*Name: _____

Other names used: _____

Marks, scars, or tattoos: _____

Driver's license (number and state): _____ SSN: _____

Vehicle type: _____ Model: _____ Year: _____ Plate number: _____

Telephone: _____

Name of employer and address: _____

Does the person speak English?

Yes

No (list language): _____

I don't know

Does the person have any firearms (guns), firearm parts, ammunition, or body armor?

No

I don't know

Yes (Give any information you have below, like the type, amount, or location of any items, if known.)

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

② *Your Name: _____

(Skip ③ and ④ if you are asking for a gun violence (form GV-100) or retail crime (form RT-100) restraining order.)

③ Your Information

*Gender: M F X (nonbinary) Race: _____

*Age: _____

Date of Birth (month, day, year): _____

(If the judge grants your restraining order, your information will be entered into California's law enforcement database. If you give your date of birth, it will also be entered into the federal law enforcement database. If your information is not in the federal law enforcement database, your restraining order may be more difficult to enforce outside of California.)

Telephone: _____

Do you speak English?

Yes

No (list language): _____

④ Other People You Want Protected

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

Check here if you have more people to list. Write them on a separate piece of paper, write "Item 4" at the top, and attach it to this form.

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

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

Do not use this form 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.

DRAFT

Not approved by
the Judicial Council

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

1 Name of Person Asking for Protection:

(See form DV-100, item ①):

2 Your Name: _____

! Address where you can receive court papers

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

Address: _____

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

This is not a Court Order.

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

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

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

5 Your Relationship to the Person in ①

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

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

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

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

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

7 Other Protected People

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

- I agree to the order requested.
- 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 item ⑩ on form DV-100)

- I agree to the order requested.
- 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 item **11** on form DV-100)

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

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

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

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

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

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

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

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

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

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

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

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

- a. I am **not** the parent of the children listed in form DV-105, *Request for Child Custody and Visitation Orders*
- b. I am the parent of the children listed in form DV-105 and (check one):

(1) I agree to the orders requested.

(2) I do not agree to the orders requested. (Complete form DV-125, *Response to Request for Child Custody and Visitation Orders*, and attach it to this form.)

This is not a Court Order.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This is not a Court Order.

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

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

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

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

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

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

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

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

(23) Lawyer's Fees and Costs

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

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

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

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

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

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

This is not a Court Order.

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

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

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

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

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

(Check all that apply):

- a. I do not own or have any prohibited items (firearms (guns), prohibited firearm parts, or ammunition).
- b. I have turned in all prohibited items that I have or own to law enforcement or sold/stored them with a licensed gun dealer. A copy of the receipt showing that I turned in, sold, or stored the prohibited items (check all that apply):
 - is attached
 - has already been filed with the court.
- c. I ask for an exception to carry a firearm or ammunition for work. (Complete (1)–(3) below):

(1) Are you a sworn peace officer?

- No
- Yes

(2) Are there any orders or state or federal laws that prohibit you from having firearms or ammunition?

- No
- Yes (explain): _____
- I don't know (explain): _____

(3) (Explain what your job is and why you need a firearm or ammunition): _____

Note: You **must** follow any orders to turn in, sell, or store prohibited items until the judge decides whether to grant you an exception. Before an exception can be granted, you will be required to show the judge that (1) carrying a firearm or ammunition is required for your work and (2) your employer is unable to reassign you to another position where carrying a firearm or ammunition is not necessary. There are other things you will need to prove. For more information on what you need to show the judge to qualify for this exception, go to [selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders/exception](#), or see Family Code section 6389(h).

This is not a Court Order.

27 No Body Armor (see item ⑩ on form DV-100)

If you were served with form DV-110, *Temporary Restraining Order*, you are prohibited from owning, possessing, or buying body armor. You must also relinquish any body armor you have in your possession.

(Check all that apply):

- a. I do not own or have any body armor.
- b. I have relinquished all body armor that I have in my possession.
- c. I was granted an exception, or will ask for an exception, to have body armor. Note: this exception is granted by a chief of police or sheriff under Penal Code section 31360(c). (Attach a copy of the letter granting permission, if you have one.)

28 Cannot Look for Protected People (see item ⑪ 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: _____

29 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 with the Request" at the top.

This is not a Court Order.



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

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

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

31 Additional Pages

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

32 Your Signature

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

Date: _____

Type or print your name

Sign your name

**33 Your Lawyer's Signature (if you have one)**

Date: _____

Lawyer's name

Lawyer's signature

**Your Next Steps**

- Turn in your completed form with the court.
- If the person in ① asked for child support, spousal support, or lawyer's fees, you must complete form [FL-150, Income and Expense Declaration](#). If the person in ① is only asking for child support (item 24 on form DV-100), you may be eligible to fill out a simpler form, form [FL-155](#). Read form [DV-570](#) to see if you are eligible to fill out form FL-155. Before your court date, you must file form FL-150 or FL-155 with the court.
- Have someone else (not you) mail the person in ① a copy of your forms, and complete form [DV-250, Proof of Service by Mail](#). File form DV-250 with the court. (The person who mails the forms must be at least 18 years old and cannot be you or someone protected on the restraining order.)
- Prepare for your court date by gathering evidence or witnesses, if you have any. Learn more at [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.

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

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

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

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

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

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

What is a domestic violence restraining order?

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

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

What can a restraining order do?

In a restraining order, a judge 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 and places
- Not have any firearms (guns), firearm parts, ammunition, or body armor. This includes homemade or untraceable guns, like “ghost guns”
- Move out of the place that you share with the protected person
- Follow custody and visitation orders
- Pay child support
- Pay spousal support
- Pay debt for property
- Give control of property (examples: cell phone, car, home) to the person asking for protection

How long does the order last?

If the judge granted a temporary restraining order (form DV-110), it will last until the hearing date. At your court hearing, the judge will decide whether to extend the order or cancel the order. The judge can extend the order for up to five years. Custody, visitation, child support, and spousal support orders can last longer than five years and they do not end when the restraining order ends.

What if I don't obey the order?

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



What do I do next?

Part 1: Turn in or sell prohibited items

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

Prohibited items include:



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

You must then prove to the court that you've complied with the orders. Bring form [DV-800/JV-270, Receipt for Firearms, Firearm Parts, and Ammunition](#), to a gun dealer or law enforcement when you turn in your items. After DV-800/JV-270 is complete, file it with the court. For more information, read form [DV-800-INFO/JV-270-INFO, How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?](#)

Part 2: Relinquish body armor

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

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

Part 3: Respond in writing (optional)

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

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

Part 4: Get ready and go to your court hearing

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

Do I need a lawyer?

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

Where can I find a self-help center?

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

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

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

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

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

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

A restraining order can include orders for your children, including listing them as protected persons. It can also include child custody and visitation orders and orders to limit your ability to travel with your children. If the judge has granted a restraining order against you, any violation of the order may impact your time with your children.

What if I have access to firearms or ammunition?

If a restraining order is granted against you, and you do not follow the judge's order to turn in your firearms and ammunition, you have violated the restraining order and can be charged with a crime, fined, or go to jail. If you have a child, having illegal access to firearms or ammunition may impact your visitation (parenting time) and whether you have custody of your child. If the other parent is staying in a confidential shelter, the court must consider your access to firearms or ammunition when deciding whether you should have in-person visits with your child.

What if I need to have a firearm or ammunition for my job?

If the judge grants a restraining order against you, you cannot have firearms or ammunition. The judge may give you permission to have a firearm or ammunition for work. Before permission can be granted, you will be required to show the judge that (1) carrying a firearm or ammunition is required for your work, and (2) your employer is unable to reassign you to another position where carrying a firearm or ammunition is not necessary. There are other things you will have to prove. For more information, go to selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders/exception, or see Family Code section 6389(h).



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.

Can I use the restraining order to get divorced or end a domestic partnership?

No. These forms will not end your marriage or registered domestic partnership. You must file other forms to end your marriage or registered domestic partnership.

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

Do not use form DV-120 to request a domestic violence restraining order. For information on how to file your own restraining order, read form [DV-505-INFO](#), *How to Ask for a Domestic Violence Restraining Order*. You can also ask the court clerk about free or low-cost legal help.

What if I need an interpreter?

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

I have a disability. How can I get help?

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

Request for Accommodations

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

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

The National Domestic Violence Hotline provides free and private safety tips. Help is available in over 100 languages. Visit online at thehotline.org or call 1-800-799-7233.

Information about the court process is also available online

selfhelp.courts.ca.gov/respond-to-DV-restraining-order

DV-130**Restraining Order After Hearing
(Order of Protection)** **Original Order** **Amended Order****① Protected Person** (name): _____**② Restrained Person*****Full Name:** _____***Gender:** M F Nonbinary ***Race:** _____***Age:** _____ (estimate, if age unknown) Date of Birth: _____

Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

Relationship to person in ①: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

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

Clerk stamps date here when form is filed.

DRAFT**Not approved by
the Judicial Council**

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in case number when form is filed.

Case Number:**③ Other Protected People**

In addition to the person in ①, the following persons are protected by orders as indicated in ⑬ through ⑯.

Full name

Relationship to person in ①

Age

_____ Check here if you need to list more people. List them on a separate piece of paper, write "DV-130, Other Protected People" at the top, and attach it to this form.**④ Expiration Date**This restraining order, except the orders noted below, [†] ends on:(date): _____ at (time): _____ a.m. p.m. or midnight[†] Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. Custody, visitation, and child support orders usually end when the child is 18.

- If no date is written, the restraining order ends three years after the date of the hearing in ⑥a.
- If no time is written, the restraining order ends at midnight on the expiration date.

This order must be enforced throughout the United States. See page 10.**This is a Court Order.**

5 Future Court HearingThe person in ① person in ② must attend court on:Date: _____ Time: _____ a.m. p.m.

Department: _____ Room: _____

to review (*list issues*): _____

6 Hearing

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

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

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

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

7 Court's Decision

In making this order, the court has considered whether failure to make any of the orders requested might risk the safety of the person in ① or any children listed on form DV-105. If child or spousal support was requested, the court has considered whether failure to make support orders would risk the safety of the person in ① or any children listed on form DV-105.

To the Person in ② :

The court has granted a long-term restraining order. See ⑦ through ⑩. If you do not obey these orders, you can be charged with a crime, go to jail or prison, or pay a fine. It is a felony to take or hide a child in violation of this order.

This is a Court Order.

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

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.
- b. **Prohibited items are:**
 - (1) Firearms;
 - (2) Firearm parts, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Pen. Code, § 16531); and
 - (3) Ammunition.
- c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
- d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
- e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, sold, or stored. (You may use form [DV-800/JV-270, Receipt for Firearms, Firearm Parts, and Ammunition](#).) If law enforcement served you with the restraining order, you must give a copy of the receipt to that law enforcement agency.
- f. **Permission to have firearm or ammunition for work:** The judge has made the necessary findings to grant an exception under Family Code section 6389(h). The orders are included on form [DV-850, Permission to Have Firearm or Ammunition for Work](#).

9 Restrained person has prohibited items

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

Description (include serial number, if known)

Location, if known

Proof of compliance

received by the court

 (date): _____

(1) _____

 (date): _____

(2) _____

 (date): _____

(3) _____

 (date): _____

(4) _____

 (date): _____**This is a Court Order.**

9 The court finds that you have the following prohibited items:

b. **Ammunition**

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	_____	<input type="checkbox"/> (date): _____

Check here to list additional items. List them on a separate piece of paper, write "DV-130, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

10 **Restrained Person Has Not Complied With Surrendering Prohibited Items**

a. The court finds that you have not fully complied with the orders previously granted on (date): _____
The court has not received a receipt or proof of compliance for all the items listed in 9.

b. Notify Law Enforcement

The court will immediately notify the following law enforcement agency of this violation
(law enforcement agency or agencies): _____

c. Notify Prosecutor

The court will immediately notify the following prosecuting agency of this violation
(prosecuting agency): _____

11 **Court Hearing to Review Firearms (Guns), Firearm Parts, and Ammunition Compliance**

You must attend the court hearing in 5 to prove that you have properly turned in, sold, or stored all prohibited items (described in 8b) you still have or own, including any items listed in 9. If you do not attend the court hearing listed in 5, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.

12 **No Body Armor**

You cannot own, possess, or buy body armor (defined in Pen. Code, § 16288). You must relinquish any body armor you have in your possession. (If you need body armor for your employment, livelihood, or safety, you may ask the chief of police or sheriff in the jurisdiction where you want to possess or use the body armor, for an exception under Penal Code section 31360. The court does not have the power to grant an exception for body armor.)

This is a Court Order.

13 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 court found good cause not to make this order.

14 Order to Not Abuse

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 **repeated** 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. Coercive control includes reproductive coercion meaning controlling someone’s reproductive choices, such as using force, threat, or intimidation to pressure someone to be or not be pregnant, and to control or interfere with someone’s contraception, birth control, pregnancy, or access to health information.

15 No-Contact Order

- a. You must **not contact** the person in ①, the persons in ③, directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.
- b. Exception to 15a:
 - (1) You may have brief and peaceful contact with the person in ① to only 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.

This is a Court Order.

16 **Stay-Away Order**

a. You **must** stay at least (*specify*): _____ yards away from (*check all that apply*):

<input type="checkbox"/> Person in ①.	<input type="checkbox"/> School of person in ①.
<input type="checkbox"/> Home of person in ①.	<input type="checkbox"/> Persons in ③.
<input type="checkbox"/> Job or workplace of person in ①.	<input type="checkbox"/> Children's school or child care.
<input type="checkbox"/> Vehicle of person in ①.	<input type="checkbox"/> Other (<i>specify</i>): _____

b. Exception to 16a:

The stay-away orders do not apply:

- (1) For you to exchange your children for court-ordered visits. You must do so briefly and peacefully.
- (2) For you to visit with your children for court-ordered contact or visits.
- (3) Other (*explain*): _____

17 **Order to Move Out**

You must move out immediately from (*address*): _____

18 **Other Orders****19** **Child Custody and Visitation Order**

The judge has granted orders regarding minor children. The orders are included on **form DV-140** and (*list other form*): _____

20 **Protect Animals**

- a. You must stay at least _____ yards away from the animals listed below.
- b. You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
- 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

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

This is a Court Order.

21 **Control of Property**

Only the person in ① can use, control, and possess the following property:

22 **Health and Other Insurance**

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.

23 **Record Communications**

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

24 **Property Restraint**

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 the order in ⑯, 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.)

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

a. You must make these payments until this order ends:

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

b. The court finds that the debt or debts listed above in a(1) a(2) a(3) were the result of abuse in this case, and made without the person in ①'s agreement.

This is a Court Order.

26 Pay Expenses Caused by the Abuse

You must pay the following:

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

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

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

27 Child Support

Child support is ordered on the attached [form FL-342, Child Support Information and Order Attachment](#) or (list other form): _____

28 Spousal Support

Spousal support is ordered on the attached [form FL-343, Spousal, Domestic Partner, or Family Support Order Attachment](#) or (list other form): _____

29 Lawyer's Fees and Costs

You must pay the following lawyer's fees and costs:

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

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

30 Batterer Intervention Program

- a. The person in ② must go to and pay for a probation-certified 52-week batterer intervention program and show proof of completion to the court.
- b. The person in ② must enroll by (date): _____ or if no date is listed, must enroll within 30 days after the order is made.
- c. The person in ② must complete, file, and serve [form DV-805, Proof of Enrollment for Batterer Intervention Program](#).

31 Transfer of Wireless Phone Account

The court has made an order transferring one or more wireless service accounts from you to the person in ①. These orders are contained on [form DV-900, Order Transferring Wireless Phone Account](#).

This is a Court Order.

(32) Service (check a, b, or c)

a. **No other proof of service is needed.** The people in ① and ② attended the hearing, either physically or remotely (by telephone or videoconference), or agreed in writing to this order.

b. **The person in ② was not present.** Proof of service of form DV-109 and form DV-110 (if issued) was presented to the court. (Check all that apply):

- (1) This order can be served by mail. The judge's orders in this form are the same as in form DV-110 except for the expiration date. The person in ② must be served, either by mail or in person.
- (2) This order must be personally served. The judge's orders in this form are different from the orders in form DV-110, or form DV-110 was not issued. The person in ② must be personally served (given) a copy of this order.
- (3) The court has scheduled a firearms and ammunition compliance hearing. The person in ① must have a copy of this order served on the person in ② by:
 - (a) Personal service by (date): _____
 - (b) Mail at the person in ②'s last known address by (date): _____

c. **Proof of service of form DV-300 to modify the orders in form DV-130 was presented to the court.**

- (1) The people in ① and ② attended the hearing or agreed in writing to this order. No other proof of service is needed.
- (2) The person in ① in ② did not attend the hearing and must be personally served (given) a copy of this amended (modified) order.

(33) No Fee to Serve (Notify) Restrained Person

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

(34) Attached Pages

All of the attached pages are part of this order.

a. Number of pages attached to this 11-page form: _____

b. Attachments include forms (check all that apply): _____

DV-140 DV-145 DV-900 FL-341(C) FL-342 FL-343 Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.

Certificate of Compliance With Violence Against Women Act

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

Instructions for Law Enforcement**Start Date and End Date of Orders**

This order starts on the earlier of the following dates:

- The hearing date in ⑥a on page 2; or
- The date next to the judge’s signature on page 9.

This order ends on the expiration date in ④ on page 1.

Duties of Officer Serving This Order

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

- Ask if the Restrained Person is in possession of any of the prohibited items listed in ⑧b, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer’s name and law enforcement agency.

Enforcing the Restraining Order in California

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

Notice/Proof of Service

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

Consider the restrained person “served” (notified) if:

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person attended the hearing (see ③2) or was informed of the order by an officer. (Fam. Code, § 6383; Pen. Code, § 836(c)(2).) An officer can obtain information about the contents of the order in the California Restraining and Protective Order System (CARPOS). (Fam. Code, § 6381(b), (c).)

This is a Court Order.

Arrest Required if Order Is Violated

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

If the Protected Person Contacts the Restrained Person

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

Child Custody and Visitation

Child custody and visitation orders are listed on form DV-140 or another attached form. If the judge made these orders, look at ⑯ and ⑯ of this order to see if the judge granted an exception for brief and peaceful contact with the person in ⑯ as needed to follow court-ordered visits. Contact by the person in ⑯ that is **not** brief and peaceful is a violation of this 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 in the following priority (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must also be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item ⑯ is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders includes an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2), 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code section 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must also be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must also be enforced.

(The clerk will fill out this part.)

Instructions to Clerk: You must give up to three free (certified, stamped, and endorsed) copies of this order to the protected party.

*Clerk's Certificate
[seal]*

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

DV-850

Permission to Have Firearm or
Ammunition for Work

Case Number: _____

This form is attached to (*check one*): Form DV-130 Other: _____

① Court Findings

The court finds that the restrained person (*name*): _____

- a. Is required to carry a specific firearm or ammunition during scheduled work hours as a condition of their continued employment.
- b. Cannot be reassigned by their employer to another position where having a firearm or ammunition is not needed.
- c. Is not otherwise prohibited from having firearms or ammunition under state or federal law.
- d. Does not pose an additional threat of harm to any protected person or the public by having access to a specific firearm or ammunition.
- e. Is a sworn peace officer and:
 - (1) The court ordered and reviewed a completed psychological evaluation of the restrained person by a licensed mental health professional with domestic violence expertise; and
 - (2) The personal safety of the restrained person depends on their ability to carry a specific firearm or ammunition outside of scheduled work hours.
- f. Is not a sworn peace officer and (*check (1) or (2)*):
 - (1) The court did not order the restrained person to complete a psychological evaluation.
 - (2) The court ordered and reviewed a completed psychological evaluation of the restrained person by a licensed mental health professional with domestic violence expertise.
- g. Other _____

This is a Court Order.

② Court Order

a. The restrained person is (*check one*):

(1) Not a sworn peace officer and may have the items listed in 2b only during scheduled work hours.

(2) A sworn peace officer and (*check one*):

(A) May have the items listed in 2b while on duty.

(B) May have the items listed in 2b while on or off duty.

b. This restraining order does not require the restrained person to relinquish the specific firearm or ammunition listed below:

Firearm (*make*): _____ (*model*): _____ (*serial no.*): _____

Ammunition (*description*): _____

Warning: The court orders listed above in ② only apply to this restraining order. If you are prohibited from having firearms or ammunition by another order or law, you may be in violation of state or federal law.

This is a Court Order.

Use this form if someone has asked for a restraining order against you, and you want to respond in writing. If you have a lawyer in this case, the lawyer should fill out this form. There is no cost to file this form with the court. You will need a copy of the form JV-245, *Request for Juvenile Restraining Order*, that was filled out by the person who asked for a restraining order against you.

DRAFT

Not approved by
the Judicial Council

1 Name of Person Asking for Protection:

(See form JV-245, item ①a):

Fill in court name and street address:

Superior Court of California, County of

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, work with them to fill out this form and give their information.)

Address: _____

City: _____ State: _____ Zip: _____

Fill in child's name

Child's name: _____

Fill in case number:

Case Number: _____

! Your contact information (optional)

(The court may 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 JV-249, *Notice of Court Hearing*. If you do not agree to having a restraining order against you, attend your hearing. If you do not attend your hearing, the judge could grant a restraining order that could last up to three years.

This is not a Court Order.



How to complete this form: To answer the questions below, look at the form JV-245 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 JV-245)

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 **Your Relationship to the Person in ①**

In item ② of form JV-245, has the person in ① correctly described your relationship with them?

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

6 **Other Protected People**

If the judge grants a restraining order, it can protect more than one person. See item ④ on form JV-245 to see if the person in ① is asking for other people to be protected by the restraining order.

- I agree to the order requested.
- I do not agree to the order requested.

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

7 **Order to Not Abuse** (see ⑦ on form JV-245)

- I agree to the order requested.
- 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.

8 **No-Contact Order** (see **8** on form JV-245)

- 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: _____

9 **Stay-Away Order** (see **9** on form JV-245)

- 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: _____

10 **Order to Move Out** (see **10** on form JV-245)

- 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: _____

11 **Visitation of Children** (see **11** on form JV-245)

- 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: _____

You can also complete form JV-205, *Visitation (Parenting Time) Order—Juvenile*, and attach it to this form.

12 **Protect Animals** (see **12** on form JV-245)

- 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.

13 Firearms (Guns), Firearm Parts, or Ammunition (see 13 on form JV-245)

! If you were served with form JV-250, *Temporary Restraining Order—Juvenile*, you must follow the orders in 5 on form JV-250. 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 JV-250. You may use [form DV-800/JV-270, Receipt for Firearms, Firearm Parts, and Ammunition](#).

(Check all that apply):

- a. I do not own or have any prohibited items (firearms (guns), prohibited firearm parts, or ammunition).
- b. I have turned in all prohibited items that I have or control to law enforcement or sold/stored them with a licensed gun dealer. A copy of the receipt showing that I turned in, sold, or stored the prohibited items (check all that apply):
 - is attached has already been filed with the court.
- c. I ask for an exception to carry a firearm or ammunition for work. (Complete (1)–(3) below):

(1) Are you a sworn peace officer?

- No
- Yes

(2) Are there any orders or state or federal laws that prohibit you from having firearms or ammunition?

- No
- Yes (explain): _____
- I don't know (explain): _____

(3) (Explain what your job is and why you need a firearm or ammunition): _____

Note: You **must** follow any orders to turn in, sell, or store prohibited items until the judge decides whether to grant you an exception. Before an exception can be granted, you will be required to show the judge that (1) carrying a firearm or ammunition is required for your work and (2) your employer is unable to reassign you to another position where carrying a firearm or ammunition is not necessary. There are other things you will need to prove. For more information on what you need to show the judge to qualify for this exception see Family Code section 6389(h).

14 No Body Armor (see 14 on form JV-245)

If you were served with form JV-250, *Temporary Restraining Order—Juvenile*, you are prohibited from owning, possessing, or buying body armor. You must also relinquish any body armor you have in your possession.

(Check all that apply):

- a. I do not own or have any body armor.
- b. I have relinquished all body armor that I have in my possession.
- c. I was granted an exception, or will ask for an exception, to have body armor. Note: This exception is granted by a chief of police or sheriff. See Penal Code section 31360(c). (Attach a copy of the letter granting permission, if you have one.)

This is not a Court Order.

⑯ Cannot Look for Protected People (see ⑯ on form JV-245)

- 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:

⑯ 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 "JV-247, Additional Reasons I Do Not Agree" at the top.

⑯ Additional Pages

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

⑯ 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 _____

⑯ Your Lawyer's Signature (if you have one)

Date: _____

Lawyer's name _____



Lawyer's signature _____

This is not a Court Order.

Original Order Amended Order

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: _____

(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.)

Clerk stamps date here when form is filed.

DRAFT

**Not approved by
the Judicial Council**

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

③ **Other Protected People**

In addition to the person in ①, the following persons are protected by orders as indicated in items ⑪ through ⑯.

Full name

Relationship to person in ①

Age

Check here if you need to list more people. List them on a separate piece of paper, write "JV-255, Other Protected People" at the top, and attach it to this form.

④ **Expiration Date**

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

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

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

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

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

This is a Court Order.

5 Hearing

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

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

The person in ① The lawyer for the person in ① (name): _____
 The person in ② The lawyer for the person in ② (name): _____

6 Future Court Hearing

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

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

Department: _____ to review (list issues): _____

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

To the Person in ②

The court has granted a long-term restraining order. See ⑦ through ⑯. 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.

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

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

b. Prohibited items are:

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

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

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

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

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

This is a Court Order.

8 **Restrained Person Has Prohibited Items**

The court finds that you have the following prohibited items:

a. **Firearms and firearm parts**

Description	Location, if known	Proof of compliance received by the court
(1) _____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	<input type="checkbox"/> (date): _____

b. **Ammunition**

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	_____	<input type="checkbox"/> (date): _____

Check here to list additional items. List them on a separate piece of paper, write "JV-255, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

9 **Restrained Person Has Not Complied With Surrendering Prohibited Items**

a. The court finds that you have not fully complied with the orders previously granted on

(date): _____

The court has not received a receipt or proof of

compliance for all the items listed in **8**.

b. Notify Prosecutor

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

(prosecuting agency): _____

10 **Court Hearing to Review Firearms (Guns), Firearm Parts, and Ammunition Compliance**

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

This is a Court Order.

11 No Body Armor

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

12 Cannot Look for Protected People and Others

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

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

13 Order to Not Abuse

You must not 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 repeated contact), or disturb the peace.

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

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

14 No-Contact Order

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

b. Exception to 14a:

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

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

(3) Other (explain): _____

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

This is a Court Order.

15 **Stay-Away Order**a. You **must** stay at least (*specify*): _____ yards away from (*check all that apply*):

<input type="checkbox"/> The person in ①.	<input type="checkbox"/> School of person in ①.
<input type="checkbox"/> Home of person in ①.	<input type="checkbox"/> Persons in ③.
<input type="checkbox"/> Job or workplace of person in ①.	<input type="checkbox"/> Children's school or childcare.
<input type="checkbox"/> Vehicle of person in ①.	<input type="checkbox"/> Other (<i>specify</i>): _____

b. Exception to 15a:

The stay-away orders do not apply:

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

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

(3) Other (*explain*): _____

16 **Order to Move Out**You must move out immediately from (*address*): _____**17** **Visitation With Children**

The judge has ordered visitation with the children in this case.

a. The orders are:

b. The orders are in the attached form JV-205, *Visitation (Parenting Time) Order—Juvenile*.c. The orders are in an attached document (*specify other form or document*): _____**18** **Protect Animals**a. You must stay at least _____ yards away from the animals listed below.b. You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals listed below.c. The person in ① is given the sole possession, care, and control of the animals listed below.Name (*or other way to ID animal*) Type of animal Breed (*if known*) Color

This is a Court Order.

(19) Service(Check *a* or *b*):

- a. **No other proof of service is needed.** The person in (2) attended the hearing on (date): _____.
- b. **The person in (2) did not attend the hearing.** Proof of service of form JV-249 and form JV-250 (if issued) was presented to the court. (Check all that apply):
 - (1) This order can be served by mail. The judge's orders in this form are the same as the orders in form JV-250 except for the expiration date. The person in (2) must be served (given) a copy of this order, either by mail or in person.
 - (2) This order must be personally served. The judge's orders in this form are different from the orders in form JV-250, or form JV-250 was not issued. The person in (2) must be personally served (given) a copy of this order.
 - (3) The court has scheduled a firearms and ammunition compliance hearing. The person in (1) must have a copy of this order served on the person in (2) by:
 - (a) Personal service by (date): _____
 - (b) Mail at the person in (2)'s last known address by (date): _____

(20) Enter Restraining Order Into Database

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

- a. The court will enter the order into CLETs.
- b. The court or someone it designates will send a copy of this order to a local law enforcement agency.

If the court designates someone, provide the person's name: _____

Date: _____

Judicial Officer

Certificate of Compliance With Violence Against Women Act

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

This is a Court Order.

Instructions for Law Enforcement

Start Date and End Date of Orders

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

- The hearing date in item ⑤a on page 2; or
- The date next to the judge's signature on page 6.

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

Duties of Officer Serving This Order

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

- Ask if the Restrained Person is in possession of any of the prohibited items listed in ⑥, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form JV-268 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

Enforcing the Restraining Order in California

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

Notice/Proof of Service

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

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

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

Arrest Required if Order Is Violated

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

This is a Court Order.



Instructions for Law Enforcement

Conflicting Orders—Priorities for Enforcement

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

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must also be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item ⑯ is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2) and 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Pen. Code, §§ 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must also be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must also be enforced.

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

Use this form if someone has asked for a restraining order against you, and you want to respond in writing. If you have a lawyer in this case, the lawyer should fill out this form. There is no cost to file this form with the court. You will need a copy of form JV-258, *Request for Juvenile Restraining Order Against a Child*, that was filled out by the person who asked for a restraining order against you.

DRAFT**Not approved by
the Judicial Council**

Fill in court name and street address:

Superior Court of California, County of**1 Name of Person Asking for Protection:**

(See form JV-258, 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, work with your lawyer to fill out this form and give your lawyer's information.)

Address: _____

City: _____ State: _____ Zip: _____

Fill in child's name

Child's name:

Fill in case number:

Case Number:**! 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 JV-249, *Notice of Court Hearing*. If you do not agree to having a restraining order against you, go to your hearing. If you do not attend your hearing, the judge could grant a restraining order that could last up to three years.

This is not a Court Order.

How to complete this form: To answer the questions below, look at the form JV-258 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 JV-258)

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 **Other Protected People**

If the judge grants a restraining order, it can include other people. See ④ on form JV-258 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 and/or describe a different order that you would agree to:

6 **Order to Not Abuse** (see ⑦ on form JV-258)

a. I agree to the order requested.

b. I do not agree to the order requested.

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

7 **No-Contact Order** (see ⑧ on form JV-258)

a. I agree to the order requested.

b. I do not agree to the order requested.

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

8 **Protect Animals** (see ⑨ on form JV-258)

a. I agree to the orders requested.

b. I do not agree to the orders requested.

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

This is not a Court Order.

9 Firearms (Guns), Firearm Parts, or Ammunition (see ⑥ on form JV-258)

! If you were served with form JV-260, *Temporary Restraining Order Against a Child*, you must follow the orders in ⑤ on form JV-260. 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 JV-260. You may use [form DV-800/JV-270, Receipt for Firearms, Firearm Parts, and Ammunition](#).

(Check all that apply):

- I do not own or have any prohibited items (guns, firearms, prohibited firearm parts, or ammunition).
- I have turned in all prohibited items that I have or control to law enforcement or sold them to or stored them with a licensed gun dealer. A copy of the receipt showing that I turned in, sold, or stored the prohibited items (check all that apply):

is attached has already been filed with the court.
- I ask for an exception to carry a firearm or ammunition for work. (Complete (1)–(3) below):

(1) Are you a sworn peace officer?

No
 Yes

(2) Are there any orders or state or federal laws that prohibit you from having firearms or ammunition?

No
 Yes (explain): _____
 I don't know (explain): _____

(3) (Explain what your job is and why you need a firearm or ammunition):

Note: You **must** follow any orders to turn in, sell, or store prohibited items until the judge decides whether to grant you an exception. Before an exception can be granted, you will be required to show the judge that (1) carrying a firearm or ammunition is required for your work and (2) your employer is unable to reassign you to another position where carrying a firearm or ammunition is not necessary. There are other things you will need to prove. For more information on what you need to show the judge to qualify for this exception see Family Code section 6389(h).

10 No Body Armor (see ⑪ on form JV-258)

If you were served with form JV-260, *Temporary Restraining Order Against a Child*, you are prohibited from owning, possessing, or buying body armor. You must also relinquish any body armor you have in your possession.

(Check all that apply):

- I do not own or have any body armor.
- I have relinquished all body armor that I have in my possession.
- I was granted an exception, or will ask for an exception, to have body armor. Note: This exception is granted by a chief of police or sheriff. See Penal Code section 31360(c). (Attach a copy of the letter granting permission, if you have one.)

This is not a Court Order.

⑪ Cannot Look for Protected People (see ⑫ on form JV-258)

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

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

⑫ 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 "JV-259, Additional Reasons I Do Not Agree" at the top.

⑬ Additional Pages

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

⑭ 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

⑮ Your Lawyer's Signature (if you have one)

Date: _____

Lawyer's name

► _____

Lawyer's signature

This is not a Court Order.

Original Order Amended Order

① **Protected Person** (name): _____

② **Restrained Person (Child or Youth)**

*Full Name: _____

*Gender: M F Nonbinary

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

Date of Birth: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

*Race: _____

Relationship to person in ①: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

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

DRAFT

**Not approved by
the Judicial Council**

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

③ **Other Protected People**

In addition to the person in ①, the following persons are protected by orders as indicated in items ⑫ through ⑯.

Full name

Relationship to person in ①

Age

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

④ **Expiration Date**

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

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

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

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

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

This is a Court Order.

5 Hearing

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

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

The person in ① The lawyer for the person in ① (name): _____
 The person in ② The lawyer for the person in ② (name): _____

6 Future Court Hearing

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

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

Department: _____ to review (list issues):

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

To the Person in ②

The court has granted a long-term restraining order. See ⑦ through ⑯. If you do not obey these orders, you can be charged with a crime, go to juvenile hall, jail, or prison, and be fined.

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

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

b. Prohibited items are:

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

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

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

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

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

This is a Court Order.

8 Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

Description	Location, if known	Proof of compliance received by the court
(1) _____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	<input type="checkbox"/> (date): _____

b. Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	_____	<input type="checkbox"/> (date): _____

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

9 Restrained Person Has Not Complied With Surrendering Prohibited Items

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

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

b. Notify Prosecutor

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

(prosecuting agency): _____

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

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

This is a Court Order.

11 No Body Armor

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

12 Cannot Look for Protected People and Others

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

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

13 Order to Not Abuse

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

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

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

14 No-Contact Order

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

b. Exception to item 14a:

- (1) You may have brief and peaceful contact with the person in ① only to communicate about your children for court-ordered visits.
- (2) You may contact or visit with your children only during court-ordered contact or visits.
- (3) Other (explain): _____

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

This is a Court Order.

15 **Protect Animals**

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

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

_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

16 **Service**

(Check a or b):

- a. **No other proof of service is needed.** The person in ② attended the hearing on (date): _____.
- b. **The person in ② did not attend the hearing.** Proof of service of form JV-249 and form JV-260 (if issued) was presented to the court. (Check all that apply):
 - (1) This order can be served by mail. The judge's orders in this form are the same as the orders in form JV-260 except for the expiration date. The person in ② must be served (given) a copy of this order either by mail or in person.
 - (2) This order must be personally served. The judge's orders in this form are different from the orders in form JV-260, or form JV-260 was not issued. The person in ② must be personally served (given) a copy of this order.
 - (3) The court has scheduled a firearms and ammunition compliance hearing. The person in ① must have a copy of this order served on the person in ② by:
 - (a) Personal service by (date): _____
 - (b) Mail at the person in ②'s last known address by (date): _____

17 **Enter Restraining Order Into Database**

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

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

Date: _____

Judicial Officer

This is a Court Order.

Certificate of Compliance With Violence Against Women Act

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

Instructions for Law Enforcement

Start Date and End Date of Orders

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

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

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

Duties of Officer Serving This Order

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

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

Enforcing the Restraining Order in California

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

Notice/Proof of Service

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

Consider the restrained person “served” (notified) if:

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

This is a Court Order.

Arrest Required if Order Is Violated

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

Conflicting Orders—Priorities for Enforcement

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

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

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

This form is attached to (cross one): Form JV-255 Form JV-265 Other: _____

① Court Findings

The court finds that the restrained person (*name*): _____

- a. Is required to carry a specific firearm or ammunition during scheduled work hours as a condition of their continued employment.
- b. Cannot be reassigned by their employer to another position where having a firearm or ammunition is not needed.
- c. Is not otherwise prohibited from having firearms or ammunition under state or federal law.
- d. Does not pose an additional threat of harm to any protected person or the public by having access to a specific firearm or ammunition.
- e. Is a sworn peace officer and:
 - (1) The court ordered and reviewed a completed psychological evaluation of the restrained person by a licensed mental health professional with domestic violence expertise; and
 - (2) The personal safety of the restrained person depends on their ability to carry a specific firearm or ammunition outside of scheduled work hours.
- f. Is not a sworn peace officer and (*check (1) or (2)*):
 - (1) The court did not order the restrained person to complete a psychological evaluation.
 - (2) The court ordered and reviewed a completed psychological evaluation of the restrained person by a licensed mental health professional with domestic violence expertise.
- g. Other

This is a Court Order.

② Court Order

a. The restrained person is (*check one*):

(1) Not a sworn peace officer and may have the items listed in 2b only during scheduled work hours.

(2) A sworn peace officer and (*check one*):

(A) May have the items listed in 2b while on duty.

(B) May have the items listed in 2b while on or off duty.

b. This restraining order does not require the restrained person to relinquish the specific firearm or ammunition listed below:

Firearm (*make*): _____ (*model*): _____ (*serial no.*): _____

Ammunition (*description*): _____

Warning: The court orders listed above in ② only apply to this restraining order. If you are prohibited from having firearms or ammunition by another order or law, you may be in violation of state or federal law.

This is a Court Order.

Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

All comments are verbatim unless indicated by an asterisk (*).

	Commenter	Position	Comment	Committee Response
1.	California Lawyers Association, Family Law Section Executive Committee by Shanon Quinley, Legislation Chair Saul Bercovitch, Associate Executive Director, Governmental Affairs	A	FLEXCOM agrees with this proposal.	The committee appreciates the response and notes the commenter's agreement with the proposal.
2.	Family Violence Appellate Project (FVAP) by Jennafer Dorfman Wagner, Director of Programs Shuray Ghorishi, Senior Managing Attorney Jointly submitted by: California Protective Parents Association; California Women's Law Center; Center for Access to QDROs; Community Legal Aid SoCal; Harriett Buhai Center for Family Law; Jenesse Center, Inc.; Lassen Family Services, Inc.; Legal Aid Association of California; Public Counsel; Queen's Bench Bar Association; Stopping Domestic Violence; and Survivor Justice Center	NI	The following comment is submitted by Family Violence Appellate Project (FVAP) and the undersigned 12 domestic violence, legal aid, and family law agencies (statements of interest for each signatory are below*)-California Protective Parents Association; California Women's Law Center; Center for Access to QDROs; Community Legal Aid SoCal; Harriett Buhai Center for Family Law; Jenesse Center, Inc.; Lassen Family Services, Inc.; Legal Aid Association of California; Public Counsel; Queen's Bench Bar Association; Stopping Domestic Violence; Survivor Justice Center-regarding the Judicial Council's Invitation to Comment SPR25-26. FVAP is a State Bar-funded legal services support center and the only nonprofit organization in California dedicated to representing survivors of domestic violence and other forms of gender-based abuse in civil appeals for free. FVAP is devoted to ensuring survivors can live in healthy, safe environments, free from abuse. We appreciate the Judicial Council's efforts to implement Assembly Bill 2759 through the creation/adoption of new forms and revisions of current forms, and we support the creation of these forms overall. In	Thank you for your response. Please see the committee's responses below regarding the commenter's specific suggestions.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

All comments are verbatim unless indicated by an asterisk (*).

Commenter	Position	Comment	Committee Response
		addition, we offer the following suggestions for improving the forms' readability and usability.	
		<p>NEW FORMS DV-850 AND JV-276</p> <p>We believe that their structured layout, particularly the clear delineation of mandatory threshold findings in items 1.a through 1.d, makes the forms easier to follow than the statutory language.</p>	The committee appreciates the feedback and concluded that the forms clearly communicate the findings required under Family Code section 6389(h).
		<p>We offer two points of comment for the Council's consideration:</p> <p>While the form correctly tracks the statute's requirements, we encourage the Judicial Council to consider including prompts or space for the court to briefly explain the basis for its findings. For instance, if the court finds that the officer's personal safety justifies the exception, it would be helpful for the court to specify what facts support that conclusion. Similarly, if a psychological evaluation was reviewed, the form could ask whether the evaluation addressed domestic violence-specific risk factors. These additions would support more meaningful and reviewable findings.</p> <p>To illustrate:</p> <p>(e) The restrained person is a sworn peace officer who needs a firearm or ammunition and:</p> <p>(1) The court reviewed a psychological evaluation conducted by a licensed mental health professional with domestic violence expertise, and finds that [space for explanation]; and</p>	The committee determined that a court's reasons for any of the required findings may be provided in "Other" in item 1g and does not recommend including space under specific findings, as suggested by the commenter.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

All comments are verbatim unless indicated by an asterisk (*).

Commenter	Position	Comment	Committee Response
		<p>(2) The court finds that the personal safety of the restrained person depends on their ability to carry a specific firearm or ammunition outside of scheduled work hours, because [space for explanation].</p> <p>2. Clarification on On-Duty vs. Off-Duty Firearm Need Under Family Code section 6389(h)(1)(A), the statute allows a court to “allow the peace officer to continue to carry a specified firearm, ammunition, or firearm and ammunition, either on duty or off duty” if certain findings are made. (Italics added.) This language appears to contemplate scenarios in which a peace officer may need to retain access to a firearm while on duty but not necessarily off duty—an important distinction. We understand that the current structure of the proposed forms may be based on the statute’s specific language, particularly the requirement under Family Code section 6389(h)(1)(A)(i) that the court make an express finding that the peace officer’s “personal safety depends on the officer’s ability to carry a firearm or ammunition outside of scheduled work hours.” However, there may be cases where a peace officer requires access to a firearm solely while on duty and could otherwise store that firearm securely at their place of employment. And the statute’s use of “either on duty or off duty” means the Legislature contemplated scenarios where the restrained party would be able to</p>	<p>The committee is not recommending revisions in response to this suggestion because it determined that legislative clarification is needed to address the issue raised by the commenter. Judicial Council staff will bring this issue to the attention of the Judicial Council’s Governmental Affairs office, which represents and advocates for the judicial branch on legislative matters.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

All comments are verbatim unless indicated by an asterisk (*).

Commenter	Position	Comment	Committee Response
		<p>possess a certain firearm while on duty but not off duty. To address this potential gap, we respectfully suggest that the Judicial Council consider the following options:</p> <p>1) Add a Separate Finding Option: Include an additional item in the forms (e.g., item (h)) for situations where the court finds that the peace officer requires access to a firearm or ammunition only while on duty. This item could allow the court to indicate that the officer does not require possession of the weapon outside scheduled work hours, and could securely store the firearm/ammunition at their workplace.</p> <p>2) Modify form language: (e) The restrained person is a sworn peace officer who needs a firearm or ammunition on duty only, and: (1) The court reviewed a psychological evaluation conducted by a licensed mental health professional with domestic violence expertise; and (2) The court finds the officer's personal safety while on duty requires access to the specified firearm or ammunition, but that such access is not required off duty. (f) The restrained person is a sworn peace officer who needs a firearm or ammunition both on and off duty, and: (1) The court reviewed a psychological evaluation conducted by a licensed mental health professional with domestic violence expertise; and (2) The court finds that the officer's personal safety depends on their ability to carry</p>	

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

All comments are verbatim unless indicated by an asterisk (*).

Commenter	Position	Comment	Committee Response
		<p>the specified firearm or ammunition outside of scheduled work hours.</p> <p>3) Legislative Clarification: If the Judicial Council believes that the statute, as currently written, does not adequately address a situation where a peace officer may just need their firearm/ammunition “on duty” (and not off duty) we encourage the Council to consider referring this issue for future legislative clarification.</p> <p>EXISTING FORMS DV-120 AND JV-247 In alignment with Family Code section 6389(h)(1)(A)’s language that provides for a peace officer to have access to a firearm and/or ammunition only while at work in some circumstances, item 26 of the DV-120 Form and item 13 of the JV-247 Form should provide for an additional question for the restrained party to explain why they believe their personal safety depends on their ability to carry the specified firearm or ammunition outside of scheduled work hours, if that is their request. Including such a question would also enable petitioners to come to their restraining order hearing prepared to respond to the restrained party’s stated need to carry a firearm and/or ammunition outside of work hours.</p> <p>Proposed language for this question on both forms is: (4) If you are a sworn peace officer, and believe your personal safety depends on your ability to carry a firearm and/or ammunition to and from</p>	<p>The committee does not recommend including additional questions on form DV-120. The questions at item 26 are intended to provide some, but not all, information needed to grant an exemption. A court hearing would be needed for the respondent to provide additional information.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

All comments are verbatim unless indicated by an asterisk (*).

Commenter	Position	Comment	Committee Response
		<p>work, explain why here (do not complete this section if you are not a sworn peace officer):</p> <p>FORM CLETS-001</p> <p>The committee proposes adding, at item 3, an instruction that the date of birth of any protected person is necessary for entry into a federal law enforcement database. FVAP agrees it is important to notify people of the consequences of entering, or failing to enter, birth dates on the form. And, as the proposal already provides, that information should also be provided under item 4, which is a list of additional people protected by a restraining order.</p> <p>However, as currently written the instruction is not clear about what those consequences are if someone does or doesn't include a birthdate. There are three such consequences we can see:</p> <ol style="list-style-type: none"> 1) If no birthdate is provided, the protected people's information will still be placed into California's CARPOS database for restraining order enforcement within California 2) Entering the petitioner's birthdate will result in the restraining order being entered into a federal database for arguably easier enforcement outside of California. If the birth date is not provided, the restraining order won't be entered into the federal database, potentially lessening the ability for restraining order enforcement outside California. 3) Any protected person whose birthdate is listed will have their personal information entered into the federal database, sharing their personal information with the federal government. 	<p>The committee agrees that the instruction should more clearly state the consequences of not including the protected person's date of birth. Accordingly, the committee recommends revising the language in item 3 as follows: "If the judge grants your restraining order, your information will be entered into California's law enforcement database. If you give your date of birth, it will also be entered into the federal law enforcement database. If your information is not in the federal law enforcement database, your restraining order may be more difficult to enforce outside of California."</p> <p>In light of comments received by the State of California Department of Justice (DOJ), the committee does not recommend including this instruction at item 4, as the DOJ is not currently sending the date of birth for additional protected people to the federal database. The committee will consider revisiting this suggestion when the DOJ starts sending this information to the federal database.</p>

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Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

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		<p>Whether, and which, birthdate(s) to provide is a complex and highly personal question for each protected survivor. Providing accurate information is therefore incredibly important, and FVAP applauds the Judicial Council staff and working groups for identifying this gap in the forms. Still, to fully effectuate the purposes of this addition we suggest making the language more informative, to cover each of the three consequences noted above. Potential language would be:</p> <p>Under item 3:</p> <p>If the judge grants your restraining order, your information will be entered into California's law enforcement database. If you give your date of birth, it will also be entered into the federal law enforcement database. If your information is not in the federal law enforcement database, your restraining order can still be enforced outside of California, but it may be more difficult to enforce.</p> <p>Under item 4:</p> <p>Providing a date of birth for the people listed below will result in their information being entered into a federal law enforcement database if the judge grants your restraining order. If you do not list a birthdate, their information will only be entered into California's law enforcement database.</p> <p>In addition, the Judicial Council may want to consider creating a new information form CLETS-100-INFO. Such a form could more fully discuss the results of completing or failing to complete the fields in the CLETS-100 form. It could also</p>	<p>In light of comments received by the State of California Department of Justice (DOJ), the committee does not recommend including an instruction regarding the date of birth in item 4, as the DOJ is not currently sending the date of birth for additional protected people to the federal database. The committee will consider revisiting this suggestion when the DOJ starts sending this information to the federal database.</p> <p>The committee will consider the suggestion to create an information form for the CLETS-001 in a future cycle.</p>

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		<p>provide additional information to help inform petitioner's choices, such as whether and how information would be shared with tribal nations inside and outside California.</p> <p>*The following 12 signatories agree with FVAP's comments, and their statements of interest are below:</p> <p>California Protective Parents Association (CPPA) strives to protect children from incest and family violence through research, education and advocacy. CPPA seeks to improve and reform family court to ensure that children are not placed at risk because of unsafe custody and visitation decisions.</p> <p>The California Women's Law Center (CWLC) is a statewide, nonprofit law and policy center dedicated to advancing the civil rights of women and girls. CWLC's mission is to create a more just and equitable society by breaking down barriers and advancing the potential of women and girls through impact litigation, policy advocacy, and education. Since its inception in 1989, CWLC has placed a particular emphasis on eradicating all forms of discrimination and violence against women. CWLC provides legal assistance to survivors of abuse, advocates for survivors on important legislative issues, and offers training and legal support for attorneys, legal service providers, and counselors regarding the legal protections of survivors of domestic violence. CWLC has garnered first-hand knowledge of the</p>	<p>No response required.</p>

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		<p>legal standards applicable to Domestic Violence Prevention Act cases, as well as the Violence Against Women Act and the Fair Housing Act, and utilizes this expertise to provide comprehensive relief to survivors.</p> <p>The Center for Access to QDROs is a nonprofit legal services support center working to combat financial abuse in domestic violence cases by increasing access to retirement assets during and after divorce. We provide legal aid organizations, self-help centers, and low-income individuals with tools to uncover hidden retirement accounts and generate high-quality QDROs. Through technology, training, research, and policy initiatives, we support survivors in securing their share of marital property and rebuilding financial independence.</p> <p>The mission of Community Legal Aid SoCal is to provide civil legal services to low-income individuals and to promote equal access to the justice system through advocacy, legal counseling, innovative self-help services, in-depth legal representation, economic development and community education.</p> <p>Founded in 1982 by the Black Women Lawyers Association of Los Angeles and the Women Lawyers Association of Los Angeles, the Buhai Center is a nonprofit family law firm dedicated to ensuring access to justice for low-income residents</p>	

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		<p>of Los Angeles County. It provides free legal consultations, case management, and pro bono representation to those facing barriers to self-representation in family law matters. Since its inception, the Buhai Center has served as a cornerstone of family law and domestic violence assistance in the County. In addition to its legal services, the Buhai Center is also a key resource in family law education, with a long history of developing a community of family law legal aid advocates through its dynamic volunteer training and educational initiatives.</p> <p>Jenesse Center is the oldest domestic violence intervention program in South Los Angeles. Through our emergency shelter, transitional residence program, and drop-in center, we provide culturally sensitive services to transition families from crisis to self sufficiency through a range of programming including education, counseling, housing assistance, and advocacy through a courthouse-based clinic, LAPD DART partnership, and in-house legal team.</p> <p>Lassen Family Services, Inc. is a domestic violence/ sexual assault crisis agency committed to ending abuse in our community through Prevention, Healing, Advocacy, Safety, Education, compassionate intervention, and effective partnerships with local community and social service agencies that will support and empower the participant's journey to success.</p>	

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		<p>LAAC serves as the unified voice for the over 100 nonprofits that provide free civil legal services to low-income people and communities throughout California. Legal aid programs support vulnerable Californians navigating life-altering civil legal issues, from domestic violence to housing to consumer debt. We advocate on behalf, and with, our members for better laws and policies, including at the Judicial Council.</p> <p>Public Counsel is a nonprofit public interest law firm dedicated to advancing civil rights and racial and economic justice, as well as to amplifying the power of our clients through comprehensive legal advocacy. Founded on and strengthened by a pro bono legal service model, our staff and volunteers seek justice through direct legal services, promote healthy and resilient communities through education and outreach, and support community-led efforts to transform unjust systems through litigation and policy advocacy in and beyond Los Angeles. Public Counsel works closely with survivors of violence and families involved in domestic violence, family, probate, and dependency court proceedings through our Children's Rights Project and the Audrey Irmas Gender Justice Project.</p> <p>Queen's Bench Bar Association, formed in 1921, is a non-profit voluntary membership organization made up of attorneys, judges and law students that seeks to foster professional and social</p>	

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		<p>relationships among women lawyers and to promote equality and opportunity for all women through education, programs, and community outreach. Queen's Bench seeks to advance the interests of women in law and society, and plays an integral part in furthering the progress of women in the legal profession throughout the Bay Area and beyond. With the overall goal of promoting non-abusive behavior in today's world, Stopping Domestic Violence is a California-based domestic violence victim service organization that provides free, no-cost, wide-ranging services (including shelter, transportation, health care, education, food, clothing, advice, support, guidance, technology, and communication) to all affected by domestic violence.</p> <p>The mission of Survivor Justice Center (formerly known as Los Angeles Center for Law and Justice) is to secure justice for survivors of domestic violence, sexual assault and human trafficking and empower them to create their own future. Located in East Los Angeles, Survivor Justice Center is a 33-person non-profit law firm serving survivors throughout Los Angeles County. Survivor Justice Center's primary practice areas are family law and immigration. However, Survivor Justice Center strives to provide clients with holistic legal services and has both a robust criminal justice advocacy and appellate practice. Through our integrated legal/social worker service model, Survivor Justice Center Community Care</p>	

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			Advocates provide supportive services such as education, safety planning, accompaniment, and linkages to other service providers as part of the legal team. Survivor Justice Center is committed to a trauma informed and culturally-responsive workplace and service provision.	
3.	Hon. Steven Ipson, Judge Superior Court of California, County of Los Angeles	AM	<p>Position on Proposal Agree with proposed changes if modified</p> <p>Comments I do not think the gender, age, race, and dob should be included on the CLETS-001 since that information is already on the restraining order, e.g. DV-130. Copying the information to another form increases the risk of error and is time consuming. Data entry personnel can see that information on the restraining order.</p>	<p>Thank you for your response.</p> <p>In light of comments received, the committee agrees that the gender, age, race, and date of birth of the proposed restrained person should not be included on form CLETS-001, as that information is provided on the order form and data entry personnel already have to enter information from the order form. Additionally, the committee agrees that requiring a court user to enter the same information on multiple forms increases the risk of errors.</p>
4.	Orange County Bar Association by Mei Tsang	A	<p>The proposal is needed to implement the new provisions in Family Code section 6389(h) created by AB 2759, which changed requirements related to the exemption to firearm prohibition in restraining orders when work-related, and to make changes to form CLETS-001.</p> <p>The proposal appropriately addresses the stated purpose.</p> <p>Please note: form DV-120 and DV-120 info have to be conformed with the proposed revisions under SPR25-25.</p>	<p>No response required.</p> <p>Thank you for your response.</p> <p>The committee has ensured that all proposed revisions to forms DV-120 and DV-120-INFO in this proposal are also reflected in SPR25-25,</p>

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				<i>Family Law and Protective Orders: Implementation of Senate Bill 599 and Assembly Bill 3072.</i>
5.	State of California, Department of Justice by Brittany Phillips, Investigative Database Services Section Manager	AM	<p>Comments:</p> <p>1. The CLETS-001 form has the proposed change in section 4-Other People You Want Protected to add the following verbiage "If the judge grants the restraining order, the information of any people listed below will be entered into a federal law enforcement database if you provide their date of birth." While this is true for the primary protected person (listed in section 3), the California Restraining and Protective Order System (CARPOS) currently is not programmed to forward any additional protected persons to the National Crime Information Center (NCIC), regardless of the presence of a date of birth. Due to ongoing legislation and the constant updates required in CARPOS, the enhancement of CARPOS to add this programmatic feature has been delayed to the fourth quarter of 2026 (pending additional legislation items).</p> <p>CA DOJ Recommendations:</p> <p>1. CA DOJ recommends that the verbiage is removed from the CLETS-001 form to ensure protected persons are not provided with incorrect information regarding the presence of specific data in NCIC.</p>	Based on this comment, the committee is not recommending including this instruction on item 4 of form CLETS-001. The committee will consider adding an instruction after the California Department of Justice has begun forwarding the information in item 4 to the federal database.

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6.	Superior Court of California, County of Los Angeles by Stephanie Kuo	A	<p>The following comments are representative of the Superior Court of California, County of Los Angeles (Court), and do not represent or promote the viewpoint of any particular judicial officer or employee.</p> <p>In response to the Judicial Council of California's ITC, "Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759," the Court agrees with the proposal and its ability to appropriately address its stated purpose.</p> <p>Although the Court does not see any cost savings from the proposal, it anticipates minimal implementation requirements, which include but are not limited to:</p> <ul style="list-style-type: none"> Training for staff Updating policies and procedures Updating macros, event codes, and forms in the case management system <p>Lastly, the Court agrees that three to six months from Judicial Council approval of this proposal until its effective date will provide sufficient time for implementation and that this proposal would work well in courts of different sizes.</p>	<p>No response required.</p> <p>The committee appreciates the response and notes the commenter's agreement with the proposal.</p> <p>The committee appreciates the information.</p> <p>If approved by the Judicial Council, courts will have two months following approval to implement this proposal. As AB 2759 went into effect on January 1, 2025, the committee believes it is more important to have the forms available starting January 1, 2026, than to provide additional time for courts to implement this proposal.</p>
7.	Superior Court of California, County of Orange, Family and Juvenile Law Divisions by Katie Tobias, Operations Analyst	NI	Can the same Permission to Have Firearm for Work selection box in item #8(f) of the Restraining Order After Hearing (ROAH)(form DV-130) be added to the Temporary Restraining Orders (TRO)(form DV-110) form as well?	The committee does not recommend including an exemption checkbox on form DV-110, as the committee has found that the situation described by the commenter is rare. Additionally, including a checkbox for the exemption on the temporary

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		<p>There are certain Judicial Officer exceptions, including but not limited to, a finding of good cause, a continuance request by either party, or a pending criminal matter, etc. that with a time waiver by the responding party/restrained party, the Court can extend the TRO past the statutory 21-25 expiration dates.</p> <p>If this is addition is approved, then the new DV-850 will need a revision, in the first line of the proposed order, to include a selection box for the attachment of it to the DV-110 TRO order.</p>	<p>restraining order may lead to the impression that the exemption can be granted without a hearing, as many temporary restraining orders are granted based solely on the pleadings. If a court does grant the exemption in a temporary restraining order that is issued or modified after a hearing, the court could note that on the order and attach form DV-850.</p> <p>For the same reasons listed above, the committee does not recommend including a checkbox at the top of form DV-850 to indicates the form may be attached to form DV-110. The court may use the “Other” checkbox to indicate that form DV-850 is attached to form DV-110.</p>
		<p>Can a new selection box be entered on page 2, of the proposed DV-850, in item 2(b), giving the judicial officer an option to indicate (check) that the sworn peace officer may possess other weapons provided by their department?</p>	<p>The committee does not recommend including other weapons on form DV-850, as other weapons are not covered under AB 2759 or Family Code section 6389(h).</p>
		<p>Can a new selection box be entered on page 2, of the proposed DV-850, in item 2(b) stating that the relinquishment requirement does not include: body armor in possession of the sworn peace officer?</p>	<p>The committee does not recommend including information on body armor on form DV-850, which only relates to orders regarding firearms and ammunition. The committee notes that orders regarding body armor are included in a separate item on the order forms (see forms DV-110 and DV-130) because relinquishment requirements for body armor are different than the relinquishment requirements for firearms and ammunition, including who has the power to grant an exception. Under Penal Code section 31360(c), an</p>

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			exception to allow possession and use of body armor may be granted by the chief of police or sheriff of the jurisdiction in which the restrained person wants to possess and use the body armor.
		<p>Does the proposal appropriately address the stated purpose?</p> <p>Yes, the proposal appropriately addresses the stated purpose.</p>	The committee appreciates the information.
		<p>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p> <p>Implementation will require providing communication to judicial officers and court staff, revising current procedures, and conducting court staff training (approximately 2 hours).</p>	The committee appreciates the information.
		<p>Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p>Yes, two months would provide sufficient time for implementation in Orange County.</p>	The committee appreciates the information.
		<p>How well would this proposal work in courts of different sizes?</p> <p>Our court is a large court, and this could work for Orange County.</p>	The committee appreciates the information.

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8. Superior Court of California, County of San Diego	AM	Q: Does the proposal appropriately address the stated purpose? A: Yes.	Thank you for your response.
		Q: Would the proposal provide cost savings? If so, please quantify. A: No.	No response required.
		Q: What would the implementation requirements be for courts for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? A: Updating internal procedures adding filings to case management system, training staff, and notifying judicial officers.	The committee appreciates the information.
		Q: Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation ? A: Yes, provided the final versions of the forms are provided at that time.	Judicial Council staff strives to ensure final PDF versions of the forms are provided to courts as soon as possible after the forms are approved by the Judicial Council.
		Q: How well would this proposal work in courts of different sizes? A: It appears the proposal would work for courts of all sizes.	The committee appreciates the information.
		General Comments	
		CLETS-001 Item 1 – Query: Should the checkbox for “Nonbinary” match the “X (nonbinary)” in item 3?	In light of other comments received, the committee does not recommend including the restrained person’s gender on this form, as this

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		<p>DV-120 Item 2: Query – Add blank line for lawyer’s telephone or email address? Item 13: Insert “item 3 on” – “<i>(see item 15 on form DV-100 and item 3 on DV-105)</i>” OR Items 13a and 13b: Insert “item 3 on” – a. I am not the parent of the child or children listed in <u>item 3 on</u> form DV-105 b. I am the parent of the child <u>or</u> children listed in <u>item 3 on</u> form DV-105 Item 21c – Insert period and close parenthesis after link – “... at selfhelp.courts.ca.gov/child-support.”</p>	<p>information is already on the order form. Therefore, this issue is moot.</p> <p>This addition is unnecessary, as item 2 includes instructions to provide the lawyer’s address and contact information, if the respondent is represented by a lawyer.</p> <p>The committee believes that “in form” is correct. The committee believes that item 13a and 13b should reference the parties’ children in a consistent way and recommends using “children” rather than “child” or “child or children.”</p> <p>The committee recommends this correction.</p>
		<p>DV-120-INFO Page 2, Part 4: Change “the” to “Your” – “... read form DV-520-INFO, <i>Get Ready for the Your Restraining Order Court Hearing.</i>” Page 2, Part 4: Change “For” to “for” – “Read form DV-115-INFO, <i>How to Ask For a New Hearing Date, ...</i>” Page 3, What if I have more than one...: Change “Priority of Enforcement” to “Priorities for Enforcement” and change “back” to “last page” -- “... they will need to follow the rules of</p>	<p>The committee recommends this correction.</p> <p>The committee recommends this correction.</p> <p>The committee recommends revising this section to read: “If the police are called to enforce the order, they will need to follow the rules of enforcement (see “Conflicting Orders—Priorities</p>

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		<p>enforcement (see “Priorities of for Enforcement” listed on the back last page of form DV-110, DV-130, and CR-160.”)</p> <p>N.B. On DV-110 and DV-130, it is “Priorities for Enforcement.” On CR-160, it is “Priority of Enforcement.”</p> <p>Page 3, What if I have access...: Change “child” and/or “children” to match within the sentence, e.g., “If you have a child, ... whether you have custody of your children” or “If you have children, ... whether you have custody with your children” or “If you have a child <u>or</u> children, ... whether you have custody with your <u>child</u> <u>or</u> children.”</p>	<p>for Enforcement” listed on the last page of form DV-110, DV-130, and CR-160.”</p> <p>The committee recommends using “child” in this section.</p>
		<p>DV-130</p> <p>Item 4: Query - If the asterisk after “the orders noted below” is meant to refer to the orders listed after the first bullet point below, shouldn’t the first bullet point be replaced by an asterisk? (See, e.g., form JV-255, item 4.) If not, then what does the asterisk refer to?</p> <p>This restraining order, except the orders noted below,* ends on:</p> <p>...</p> <p>*Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. ...</p>	<p>The committee recommends replacing the first bullet point with an asterisk.</p>
		<p>Item 10: Suggested edit – “Restrained Person Has Not Complied With Surrendered Prohibited Items”</p>	<p>This suggestion is beyond the scope of the current proposal and would benefit from public comment.</p>

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			The committee will consider this suggestion in a future cycle.
		Item 13: Suggested edit – “Cannot Must Not Look for Protected People”	This suggestion is beyond the scope of the current proposal. The committee will consider this suggestion in a future cycle.
		Item 14, 1st bullet point: Suggest edits – “... annoy by phone or other electronic means (including repeatedly contact), ...” (See, e.g., JV-255, item 13.)	The committee recommends changing “repeatedly contact” to “repeated contact” but does not recommend striking “electronic” as such a change is beyond the scope of the current proposal.
		Page 10, Start Date and End Date, 2nd bullet point: Change “on this page” to “on page 9” – “The date next to the judge’s signature on this page 9.”	The committee agrees and recommends this change.
		Page 10, Start Date and End Date, last sentence: Suggested edits – “This order ends on the expiration date in 4. If no date is listed, they end it ends three years from the hearing date in 6a on page 2.”	The committee recommends changing the sentence to “This order ends on the expiration date in [number 4 circled] on page 1” consistent with other civil restraining order forms (e.g., CH-130).
		Page 10, Duties of Officer: Suggested edits below. Note: Elsewhere on this form, “you” refers to the person completing the form, i.e., the person requesting the RO, so it can be confusing when “you” is used to refer to the officer serving the order. Also, “restrained person” appears on this form (e.g., on the same page under Notice/Proof of Service) and other RO forms <i>without</i> the initial cap. “Ask if the restrained person is in possession of possesses any of the prohibited items listed in 8b,	These suggestions are beyond the scope of the current proposal. The committee will consider these suggestions in a future cycle.

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		<p>or has custody or control of any prohibited items that they have not already turned in.”</p> <p>“Order the restrained person to immediately surrender to you <u>law enforcement</u> all prohibited items.”</p> <p>“Issue a receipt to the restrained person for all prohibited items that have been surrendered.”</p> <p>“You may use fForm DV-200 <u>may be used</u> for this purpose.</p>	
		<p>Page 10, Notice/Proof of Service, 2nd bullet point: Suggested edit – “The restrained person attended the hearing (see 32a) or was informed of the order by an officer. …”</p>	<p>The committee recommends keeping the reference to item 32 rather than item 32a.</p>
		<p>DV-850 Page 1, left footer: Insert space between “§” and “6389.”</p>	<p>The committee agrees and recommends this change.</p>
		<p>JV-247 Item 2: Query – Add blank line for lawyer’s telephone or email address?</p> <p>Item 5: Change “item 2” to “item 2e” – “In item 2e of form JV-245, …”</p> <p>Item 15: Change “Cannot” to “Must Not” – “Cannot <u>Must Not</u> Look for Protected People”</p>	<p>For item 2, this addition is not needed as the item includes instructions to provide the lawyer’s address and contact information, if the respondent is represented by lawyer.</p> <p>The committee recommends the reference to item 2 remain as is.</p> <p>This suggestion is beyond the scope of the current proposals. The committee will consider this suggestion for a future cycle.</p>
		<p>JV-255 Item 4, 1st bullet point beneath box: Query – Should “item 6a” be changed to “item 5a”?</p>	<p>The committee agrees and recommends this change.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated.

Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

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Commenter	Position	Comment	Committee Response
		<p>E.g., "... ends three years after the date of the hearing in item 65a."</p> <p>Item 9: Suggested edit - "Restrained Person Has Not Complied With Surrendered Prohibited Items"</p> <p>Item 9: Query – Should 9b be changed to "Notify Law Enforcement" and 9c be added as "Notify Prosecutor"? (See, e.g., form DV-130, item 10.)</p> <p>Item 10: Query – Should "law enforcement and" be added to the end of the second sentence? (See, e.g., form DV-130, item 11.) – "... a judge may find that you have violated the restraining order and notify <u>law enforcement and</u> a prosecuting attorney of the violation."</p> <p>Item 12, heading: Suggested edit – "<u>Cannot Must Not</u> Look for Protected People and Others"</p> <p>Item 13, 1st par.: Suggested edit – "... annoy by phone or other electronic means (including repeated contact), ... "</p> <p>Page 7, Duties of Officer: In first bullet point, change "6" to "8" ("prohibited items listed in 8").</p>	<p>This suggestion is beyond the scope of the current proposal. The committee will consider this suggestion in a future cycle.</p> <p>Family Code section 6306(f) does not apply to juvenile court restraining orders issued under section 213.5. Therefore, the requirement that the court notify law enforcement about noncompliance with a firearms prohibition does not apply and was not included in the juvenile forms.</p> <p>See response above.</p> <p>This suggestion is beyond the scope of the current proposal. The committee will consider this suggestion in a future cycle.</p> <p>The committee does not recommend striking "electronic" as such a change is beyond the scope of the current proposal.</p> <p>These suggestions are beyond the scope of the current proposal. The committee will consider these suggestions in a future cycle.</p>

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Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

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Commenter	Position	Comment	Committee Response
		<p>Also, suggested edits below. Note: Elsewhere on this form, “you” refers to the person completing the form, i.e., the person requesting the RO, so it can be confusing when “you” is used to refer to the officer serving the order. Also, “restrained person” appears on this form (e.g., on the same page under Notice/Proof of Service) and other RO forms <i>without</i> the initial cap.</p> <p>“Ask if the restrained person is in possession of <u>possesses</u> any of the prohibited items listed in 68, or has custody or control of <u>any prohibited items</u> that they have not already turned in.”</p> <p>“Order the restrained person to immediately surrender to you law enforcement all prohibited items.”</p> <p>“Issue a receipt to the restrained person for all prohibited items that have been surrendered.”</p> <p>You may use f Form JV-268 <u>may be used</u> for this purpose.</p> <p>JV-259 Page 1, instructions box: Suggest inserting the last sentence before the previous sentence so that the reference to “this form” does not relate back to the JV-258 which is mentioned in the previous sentence. (See, e.g., instructions box on page 1 of form DV-120.)</p>	<p>The committee agrees and recommends this change.</p>

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Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

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Commenter	Position	Comment	Committee Response
		<p>Use this form if someone has asked for a restraining order against you, and you want to respond in writing. If you have a lawyer in this case, the lawyer should fill out this form. <u>You will need a copy of form JV-258, Request for Juvenile Restraining Order Against a Child, that was filled out by the person who asked for a restraining order against you.</u> There is no cost to file this form with the court. <u>You will need a copy of form JV-258, Request for Juvenile Restraining Order Against a Child, that was filled out by the person who asked for a restraining order against you.</u></p> <p>Item 2: Query – Add blank line for lawyer’s telephone or email address?</p> <p>Item 9: Change “orders in 6” to “orders in 5” – “If you were served with form JV-260, … you must follow the orders in 5 on form JV-260.”</p> <p>Item 10: Change “Cannot Look” to “Must Not Look.” The same change is suggested for item 12 on JV-258.</p> <p>JV-265</p> <p>Item 3: Change “is” to “if” – “Check here <u>is</u> <u>if</u> you need to list more people.”</p>	<p>For item 2, this addition is unnecessary, as the item includes instructions to provide the lawyer’s address and contact information, if the respondent is represented by a lawyer.</p> <p>The committee agrees and recommends this change.</p> <p>This suggestion is beyond the scope of the current proposal. The committee will consider this suggestion in a future cycle.</p> <p>The committee agrees and recommends this change.</p>

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Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

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Commenter	Position	Comment	Committee Response
		<p>Item 4: Change “end” to “ends” – “This restraining order, except ..., ends <u>on</u>.”</p> <p>Item 7e: Delete space between link for form DV-800/JV-270 and the comma following it.</p> <p>Item 9: Suggested edit – “Restrained Person Has Not Complied With Surrendered Prohibited Items”</p> <p>Item 9: Query – Should 9b be changed to “Notify Law Enforcement” and 9c be added as “Notify Prosecutor”? (See, e.g., form DV-130, item 10.)</p> <p>Item 12: Change “Cannot Look” to “Must Not Look.”</p> <p>Page 6, Duties of Officer: Suggested edits below. Note: Elsewhere on this form, “you” refers to the person completing the form, i.e., the person requesting the RO, so it can be confusing when “you” is used to refer to the officer serving the order. Also, “restrained person” appears on this</p>	<p>The committee agrees and recommends this change.</p> <p>The committee agrees and recommends this change.</p> <p>This suggestion is beyond the scope of the current proposal. The committee will consider this suggestion in a future cycle.</p> <p>Family Code section 6306(f) does not apply to juvenile court restraining orders issued under section 213.5. Therefore, the requirement that the court notify law enforcement about noncompliance with a firearms prohibition does not apply and was not included in the juvenile forms.</p> <p>This suggestion is beyond the scope of the current proposal. The committee will consider this suggestion in a future cycle.</p> <p>These suggestions are beyond the scope of the current proposal. The committee will consider these suggestions in a future cycle.</p>

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Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)
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Commenter	Position	Comment	Committee Response
		<p>form (e.g., on the same page under Notice/Proof of Service) and other RO forms <i>without</i> the initial cap.</p> <p>“Ask if the restrained person is in possession of <ins>possesses</ins> any of the prohibited items listed in 7, or has custody or control of <ins>any prohibited items</ins> that they have not already turned in.”</p> <p>“Order the restrained person to immediately surrender to you <ins>law enforcement</ins> all prohibited items.”</p> <p>“Issue a receipt to the restrained person for all prohibited items that have been surrendered.”</p> <p>“You may use Form JV-268 may be used for this purpose.</p> <p>Page 7, Conflicting Orders: Add “also” – “... must <u>also</u> be enforced.” (See, e.g., JV-255, p. 8.)</p> <p>“Provisions of another order that do not conflict with the EPO must <u>also</u> be enforced.”</p> <p>“All provisions in the civil court order that do not conflict with the CPO must <u>also</u> be enforced.”</p>	

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Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)
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	Commenter	Position	Comment	Committee Response
			<p>“Provisions that do not conflict with the most recent civil restraining order must <u>also</u> be enforced.”</p>	
9.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) Joint Rules Subcommittee (JRS)	AM	<p>The JRS notes that the proposal is required to conform to a change of law.</p> <p>The JRS also notes the following impact to court operations: Results in additional training, which requires the commitment of staff time and court resources. Courts will need to train clerks (both courtroom clerks and processing clerks) on the changes to the forms. The clerks will need to ensure the correct information is entered in case management systems. If forms are filed at the window and not in the courtroom, the clerks will need to ensure the parties file the correct forms. Judges will need to be trained on the new forms. Judges will need to identify whether someone used the new form or an old form. Judges will need to confirm their orders are on the correct form. The additional training time required for court staff and judges is not likely to be significant. Impact on local or statewide justice partners. There will be an impact on justice partners because the district attorney offices, probation and sheriffs will need to understand the new forms and the specific details of the exceptions that may be granted. The additional training required for justice partners to understand the new forms and any court ordered exceptions is not likely to be significant.</p>	<p>No response required.</p> <p>The committee appreciates the information.</p>

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Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement AB 2759 (Adopt forms DV-850 and JV-276; revise forms CLETS-001, DV-120, DV-120-INFO, DV-130, JV-247, JV-255, JV-259, and JV 265)

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Commenter	Position	Comment	Committee Response
		DV-120, sec. 26.c.2 “Are there any orders or laws (consider modifying to “any orders or any state or federal laws”) that prohibit you...” (Also applies to JV-247 and JV-259)	The committee agrees and recommends that item 26 on form DV-120 read, “Are there any orders <u>or state or federal</u> laws that prohibit you from having firearms or ammunition?”
		DV-120, sec. 26 ‘Note that you will be... There are other things (consider modifying “things” to “requirements”) you will need to prove. (Also applies to JV-247 and JV-259.)	The committee does not recommend this suggestion because “things” is more clear and concise language than “requirements.”
		DV-120 sec. 27.c. allows for a request for a body armor exception. DV-130 sec. 12 does not allow the court to grant an exception. It appears inconsistent.	The committee notes that this type of exception is not made by the court. At item 27c of form DV-120, the respondent may indicate whether they were granted, or plan to request, an exception from local law enforcement to possess and use body armor. Under Penal Code section 31360(c), a person prohibited from possessing body armor may request an exception through the chief of police or sheriff in the jurisdiction that the person seeks to possess and use the body armor.
		DV-850 does not provide an exception for body armor. A police officer, private security or armored car driver, etc. may need body armor for work. It appears inconsistent with DV-120 sec. 27.c.	The committee does not recommend including information on body armor on form DV-850, as exceptions for body armor are not granted by the court. The committee notes that orders regarding body armor are included in a separate item on the order forms (see forms DV-110 and DV-130) because the relinquishment requirements for body armor are different than the relinquishment requirements for firearms and ammunition. Similarly, including information on body armor on form DV-850 may cause confusion by giving the impression that the requirements for exemption are the same.

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		DV-850, sec. 1.e.(1) does not state whether the court made the findings as required by Fam. Code 6389(h)(1)(A)(i)/(ii)	<p>The required finding under Family Code section 6389(h)(1)(A)(i) that “The peace officer’s personal safety depends on the ability to carry that specific firearm, ammunition, or firearm and ammunition outside of scheduled work hours.” is at item 1e(2) on form DV-850.</p> <p>The required finding under Family Code section 6389(h)(1)(A)(ii) that “The peace officer does not pose an additional threat of harm to a protected party or the public by having access to that specific firearm, ammunition, or firearm and ammunition, including whether the peace officer might use the firearm for a purpose other than as permitted under this paragraph.” is at item 1d on form DV-850.</p>
		DV-850, sec. 1.f.(2) does not state whether the court made the findings as required by Fam. Code 6389(h)(2)	<p>All findings required for non-sworn peace officers are contained in item 1a-d. For non-sworn peace officers, the court has the option of ordering a psychological evaluation. In item 1f the court can indicate whether a psychological evaluation has been ordered, and if ordered, whether the court has reviewed a completed evaluation.</p> <p>In granting an exemption, the court must identify a specific firearm or ammunition for which the exemption applies. These orders would be listed in item 2.</p>
		JV-247 sec. 14.c. allows for a body armor exception. JV-255 sec. 11, does not allow for a body armor exception and appears inconsistent.	See response above regarding form DV-120 and DV-130.

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		JV-255 on page 1, does not provide lined space at the top for the amended order unlike orders such as DV-130 that has lined space for the amended order at the top of page 1.	The committee agrees and recommends including lined space for the amended order at the top of page 1 of form JV-255.
		JV-259 sec. 10.c. allows for a body armor exception. JV-265 sec. 11 does not allow for an exception for body armor. This appears inconsistent.	See response above regarding form DV-120 and DV-130.
		JV-259, just above section 14, which is the signature line, there is no statement that information is submitted under penalty of perjury.	The committee agrees with this comment and recommends including a statement that the information on the form is submitted under penalty of perjury.
		JV-276, there is no spot to allow for an exception for body armor.	See response above regarding form DV-120 and DV-130.
		Request for Specific Comments Does the proposal appropriately address the stated purpose? Yes.	Thank you for your comments.
		Would the proposal provide cost savings? No, the proposal is unlikely to increase costs, but it will not provide savings.	No response required.
		What are the implementation requirements? Please see comments above re: #5. There will be training requirements that are unlikely to be significant.	The committee appreciates the information.
		Would two months be sufficient time for implementation?	The committee appreciates the information.

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		Generally, yes, but large courts may need more than two months to train all staff and judicial officers.	
		How will this work in courts of different sizes? In a large court there will be more judges and staff to train and that may take longer than two months.	The committee appreciates the information provided. While the committee understands the workload associated for implementing new forms required by newly enacted legislation, particularly for large courts, the committee does not recommend delayed implementation given the safety issues associated with this new law, which went into effect on January 1, 2025.

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