

# Judicial Council of California

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# REPORT TO THE JUDICIAL COUNCIL

Item No.: 25-143
For business meeting on October 24, 2025

#### Title

Criminal Law: Implementation of Recent Legislation Regarding Criminal Protective Orders

## Rules, Forms, Standards, or Statutes Affected

Amend Cal. Rules of Court, rule 1.51; repeal rule 4.700; adopt forms CLETS-002 and CR-850; approve forms CR-800, CR-800-INFO, CR-830, and CR-840; revise forms CR-160, CR-161, and CR-162

#### Recommended by

Criminal Law Advisory Committee Hon. Lisa Rodriguez, Chair

## **Report Type**

Action Required

## **Effective Date**

January 1, 2026

#### **Date of Report**

September 25, 2025

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## **Executive Summary**

Recent legislation addressed firearm and ammunition relinquishment for defendants subject to a criminal protective order and lengthened the time frame for certain postconviction criminal protective orders. To implement this legislation, the Criminal Law Advisory Committee recommends repealing a rule of court, adopting two new forms, approving four new forms including an information sheet, and revising three criminal protective order forms. The committee also recommends adopting a new confidential California Law Enforcement Telecommunications System form for use with criminal protective orders, and amending California Rules of Court, rule 1.51 to require prosecuting agencies to use the form.

## Recommendation

The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2026:

1. Amend California Rules of Court, rule 1.51;

- 2. Repeal California Rules of Court, rule 4.700;
- 3. Adopt *Confidential Information for Law Enforcement—Criminal* (form CLETS-002) and *Permission to Have Firearm or Ammunition for Work* (form CR-850);
- 4. Approve *Receipt for Firearms, Firearm Parts, and Ammunition* (form CR-800) and a corresponding information sheet (form CR-800-INFO), *Noncompliance With Firearms and Ammunition Order* (form CR-830), and *Prohibited Items Finding and Orders* (form CR-840); and
- 5. Revise Criminal Protective Order—Domestic Violence (form CR-160), Criminal Protective Order—Other Than Domestic Violence (form CR-161), and Order to Surrender Firearms in Domestic Violence Case (form CR-162).

The proposed amended and repealed rules and new and revised forms are attached at pages 17–43.

## **Relevant Previous Council Action**

Forms CR-160, CR-161, and CR-162 were most recently revised effective January 1, 2025, to incorporate body armor prohibitions enacted by legislation.

California Rules of Court, rule 1.51, was revised effective July 1, 2025, to include references to retail crime restraining orders under Penal Code section 490.8 and update a reference to a previous form title (*Confidential CLETS Information*) with the current title of the form (*Confidential Information for Law Enforcement*).

## Analysis/Rationale

Recent legislation impacted procedures related to the relinquishment of firearms and ammunition when a defendant is subject to a criminal protective order, and lengthened the time frame for protective orders issued under Penal Code section 273.5. Separately, the committee became aware of an issue with the use of the protected person's date of birth in the federal database. The recent legislation as well as the date-of-birth data entry issue are summarized below.

To address these issues, the Criminal Law Advisory Committee recommends amending rule 1.51; repealing rule 4.700; adopting forms CLETS-002 and CR-850; approving forms CR-800, CR-800-INFO, CR-830, and CR-840; and revising forms CR-160, CR-161, and CR-162, effective January 1, 2026, as described below.

## **Assembly Bill 2308**

Assembly Bill 2308 (Stats. 2024, ch. 649) (Link A) amended Penal Code section 273.5(j), effective January 1, 2025, to authorize a court to issue a postconviction protective order for up to 15 years when a defendant is convicted of a violation of Penal Code section 273.5(a). Previously, a court could issue such orders for up to 10 years. Based on this change, the committee

recommends adding a statement to form CR-160 that orders issued under section 273.5(j) may last up to 15 years.

## **Assembly Bill 2907**

Assembly Bill 2907 (Stats. 2024, ch. 538) (Link B) amended Penal Code section 273.75(d), effective January 1, 2025, to require a court to inform a defendant about how to comply with firearm and ammunition prohibitions if the court has information or evidence that a defendant charged with a domestic violence—related offense *and* subject to a domestic violence criminal protective order has a firearm or ammunition. If evidence of compliance is not provided by the defendant within 48 hours, the court must notify, within two business days, the prosecuting agency and appropriate law enforcement officials. The prosecuting agency and law enforcement must take all necessary action to obtain the firearms and ammunition as soon as practicable.<sup>2</sup>

AB 2907 also amended Penal Code section 29825.5, effective January 1, 2025, to require defendants who are subject to specified postconviction protective orders<sup>3</sup> to relinquish firearms to law enforcement or a licensed firearms dealer within 24 hours of being served with the order and to file proof with the court within a specified period. The court is required to provide information on how to relinquish firearms and ammunition, according to local procedures, and the process for submitting a receipt to the court showing proof of relinquishment.<sup>4</sup> The bill also adds exemption criteria for sworn peace officers and others.<sup>5</sup>

As a result of the statutory changes enacted by AB 2907, the committee recommends adopting form CR-850, approving forms CR-800, CR-800-INFO, and CR-830, and revising forms CR-160 and CR-161. Form CR-850 allows a court to grant a request for a firearm or ammunition exemption under Penal Code section 29825.5(g). Form CR-800 is a receipt for relinquished prohibited items under Penal Code section 273.75, and form CR-800-INFO is a corresponding information sheet. Form CR-830 allows a court to report noncompliance with relinquishment requirements to law enforcement and the prosecuting agency as required under Penal Code section 273.75. Revisions to forms CR-160 and CR-161 include references to ammunition as a relinquishable item and allow a court to make findings on whether the defendant possesses prohibited items and if so, whether proof of relinquishment was presented.

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<sup>&</sup>lt;sup>1</sup> Pen. Code, § 273.75(d). Section 273.75(d) applies to protective orders issued in a case involving acts of domestic violence under Penal Code section 136.2(h) and (i), and sections 273.5(j), 368(l), 646.9(k), and 1203.097(a)(2). Section 136.2(h)(1) concerns pretrial domestic violence protective orders and (h)(2) concerns a pretrial protective order issued when a sex offense is charged. Because section 273.75 addresses domestic violence offenses, the reference to orders issued under section 136.2(h) likely only applies to cases involving domestic violence.

<sup>&</sup>lt;sup>2</sup> Pen. Code, § 273.75(d).

<sup>&</sup>lt;sup>3</sup> Specifically, orders issued under Penal Code sections 273.5(j), 368(*l*), or 646.9(k).

<sup>&</sup>lt;sup>4</sup> Pen. Code, § 29825.5(b).

<sup>&</sup>lt;sup>5</sup> Id., § 29825.5(g).

#### Senate Bill 899

Senate Bill 899 (Stats. 2024, ch. 544) (Link C) amended Code of Civil Procedure section 527.9, effective January 1, 2026, to require a defendant subject to a criminal protective order under section 136.2 to relinquish ammunition. This bill also added Penal Code section 18120.5 to add new court procedures related to firearms and ammunition relinquishment. These new requirements relate to procedures after a court has issued a protective order and when a court receives information that a restrained person has a firearm.

- Upon the issuance of a protective order:
  - The court is required to provide information on how to relinquish firearms and ammunition, according to local procedures, and the process for submitting a receipt to the court showing proof of relinquishment.<sup>7</sup>
  - O A court holding a hearing on the matter must determine whether a receipt has been filed and inquire of the respondent whether they have complied.<sup>8</sup>
  - O Any violations of the firearms prohibition must be reported to the prosecutor within two business days of the court hearing unless the restrained person provides a receipt showing compliance at a subsequent hearing or by direct filing with the clerk.<sup>9</sup>
  - If the restrained person does not file a receipt within 48 hours after receiving the order for a firearm in their possession, the court must notify appropriate law enforcement officials.<sup>10</sup>
  - o The court may grant an exemption based on modified criteria for sworn peace officers and others. 11

<sup>&</sup>lt;sup>6</sup> SB 899 also amended statutes governing civil harassment, elder and dependent abuse, postsecondary private school violence, workplace violence, and gun violence restraining orders. The Civil and Small Claims Advisory Committee is recommending changes to several forms to implement SB 899 in a report titled *Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899*. Similarly, the Family and Juvenile Law Advisory Committee is recommending form revisions to implement AB 2759, which changed the requirements for granting a firearm exemption to a domestic violence or juvenile restraining order. That report is titled *Protective Orders: Changes to Domestic Violence and Juvenile Forms to Implement Assembly Bill 2759*.

<sup>&</sup>lt;sup>7</sup> Code Civ. Proc., § 527.9(b).

<sup>&</sup>lt;sup>8</sup> Ibid.

<sup>&</sup>lt;sup>9</sup> Ihid.

<sup>&</sup>lt;sup>10</sup> *Ibid*.

<sup>&</sup>lt;sup>11</sup> Code Civ. Proc., § 527.9(f).

- When relevant information is provided to the court at any noticed hearing that the restrained person has a firearm: 12
  - The court must determine whether the restrained person has a firearm in violation of the order. 13
  - o In making the determination, the court may consider whether the restrained person has filed a firearm relinquishment receipt or if an exemption was granted.<sup>14</sup>
  - The court may make the determination at any noticed hearing where a restraining order is issued, at a subsequent review hearing, or at any subsequent hearing while the order remains in effect.<sup>15</sup>
  - The court may set a review hearing within 10 court days after the hearing at which the information was presented. 16
  - o If the restrained person is not present when the court sets the review hearing, the protected person must provide notice of the review hearing to the restrained person.<sup>17</sup>

As a result of the statutory changes enacted by SB 899, the committee recommends adopting form CR-850, approving forms CR-800, CR-800-INFO, and CR-840, and revising forms CR-160, CR-161, and CR-162. Form CR-850 allows a court to grant a request for a firearm or ammunition exemption under Code of Civil Procedure section 527.9(f). Form CR-800 is a receipt for relinquished prohibited items under Code of Civil Procedure section 527.9, and form CR-800-INFO is a corresponding information sheet. Form CR-840 is intended for findings and orders by the court when it learns that the restrained person has a firearm *after* a protective order has issued, pursuant to the procedures under Penal Code section 18120.5. Revisions to forms CR-160, CR-161, and CR-162 include references to ammunition as a relinquishable item and allow a court to make findings on whether the defendant possesses prohibited items and if so, whether proof of relinquishment was presented.

## Protected person's date of birth

All restraining orders issued in California must be entered into the California Department of Justice's restraining order database (CARPOS). Eligible restraining orders entered into CARPOS

<sup>&</sup>lt;sup>12</sup> SB 899 established identical firearm relinquishment procedures under Penal Code section 18120.5 (for gun violence restraining orders and criminal protective orders issued under Penal Code section 136.2) and Code of Civil Procedure section 527.11 (for civil harassment, workplace violence, school violence, and elder abuse protective orders).

<sup>&</sup>lt;sup>13</sup> Pen. Code, § 18120.5(a).

<sup>&</sup>lt;sup>14</sup> *Id.*, § 18120.5(b)(1).

<sup>&</sup>lt;sup>15</sup> *Id.*, § 18120.5(b)(2).

<sup>&</sup>lt;sup>16</sup> *Id.*, § 18120.5(c)(1), (2).

<sup>&</sup>lt;sup>17</sup> Id., § 18120.5(c)(2).

are then forwarded to the National Crime Information Center Protection Order File (NCIC-POF), which is a federal electronic database maintained by the U.S. Department of Justice. The NCIC-POF is used by law enforcement agencies to verify and enforce out-of-state protective orders.

Currently, civil and criminal restraining orders do not require the protected person's date of birth, and only the age of the protected person is required for entry into CARPOS. However, the federal database will not display the protected person's name in a restraining order record unless the protected person's date of birth is provided.

For civil protective orders, *Confidential Information for Law Enforcement* (form CLETS-001) allows a protected party to provide their personal information in a confidential manner. After the protected person's information from the form is entered into the California Law Enforcement Telecommunications System (CLETS), 19 the form must be promptly destroyed. The Judicial Council first adopted a confidential CLETS information form to address safety concerns raised by domestic violence victim advocates about how including the protected person's date of birth and other identifying information on a domestic violence restraining order could be used to harass or stalk the protected person. Subsequently, similar forms were adopted for use with juvenile protective orders and proceedings to prevent elder and dependent abuse, civil harassment, private postsecondary school violence, and workplace violence. These forms were consolidated into a single form, CLETS-001, effective January 1, 2012.

Adopted effective January 1, 2011, California Rules of Court, rule 1.51 provides direction to the public and the courts about how form CLETS-001 should be used, who has access to the information it contains, and how long courts should retain the form.

To provide the protected person's personal information in a confidential manner, including a date of birth for inclusion of the protected person in the federal database, the committee recommends adopting *Confidential Information for Law Enforcement—Criminal* (form CLETS-002) and amending rule 1.51 to require its use with criminal protective orders.

<sup>&</sup>lt;sup>18</sup> To address the issue of inclusion in the federal law enforcement database, the Family and Juvenile Law Advisory Committee is recommending revisions to form CLETS-001 to include the following language for petitioners regarding their date of birth, which is an optional field:

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.

<sup>&</sup>lt;sup>19</sup> CLETS is a state law enforcement database.

<sup>&</sup>lt;sup>20</sup> Cal. Rules of Court, rule 1.51(e).

<sup>&</sup>lt;sup>21</sup> See Judicial Council of Cal., Advisory Com. Rep., *Domestic Violence Prevention Act Forms* (Aug. 27, 2003), p. 2.

#### Rule and form recommendations

For ease of reference, the committee's recommendations for each rule and form are summarized below.

## Repeal rule 4.700

The committee recommends repealing rule 4.700. The rule requires a court, upon issuing specified criminal protective orders, to set a review hearing to determine whether the defendant relinquished firearms if the court has good cause to believe that the defendant owns a firearm. The main rationale for the rule was that at the time, there were no statutory provisions to ensure that a court's order to relinquish firearms had been followed,<sup>22</sup> and one of the rule's stated purposes is to assist courts issuing criminal protective orders to determine whether a defendant has a firearm and assist courts to determine compliance with orders to relinquish under Code of Civil Procedure section 527.9.<sup>23</sup>

Under Penal Code section 18120.5, the statutory gaps around firearm relinquishment compliance that rule 4.700 sought to address no longer exist. Though section 18120.5 does not directly codify rule 4.700, it does address when and how a court must determine whether a restrained person has a prohibited firearm, and the consequences of noncompliance.

Approve forms CR-800, CR-800-INFO, CR-830, and CR-840, and adopt form CR-850 The committee recommends several new forms to implement the changes in law under AB 2907 and SB 899:

- Receipt for Firearms, Firearm Parts, and Ammunition (form CR-800) and a corresponding information sheet (form CR-800-INFO). Under AB 2907 and SB 899, courts must provide information to a defendant subject to a criminal protective order on how to relinquish firearms and ammunition, and the process for submitting a receipt to the court showing proof of relinquishment.<sup>24</sup> Optional forms CR-800 and CR-800-INFO are modeled after existing forms for use with civil restraining orders.
- Noncompliance With Firearms and Ammunition Order (form CR-830). This optional form may be used by a court to report noncompliance with relinquishment orders to both the prosecuting agency and law enforcement.<sup>25</sup> In domestic violence cases, the agencies must "take all actions necessary to obtain those and any other firearms or ammunition owned, possessed, or controlled by the defendant and to address any violation of the order with respect to firearms or ammunition as appropriate and as soon as practicable."<sup>26</sup>

<sup>&</sup>lt;sup>22</sup> See Judicial Council of Cal., Advisory Com. Rep., *Domestic Violence: Firearms Relinquishment in Criminal Protective Order Cases* (Apr. 19, 2010), p. 1.

<sup>&</sup>lt;sup>23</sup> Cal. Rules of Court, rule 4.700(b)(2).

<sup>&</sup>lt;sup>24</sup> Code Civ. Proc., § 527.9(b); Pen. Code, § 273.75(d).

<sup>&</sup>lt;sup>25</sup> Code Civ. Proc., § 527.9(b); Pen. Code, § 273.75(d).

<sup>&</sup>lt;sup>26</sup> Pen. Code, § 273.75(d).

This directive is not included for cases that do not involve domestic violence. To reflect these differences, the form has separate items for domestic violence cases and cases not involving domestic violence.

- Prohibited Items Finding and Orders (form CR-840). This optional form is intended for use by the court when it learns that the restrained person has a firearm after a protective order has issued, pursuant to the procedures under Penal Code section 18120.5 and Code of Civil Procedure section 527.9. The form allows the court to list prohibited firearms and ammunition, note when the defendant provided proof of compliance, set a review hearing on compliance, and state that the court will notify the prosecuting attorney and law enforcement if the defendant has not complied with relinquishment orders.
- Permission to Have Firearm or Ammunition for Work (form CR-850). This mandatory form allows the court to make appropriate findings and orders when granting a request for a firearm exemption under Code of Civil Procedure section 527.9(f) or Penal Code section 29825.5(g).

## Revise form CR-160

The committee recommends revising *Criminal Protective Order—Domestic Violence* (form CR-160) by:

- Removing the protected person's gender and age and the gender of additional protected persons and adding a reference to use form CLETS-002, where that information will be provided;
- Adding a statement that orders issued under section 273.5(j) may last up to 15 years, to implement changes in law created by AB 2308;
- Implementing AB 2907 and SB 899 by:
  - Adding, in item 8:
    - Ammunition as an item that must be relinquished;
    - A statement that the defendant may use *Receipt for Firearms, Firearm Parts, and Ammunition* (form CR-800); and
    - New item 8e for the court to indicate if a firearm exemption was granted, and if so, to see detailed orders on attached *Permission to Have Firearm or Ammunition* for Work (form CR-850);
  - Adding new item 9, "Possession of prohibited items," for the court to list prohibited firearms and ammunition, note when the defendant provided proof of compliance, and set a review hearing on compliance;

- Adding new item 10, "Noncompliance with surrendering prohibited items," stating that the court will notify the prosecuting attorney and law enforcement that the defendant has not complied with relinquishment orders; and
- Adding citations to Code of Civil Procedure section 527.12 to the Instructions for Law Enforcement on page 5.

## Revise form CR-161

The committee recommends revising *Criminal Protective Order—Other Than Domestic Violence* (form CR-161) by:

- Removing the protected person's gender and age and the item on the gender of additional protected persons, and adding a reference to use form CLETS-002, where that information will be provided;
- Implementing AB 2907 and SB 899 by:
  - Adding, in item 8:
    - Relinquishment requirements and time frames for orders issued under section 136.2 (item 8b) and sections 368(*l*) and 646.9(k) (new item 8c);
    - New item 8d stating that the defendant may use *Receipt for Firearms, Firearm Parts, and Ammunition* (form CR-800); and
    - New item 8e for the court to indicate if a firearm exemption was granted, and if so, to see detailed orders on attached *Permission to Have Firearm or Ammunition* for Work (form CR-850);
  - Adding new item 9, "Possession of prohibited items," for the court to list prohibited firearms and ammunition, note when the defendant provided proof of compliance, and set a review hearing on compliance;
  - Adding new item 10, "Noncompliance with surrendering prohibited items," stating that the court will notify the prosecuting attorney and law enforcement that the defendant has not complied with relinquishment orders; and
  - Adding citations to Code of Civil Procedure section 527.12 to the Instructions for Law Enforcement on page 4.

## Revise form CR-162

The committee proposes revising *Order to Surrender Firearms in Domestic Violence Case* (form CR-162) by:

- Changing the form title to Order to Surrender Firearms, Firearm Parts, and Ammunition in Domestic Violence Case;
- Revising item 4 to follow the structure and language of forms CR-160 and CR-161;
- Implementing SB 899 by:
  - Adding new item 4b for the court to indicate if a firearm exemption was granted, and
    if so, to see detailed orders on attached *Permission to Have Firearm or Ammunition*for Work (form CR-850);
  - Adding, in item 5a, ammunition as an item that must be relinquished;
  - Adding new item 5, "Relinquishment of prohibited items," for the court to list prohibited firearms and ammunition, note when the defendant provided proof of compliance, and set a review hearing on compliance; and
  - Adding new item 6, "Noncompliance with surrendering prohibited items," stating that the court will notify the prosecuting attorney and law enforcement that the defendant has not complied with relinquishment orders.

## Adopt form CLETS-002 and amend rule 1.51

The committee recommends adoption of a new form, *Confidential Information for Law Enforcement—Criminal* (form CLETS-002), modeled after form CLETS-001, for mandatory use with criminal protective orders to provide a protected person's gender, age, and date of birth, as well as additional optional information about the protected person, other protected people, and the defendant. The committee anticipates that the prosecuting agency would fill out and submit the form with the protected person's information.

Forms CR-160 and CR-161 would be revised to delete the protected person's gender and age and the gender of additional protected persons, and to include a reference to use form CLETS-002. These changes would align the criminal protective orders with all other protective orders with a protected party that are entered into CLETS, address concerns with the protected person's identifying information being publicly available on the order, and allow the protected person's date of birth to be provided for inclusion in the federal database in a confidential manner.

The circulated version of form CLETS-002 noted that "date of birth is required for the protected person's information to appear in a federal law enforcement database." The California Department of Justice has indicated that their system is not currently programmed to send additional protected person information to the federal database. Considering this, the language has been removed and the committee will propose reinserting it when the Department of Justice has updated their programming capacity. To clarify the scope of enforcement, the committee recommends the following underlined changes to the form:

Date of birth is required for the protected person's information to appear in a federal law enforcement database <u>for enforcement of the order outside of</u> California.

Additionally, the committee recommends amending rule 1.51 by adding to subdivision (a) that a prosecuting agency requesting protective orders issued under Penal Code section 136.2, 273.5(j), 368(l), 646.9(k), or 1203.097(a)(2) must submit to the court with the request a completed form CLETS-002. The committee also recommends amending the rule where necessary to make clear that the rule's other provisions apply to form CLETS-002, including the requirement in rule 1.51(b) that CLETS forms be kept confidential.

## **Policy implications**

The proposal implements legislative changes. Accordingly, the key policy implications are ensuring that the rules of court reflect the law. These revisions are therefore consistent with the *Strategic Plan for California's Judicial Branch*, specifically the goals of Modernization of Management and Administration (Goal III) and Quality of Justice and Service to the Public (Goal IV).

## **Comments**

The proposal circulated for comment from April 14 to May 23, 2025. The committee received four comments agreeing with the proposal if modified from the Superior Court of Los Angeles County, the Superior Court of Orange County, the Orange County Bar Association, and the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee. The substantive comments and the committee's responses are summarized below. All comments received and the committee's responses are provided in the attached chart of comments at pages 44–53.

## Form CLETS-002

The committee sought specific comments on whether requiring the use of form CLETS-002 would create workload pressures for prosecuting agencies, law enforcement, and the courts. All four commenters stated that the form would result in a workload increase for prosecutors and the courts, with commenting courts noting that it would require extensive training of court personnel, prosecutors, and law enforcement, as well as costs related to technology updates. The Superior Court of Orange County noted that the form would increase the workload for court staff due to having to compare the information on form CLETS-002 and the criminal protective order to make sure they are the same prior to entry into CLETS. The Orange County Bar Association noted that protecting victim information justified the increased workload.

The committee recognizes the increased workload associated with form CLETS-002 but believes the form is necessary to include the protected person's information in the federal database, which is only possible if a date of birth is provided. To address workload concerns, form CLETS-002 only requires the protected persons' information in items 1 and 2; the defendant's information in item 3 is largely optional since it is already required on the criminal protective order. In response to the public comments, the committee revised item 3 to only require the defendant's name as a

mandatory field and to remove the mandatory fields for the defendant's gender, race, and age, since those are already included on the criminal protective order.

## **Implementation**

Courts will have approximately two months to implement the new and revised forms. The Superior Court of Orange County commented that two months will not be sufficient to properly train staff and stakeholders. The Superior Court of Los Angeles County and the Joint Rules Subcommittee also noted the need to train roughly 1,000 court employees in Los Angeles and implement new procedures and case management codes. These commenters noted that implementation in two months was possible, but three months were preferred.

The committee appreciates the amount of work involved in implementing new forms changes. The changes in this proposal are largely to implement laws that became effective on January 1, 2025, or will be effective on January 1, 2026. Given the importance and safety issues associated with the new laws, the committee does not recommend delaying implementation of this proposal.

## Other changes

The committee recommends two minor revisions based on comments received. The committee requested specific comments on the most effective way to advise a defendant granted a firearm exemption (see item 2 on form CR-850) that the exemption only applies to the specific restraining order, and that if the defendant is prohibited from having firearms or ammunition by another order or law, the defendant may be in violation of state or federal law. All four commenters preferred a stand-alone warning box rather than including the advisement as part of the order, as was circulated, and the committee therefore recommends that approach.

The committee also asked for specific comments on whether it would be helpful to include language preferences and prohibited item information on form CLETS-002, similar to form CLETS-001. The circulated version of the form did not include that information because the committee thought they were unnecessary. However, all four commenters recommended including those items as optional, and the committee therefore recommends that approach.

#### Alternatives considered

The committee did not consider the alternative of taking no action because form revisions are needed to comply with AB 2308, AB 2907, and SB 899. To the extent the proposed revisions were not required by the terms of the new laws, the committee considered taking no action but ultimately determined the revisions were warranted considering the benefits the revisions would provide to the courts and court users.

## Conflict between relinquishment procedures in SB 899 and AB 2907

Though AB 2907 and SB 899 both address relinquishment of prohibited items due to a criminal protective order, there are some discrepancies in requirements and procedures depending on whether the order was issued pretrial, postconviction, or in a domestic violence case. Because the discrepancies appear to be due to oversight, the committee discussed whether to attempt to

reconcile or standardize the requirements and procedures, but decided to directly reflect the applicable statutory language as much as possible.

For example, while ammunition must now be relinquished with most criminal protective orders, <sup>27</sup> no statute requires ammunition relinquishment for postconviction criminal protective orders issued under Penal Code section 273.5(j), 368(l), or 646.9(k) in a case not involving domestic violence (see form CR-161, item 8c) because section 29825.5—the only statute addressing these types of cases—does not include clear language on ammunition relinquishment.

Additionally, section 273.75(d), regarding criminal protective orders issued in domestic violence cases, does not specify how prohibited items should be relinquished but requires the court to provide information to the defendant on how to comply with the prohibition. Given that relinquishment in the criminal context generally involves surrendering to law enforcement or selling to a licensed gun dealer, the committee recommends directing relinquishment to law enforcement or a licensed gun dealer for orders issued under Penal Code section 1203.097.<sup>28</sup>

## Conflict between conviction-based relinquishment procedures under Penal Code section 29810 and postconviction criminal protective order relinquishment procedures

Postconviction criminal protective orders are generally issued in cases in which a conviction of the underlying offense also prohibits the defendant from possessing a firearm. In these matters, the postconviction criminal protective order relinquishment procedures conflict with some of the conviction-based relinquishment procedures under Penal Code section 29810, and there are no cross-references in the statutory language.

It is not certain which provisions supersede, and the committee noted the difficulty for litigants and judges to understand how to navigate the conflicting procedures. The committee discussed whether to try to reconcile the procedures in the forms but decided that it would require legislative clarity or resolution by the courts.

## Service by protected person

Penal Code section 18120.5(c)(1), which applies to gun violence restraining orders and criminal protective orders issued under section 136.2, states that if the restrained person is not present when the court sets a review hearing regarding their compliance with relinquishment orders, the protected person must provide notice of the review hearing to the restrained person at least two court days before the review hearing, by personal service or by mail to the restrained person's last known address.

Despite the statutory language, the committee is not including an item addressing service of the defendant by the protected person on form CR-840, as this is not a common practice in a criminal case and it is unlikely that the protected person would be present at the time a review

<sup>&</sup>lt;sup>27</sup> See Code Civ. Proc., § 527.9(b); Pen. Code, § 273.75(d).

<sup>&</sup>lt;sup>28</sup> All other criminal protective orders are subject to statutes requiring relinquishment to law enforcement or a licensed gun dealer (see Code Civ. Proc., § 527.9(b); Pen. Code, § 29825.5(b)).

hearing is set. The committee discussed the option of including an item about service of the defendant by the protected person and modifying it to state that the protected person may seek assistance from the prosecuting agency, but ultimately preferred excluding the language entirely.

## Mandatory or optional forms

Forms CR-830 and CR-840 are modeled after *Noncompliance With Firearms and Ammunition Order, or Warrant* (form DV-830)<sup>29</sup> and *Notice of Compliance Hearing for Firearms and Ammunition* (form DV-840),<sup>30</sup> which are used for proceedings related to civil domestic violence restraining orders. Forms CR-830 and DV-830 allow a court to report a restrained person's noncompliance with a relinquishment order to the prosecuting agency and law enforcement, and forms CR-840 and DV-840 are for courts to use when compliance issues arise after a restraining order has issued. Forms DV-830 and DV-840 are mandatory forms. Though there is a preference for Judicial Council forms to be as consistent as possible, the committee recommends making forms CR-830 and CR-840 optional rather than mandatory, since criminal courts generally have additional avenues to address noncompliance, such as a probation revocation, or may have local preferences to communicate with the prosecuting agency and law enforcement.

## Notice of noncompliance to law enforcement and prosecuting agency

For the notice to the law enforcement and prosecuting agency of a defendant's noncompliance with surrendering prohibited items,<sup>31</sup> the committee considered deriving the time frame for such notification from the statutory language of Code of Civil Procedure section 527.9(b)<sup>32</sup> and Penal Code section 273.75(d)<sup>33</sup> rather than calling for the court's immediate notification of law enforcement and prosecuting agencies. The committee modeled the language to immediately notify the agencies after the language implementing SB 320 in the domestic violence restraining orders, communicating to the restrained person that this exchange would occur swiftly.

<sup>&</sup>lt;sup>29</sup> Available at https://courts.ca.gov/sites/default/files/courts/default/2024-11/dv830.pdf.

<sup>&</sup>lt;sup>30</sup> Available at https://courts.ca.gov/sites/default/files/courts/default/2024-11/dv840.pdf.

<sup>&</sup>lt;sup>31</sup> See item 10 of forms CR-160 and CR-161, and item 5 on form CR-840.

<sup>&</sup>lt;sup>32</sup> "Violations of the firearms prohibition of any restraining order under this section shall be reported to the prosecuting attorney in the jurisdiction where the order has been issued within two business days of the court hearing unless the restrained party provides a receipt showing compliance at a subsequent hearing or by direct filing with the clerk of the court. If the person does not file a receipt with the court within 48 hours after receiving the order for a firearm in their possession, the court shall order the clerk of the court to immediately notify, by the most effective means available, appropriate law enforcement officials of the issuance and contents of a protective order, information about the firearm or ammunition, and of any other information the court deems appropriate." (Code Civ. Proc., § 527.9(b).)

<sup>&</sup>lt;sup>33</sup> "If evidence of compliance with firearms prohibitions is not provided within 48 hours of the defendant being served with the protective order or after a review hearing under rule 4.700 of the California Rules of Court if required or as may be required otherwise, the court shall order the clerk of the court to notify within two business days, by the most effective means available, the prosecuting agency and appropriate law enforcement officials of the issuance and contents of the protective order, information about the firearm or ammunition, and of any other information obtained through the search that the court determines is appropriate." (Pen. Code, § 273.75(d).)

## Review hearings

Under new Penal Code section 18120.5, when relevant information is provided to the court at any noticed hearing that a person subject to a criminal protective order issued under section 136.2 has a firearm, the court must determine if the person has a firearm in violation of the order, with the option of setting a review hearing.<sup>34</sup> Section 18120.5 does not discuss ammunition, though under SB 899, it is now a prohibited item that must be relinquished, along with firearms, under Code of Civil Procedure section 527.9(b).<sup>35</sup>

To maintain consistency between the prohibited items that are required to be relinquished and the court findings and review hearings, the committee recommends adding ammunition as an item subject to the court findings and review hearings.<sup>36</sup> While new Penal Code section 18120.5 only expressly requires the court to determine if a person has a firearm in violation of an order, there is nothing precluding the court from making findings regarding ammunition as well.

## Service by peace officer

SB 899 introduced new Code of Civil Procedure section 527.12, requiring a peace officer, "upon the request of a petitioner," to serve specified protective orders on the respondent, including criminal protective orders issued under section 136.2. The committee considered but declined to include language on the existing or proposed forms regarding this provision, noting that a defendant will generally be personally served at the time the order is issued.

## Use of form CLETS-001

The committee initially proposed including criminal protective orders in form CLETS-001, alongside civil restraining orders. However, the committee ultimately recommends a separate form due to the differences present in criminal cases. Form CLETS-002 is intended to be completed by a prosecuting agency rather than a petitioner and is designed for streamlined use by focusing on the protected person's information.

## Fiscal and Operational Impacts

Commenting courts anticipated costs for implementing the new and revised forms, including staff and judicial officer training, updating court technology, adding new event codes in the case management system, and ordering and printing new forms. The courts also noted that new form CLETS-002 would require extensive education for parties, law enforcement, court staff, and judicial officers.

## Attachments and Links

1. Cal. Rules of Court, rules 1.51 and 4.700, at pages 17–20

<sup>&</sup>lt;sup>34</sup> Pen. Code, § 18120.5(a), (c)(1).

<sup>&</sup>lt;sup>35</sup> Assembly Bill 824 would add ammunition as a prohibited item subject to court findings and hearings under Penal Code section 18120.5 and Code of Civil Procedure section 527.11.

<sup>&</sup>lt;sup>36</sup> See item 9b on forms CR-160 and CR-161, and item 4 on form CR-840.

- 2. Forms CLETS-002, CR-160, CR-161, CR-162, CR-800, CR-800-INFO, CR-830, CR-840, and CR-850, at pages 21–43
- 3. Chart of comments, at pages 44–53
- 4. Link A: Assem. Bill 2308, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=202320240AB2308
- 5. Link B: Assem. Bill 2907, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=202320240AB2907
- 6. Link C: Sen. Bill 899, https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=202320240SB899

Rule 1.51 of the California Rules of Court is amended and rule 4.700 is repealed, effective January 1, 2026, to read:

1	Rule	ıle 1.51. California Law Enforcement Telecommunications System (CLETS)			
2		information form			
3					
4	(a)	Confidential CLETS information form to be submitted to the court			
5		(1) A necessary associate a material and an analysis of Civil Day of the section			
6		(1) A person requesting protective orders under Code of Civil Procedure section			
7		527.6, 527.8, or 527.85; Family Code section 6320, 6404, or 6454; Penal			
8		Code section 490.8 or sections 18100–18205; or Welfare and Institutions			
9 10		Code section 213.5 or 15657.03 must submit to the court with the request a			
11		completed Confidential Information for Law Enforcement (form CLETS-001).			
12		001).			
13		(2) A prosecuting agency requesting protective orders under Penal Code section			
14		136.2, 273.5(j), 368( <i>l</i> ), 646.9(k), or 1203.097(a)(2) must submit to the court			
15		with the request a completed Confidential Information for Law			
16		Enforcement—Criminal (form CLETS-002).			
17		<u> </u>			
18	(b)	Confidentiality of the form			
19	( )	·			
20		Forms CLETS-001 and CLETS-002 is are confidential, and access to the			
21		information on the forms is limited to the persons listed in (c).			
22					
23	(c)	Access to information on the form			
24					
25		Forms CLETS-001 and CLETS-002 must not be included in the court file. After			
26		the form is submitted to the court, only the following persons may have access to			
27		the information on the form:			
28					
29		(1) Authorized court personnel; and			
30					
31		(2) Law enforcement and other personnel authorized by the California			
32		Department of Justice to transmit or receive CLETS information.			
33	( I)				
34	(d)	Amendment of the form			
35 36		A negroup or party requesting protective orders or the person's attempty may submit			
37		A person or party requesting protective orders or the person's attorney may submit			
38		an amended form CLETS-001 or CLETS-002 as a matter of right to provide updated or more complete and accurate information.			
39		apaated of more complete and accurate information.			
40	(e)	Retention and destruction of the form			

1 2		(1)	When form CLETS-001 or CLETS-002 is submitted to the court, the court, if a temporary restraining order or order after hearing is entered, may:
3 4 5			(A) Transmit the form to a law enforcement agency for entry into CLETS and not retain any copy; or
6 7 8			(B) Enter the information on the form into CLETS itself and promptly destroy the form or delete it from its records.
9 10 11		(2)	If no temporary restraining order or order after hearing is entered, the court may promptly destroy the form or delete it from its records.
12 13 14 15		(3)	Until the court has completed (1) or (2), the form must be retained in a secure manner that prevents access to the information on the form except to those persons identified in (c).
16 17 18	Rule	e 4.700	). Firearm relinquishment procedures for criminal protective orders
19 20	11111		pealed]
21 22	<del>(a)</del>	Appl	lication of rule
23 24 25 26		section Code	rule applies when a court issues a criminal protective order under Penal Code on 136.2 during a criminal case or as a condition of probation under Penal exection 1203.097(a)(2) against a defendant charged with a crime of domestic nee as defined in Penal Code section 13700_and Family Code section 6211.
27 28	<del>(b)</del>	Purp	<del>rose</del>
29 30 31		This	rule is intended to:
32 33 34 35		(1)	Assist courts issuing criminal protective orders to determine whether a defendant subject to such an order owns, possesses, or controls any firearms; and
36 37 38		(2)	Assist courts that have issued criminal protective orders to determine whether a defendant has complied with the court's order to relinquish or sell the firearms under Code of Civil Procedure section 527.9.
39 40	<del>(c)</del>	Setti	ng review hearing
41 42 43		(1)	At any hearing where the court issues a criminal protective order, the court must consider all credible information, including information provided on

1 behalf of the defendant, to determine if there is good cause to believe that the 2 defendant has a firearm within his or her immediate possession or control. 3 4 (2) If the court finds good cause to believe that the defendant has a firearm 5 within his or her immediate possession or control, the court must set a review 6 hearing to ascertain whether the defendant has complied with the requirement 7 to relinquish the firearm as specified in Code of Civil Procedure section 8 527.9. Unless the defendant is in custody at the time, the review hearing 9 should occur within two court days after issuance of the criminal protective 10 order. If circumstances warrant, the court may extend the review hearing to 11 occur within 5 court days after issuance of the criminal protective order. The court must give the defendant an opportunity to present information at the 12 13 review hearing to refute the allegation that he or she owns any firearms. If the 14 defendant is in custody at the time the criminal protective order is issued, the 15 court should order the defendant to appear for a review hearing within two court days after the defendant's release from custody. 16 17 18 (3) If the proceeding is held under Penal Code section 136.2, the court may, 19 under Penal Code section 977(a)(2), order the defendant to personally appear 20 at the review hearing. If the proceeding is held under Penal Code section 21 1203.097, the court should order the defendant to personally appear. 22 23 <del>(d)</del> Review hearing 24 25 If the court has issued a criminal protective order under Penal Code section 26 136.2, at the review hearing: 27 28 (A) If the court finds that the defendant has a firearm in or subject to his or 29 her immediate possession or control, the court must consider whether 30 bail, as set, or defendant's release on own recognizance is appropriate. 31 (B) If the defendant does not appear at the hearing and the court orders that 32 33 bail be revoked, the court should issue a bench warrant. 34 35 (2) If the criminal protective order is issued as a condition of probation under 36 Penal Code section 1203.097, and the court finds at the review hearing that 37 the defendant has a firearm in or subject to his or her immediate possession 38 or control, the court must proceed under Penal Code section 1203.097(a)(12). 39 40 (3) In any review hearing to determine whether a defendant has complied with 41 the requirement to relinquish firearms as specified in Code of Civil Procedure 42 section 527.9, the burden of proof is on the prosecution.

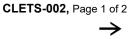
43

1	Advisory Committee Comment
2	
3	When issuing a criminal protective order under Penal Code section 136.2 or 1203.097(a)(2), the
4	court is required to order a defendant "to relinquish any firearm in that person's immediate
5	possession or control, or subject to that person's immediate possession or control " (Code
6	Civ. Proc., § 527.9(b).) Mandatory Judicial Council form CR-160, Criminal Protective Order
7	Domestic Violence, includes a mandatory order in bold type that the defendant "must surrender to
8	local law enforcement or sell to a licensed gun dealer any firearm owned or subject to his or her
9	immediate possession or control within 24 hours after service of this order and must file a receipt
10	with the court showing compliance with this order within 48 hours of receiving this order."
11	
12	Courts are encouraged to develop local procedures to calendar review hearings for defendants in
13	custody beyond the two-court-day time frame to file proof of firearms relinquishment with the
14	court under Code of Civil Procedure section 527.9.
15	

# CLETS-002 Confidential Information for Law Enforcement—Criminal

	ne prosecuting agency seeking the criminal order must complete item 1			
and (2) of this form and give it to the color CR-161. Item ( $\widehat{3}$ ) is optional.	and $(2)$ of this form and give it to the court clerk along with or CR-161. Item $(3)$ is optional.		registry in CLETS.	
or ere rom nom & is opnomia.			PEOPLE OF THE STATE OF CALIFORNIA v.	
entered into the California Law Enforcer	the judge grants the protective order, information on this form will be attered into the California Law Enforcement Telecommunications System CLETS) and may be entered into a federal law enforcement database.			
• If information changes later, this form m in to the court.	ay be completed aga	ain and turned	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 i	s helpful.	
1) *Protected Person's Information	-		•	
	<b>711</b>			
*Gender: M F Non	<u>-</u>			
	(month, day, year):			
, , , , ,		_	n's information to appear in a federal law er outside of California.)	
Telephone:				
Does the protected person speak Englis			No (list language):	
2 Other Protected People				
*Name:	*Gender:	Race:	Date of Birth:	
*Name:	*Gender:	Race:	Date of Birth:	
*Name:	*Gender:		Date of Birth:	
*Name:	*Gender:		Date of Birth:	
		on a separate pi	ece of paper, write "Item 2" at the top,	
3 Defendant				

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



21

\*Name:

Other names used:

			Case Number:
Defendant			
Marks, scars, or tattoos:			
Driver's license (number	and state):		SSN:
Vehicle type:	Model:	Year:	Plate number:
Telephone:			
Name of employer and ac	ldress:		
Does the defendant speak	English? 🗌 Yes 🔲 I do	on't know 🔲 No <i>(lis</i>	st language):
Does the defendant have a  No I don't know	any firearms (guns), firearm	parts, ammunition, or	

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

Sl	JPERIOR COURT OF CALIFORNIA, COUNTY OF	FOR COURT USE ONLY					
ST	REET ADDRESS:						
MA	NLING ADDRESS:						
	TY AND ZIP CODE:						
BR	ANCH NAME:						
	PEOPLE OF THE STATE OF CALIFORNIA  v.	08/27/2025					
	DEFENDANT:	DRAFT Not approved by					
	CRIMINAL PROTECTIVE ORDER—DOMESTIC VIOLENCE (CLETS—CPO)	the Judicial Council					
	ORDER PENDING TRIAL (Pen. Code, § 136.2) MODIFICATION PROBATION CONDITION ORDER (Pen. Code, § 1203.097(a)(2))						
		CASE NUMBER:					
	70 (7	CASE NOWIBER.					
	1 EMAL GODE, 3 646.5(K)						
	This order may take precedence over other conflicting orders; see item	4 on page 5.					
1.	Restrained person <mark>/defendant</mark>						
		onbinary *Race:					
	*Date of birth: Height: Weight: Hair color:	Eye color:					
2.	Protected person (use form CLETS-002)						
	*Name:						
3	Additional protected persons (use form CLETS-002)						
Ο.	· · · · · · · · · · · · · · · · · · ·	hip to person in item 2					
	Name	iip to person in item 2					
	<ul> <li>a The court finds that the additional protected persons were also victims of the crime (finding required for postconviction orders issued under Penal Code section 136.2(i)(1)).</li> <li>b The court finds by clear and convincing evidence that the above named percipient witnesses have been harassed by the</li> </ul>						
	defendant (finding required for postconviction orders issued under Penal Code section or items 1, 2, and 3: Information that has a star (*) next to it is required to add this order into the C der System. Please provide all known information.)						
4.	Expiration date  a. For pretrial orders, this order remains in effect until further court order. To terminate, courts   Protective Order in Criminal Proceeding (form CR-165).	must use Notice of Termination of					
		Orders under Penal Code sections					
	136.2(i), 368( <i>l</i> ), and 646.9(k) may be valid for up to 10 years, and orders under section 273.	b(j) may be valid for up to 15 years.)					
5.	Hearing This proceeding was heard on (date):  by (judicial officer):  at (time):	in Dept.:					
6.	Personal service  Defendant was personally served with a copy of this order at the court hearing, and no add is required.	ditional proof of service of this order					
7.	The court finds good cause to grant a protective order. See items 8–21.						
	To the defendant						
	• If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/o	or pay a fine.					
	<ul> <li>It is a felony to take or hide a child in violation of this order.</li> </ul>	' '					
	•	nable as a federal offense					
	<ul> <li>Traveling across state or tribal boundaries with the intent to violate the order may be punishable as a federal offense.</li> <li>(18 U.S.C. § 2261(a)(1).)</li> </ul>						

DE	FEN	NDANT:	CASE NUMBER:				
2	No.	firearms (guns) firearm parts, or ammunition					
	a.	o firearms (guns), firearm parts, or ammunition  The defendant must not own, possess, buy or try to buy, receive or try to receive, or in any other way get any firearms (guns), firearm parts (meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame; see Penal Code section 16531), or ammunition. Possession of firearms, firearm parts, or ammunition while this order is in effect may subject the defendant to state or federal prosecution and may include jail or prison time and/or a fine.					
		Within 24 hours of receiving this order, the defendant must turn in to local law enforcement, or sell to or store with a licensed gun dealer, any firearms, firearm parts, and ammunition owned by the defendant or within the defendant's immediate possession or control.					
	C.	Within 48 hours of receiving this order the defendant must file a receipt with the cand ammunition have been turned in, sold, or stored.	ourt showing that	all firearms <mark>,</mark> firearm parts <mark>,</mark>			
	d.	The defendant may use Receipt for Firearms, Firearm Parts, and Ammunition (for	rm CR-800).				
	e.	The court has granted a limited exception to allow firearms or ammunition form CR-850.	or work only. See	detailed orders on attached			
€.		Possession of prohibited items					
	a.	The court finds that the defendant has the following prohibited items:					
		(1) Firearms and/or firearm parts					
		Description (include serial number, if known)		Proof of compliance			
		Location, it tries	n _	received by the court			
		(a)	L	(date):			
		(b)	L	(date):			
		(2) Ammunition		Proof of compliance			
		Description Amount, if known Location,	i <mark>f known</mark>	received by the court (date):			
		Check here to list additional items. List them on a separate piece of paper, Items" at the top, and attach it to this form.	write "Restrained	Person Has Prohibited			
	b.	The court sets a review hearing for (date): (time):  defendant has properly turned in, sold, or stored all prohibited items, included does not attend the review hearing, the court may find that the defendant has enforcement and a prosecuting attorney of the violation.					
10.		Noncompliance with surrendering prohibited items					
		The court finds that the defendant has not fully complied with the orders previous. The court has not received a receipt or proof of compliance for all the items listed		ate):			
	b.	The court will immediately notify the following law enforcement agency of the agencies):	is violation ( <i>law ei</i>	nforcement agency or			
	C.	The court will immediately notify the following prosecuting agency of this vio	lation ( <i>prosecutin</i>	g agency):			
	The	<b>body armor</b> e defendant must not own, possess, or buy any body armor (defined in Penal Cody body armor in their possession.	e section 16288).	Defendant must relinquish			
12.		No dissuading victim or witness (for pretrial orders issued under Penal C The defendant must not attempt to or actually prevent or dissuade any victim or or making a report to any law enforcement agency or person.					

DEFENDANT:	CASE NUMBER:				
No obtaining addresses (for orders issued under Penal Code section 136.2)     The defendant must take no action to obtain the addresses or locations of protected persons or their family members, caretakers, or guardians unless good cause exists otherwise.					
b. The court finds good cause not to make this order.					
Defendant must not harass, strike, threaten, assault (sexually or otherwise), hit, followor real property, disturb the peace of, keep under surveillance, annoy by phone or of contact), impersonate (on the internet, electronically, or otherwise), or block movement and 3.	Order to not abuse  Defendant must not harass, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy or damage personal or real property, disturb the peace of, keep under surveillance, annoy by phone or other electronic means (including repeated contact), impersonate (on the internet, electronically, or otherwise), or block movements of the protected persons named in items 2 and 3.				
<ul> <li>"Disturb the peace of" means to destroy someone's mental or emotional call as through someone else. This can also be done in any way, such as by pho includes coercive control.</li> </ul>					
<ul> <li>"Coercive control" means a number of acts that unreasonably limit the free weby this restraining order. Examples include isolating them from friends, relation basic needs; controlling or keeping track of them, including their movemes ervices; and making them do something by force, threat, or intimidation, including immigration status; and reproductive coercion, meaning controlling someone threat, or intimidation to pressure someone to be or not be pregnant, and to contraception, birth control, pregnancy, or access to related health information.</li> </ul>	ves, or other support; keeping them from food ints, contacts, activities, money, or access to cluding threats based on actual or suspected is reproductive choices, such as using force, control or interfere with someone's				
Defendant must not contact the protected persons named in items 2 and 3, directly telephone, mail, email or other electronic means, or through a third party. Contact the set by the court does not violate this order.					
16. Stay-away order					
Defendant must stay at least yards away from (check all that apply):					
<ul> <li>a The protected person</li> <li>b The protected person's home job or workplace vel</li> <li>c Other protected persons in item 3</li> <li>d Other location:</li> </ul>	nicle				
<ul> <li>Exceptions</li> <li>Defendant may have peaceful contact with the protected persons named in items 2 stay-away orders in items 15 and 16 of this order, only for the safe exchange of child</li> </ul>					
<ul> <li>a the family, juvenile, or probate court order in (case number):</li> <li>issued on (date):</li> </ul>					
b. any family, juvenile, or probate court order issued <i>after</i> the date this order	is signed.				
The restrained and protected persons should always carry a certified copy of the moprobate court.	st recent order issued by the family, juvenile, or				
8. Protected animals					
a. The protected persons named in items 2 and 3 are given the exclusive care, pos	session, and control of the animals listed below:				
Name: Type of animal: B	reed (optional): Color (optional):				
<ul> <li>Defendant must not take, transfer, sell, encumber, conceal, molest, attack, the animals listed above.</li> </ul>	strike, threaten, harm, or otherwise dispose of				
c. Defendant must not come within yards of the animals listed at	pove.				

DEFENDANT:	CASE NUMBER:
Defendant must be placed on electronic monitoring for (specify length (Not to exceed one year from the date of this order. Pen. Code, § 136.  Recordings The protected person in item 2 may record communications made by the condition of the condi	.2(a)(1)(G)(iv), (i)(3).)
Executed on (date):	Judicial Officer

#### Certificate of Compliance With Violence Against Women Act (VAWA)

This protective order meets all full faith and credit requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994). This court has jurisdiction over the parties and the subject matter, and the restrained person has been 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, and shall be enforced as if it were an order of that jurisdiction.



DEFENDANT:	CASE NUMBER:

#### Instructions for Law Enforcement

#### 1. Start Date and End Date of Order

This order starts on the date it was issued by a judicial officer.

This order ends as ordered in item 4 on page 1 of this order.

- Orders under Penal Code section 136.2(a) are valid as long as the court has jurisdiction over the case. They are not valid after imposition of a county jail or state prison commitment. (*People v. Stone* (2004) 123 Cal.App.4th 153.)
- Orders issued under Penal Code sections 136.2(i)(1), 368(I), and 646.9(k) are valid for up to 10 years, and orders under section 273.5(j) are valid for up to 15 years, and may be issued by the court regardless of whether the defendant is sentenced to state prison, county jail, or subject to mandatory supervision or if imposition of sentence is suspended and the defendant is placed on probation.
- Orders under Penal Code section 1203.097(a)(2) are probationary orders, and the court has jurisdiction as long as the defendant is on probation.
- To terminate this protective order, courts should use Notice of Termination of Protective Order in Criminal Proceeding (form CR-165).

#### 2. 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).)

## 3. Enforcing This Order in California

- This order must be enforced in California by any law enforcement agency that has received the order, or is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS).
- The peace officer or law enforcement officer must first determine if the restrained person had notice of the order. If notice cannot be verified, the restrained person must be advised of the terms of the order. If the restrained person fails to obey the order, the officer must enforce it. (Code Civ. Proc., § 527.12; Fam. Code, § 6383.)

## 4. 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 Code of Civil Procedure, section 517.12(d)(2), Penal Code section 136.2 and Family Code sections 6383(h)(2), 6405(b)):

- Emergency Protective Order (EPO): If one of the orders is *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.
- **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must also be enforced. Item 15 is an example of a no-contact order.
- Criminal Protective Order (CPO): If none of the orders includes an EPO or a no-contact order, the most recent CPO must be enforced. (Code Civ. Proc., § 517.12(d)(2); 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 also be enforced.
- **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.

CUREDIOD COURT OF	CALIFORNIA COUNTY OF		CR-101
	CALIFORNIA, COUNTY OF		FOR COURT USE ONLY
STREET ADDRESS:			
MAILING ADDRESS:			
CITY AND ZIP CODE:			
BRANCH NAME:			
PEOF	PLE OF THE STATE OF CALIFO	RNIA	08/28/2025
	V.		DRAFT
DEFENDANT:			Not approved by the Judicial Council
	ROTECTIVE ORDER—OTHER —CPO)  (Pen. Code, §§ 136.2,	R THAN DOMESTIC VIOLENCE 136.2(i), 368( <i>I</i> ), and 646.9(k))	
ORDER PENDING TRIAL:	Pen. Code, § 136.2	MODIFICATION	
ORDER UPON	Pen. Code, § 136.2(i)	Pen. Code, § 646.9(k)	CASE NUMBER:
CONVICTION:		: o code, § c ioio(i.)	CASE NOWIDER.
CONVIOUNT.	Pen. Code, § 368( <i>I</i> )		
1. Restrained persor	n <mark>/defendant</mark>		
*Name:		*Gender: M	F Nonbinary *Race:
	11.5.14		
*Date of birth:	Height:	Weight: Hair color:	Eye color:
2. Protected person	(use form CLETS-002)		
*Name:			
3. Additional protect	ted persons (use form CLETS-00	12)	
o. /	*Name	•	ationship to person in item 2
	Name	Kei	alionship to person in item 2
The second	t finale the at the end ditional must esta	d	. (finding paying different patency inting
		d persons were also victims of the crim	ie (linding required for postconviction
	sued under Penal Code section 1		
		dence that the above named percipier on orders issued under Penal Code se	nt witnesses have been harassed by the
	`		
	Information that has a star (*) nex provide all known information.)	tt to it is required to add this order into	the California Restraining and Protective
•	,		
4. Expiration date			
<ul> <li>a. For pretrial order</li> </ul>	ers, this order remains in effect ur	itil further court order. To terminate, co	urts must use Notice of Termination of
Protective Orde	er in Criminal Proceeding (form Cl	R-165).	
<ul><li>b. For postconvict</li></ul>	ion orders, this order expires on (	date):	. (Postconviction orders under
Penal Code sec	ctions 136.2(i) and 646.9(k) may b	pe valid for up to 10 years.)	
	(,	,	
5. <b>Hearing</b>			
-	as heard on (date):	at (time):	in Dept.:
This proceeding wa		at (tille).	ш Бери
by (judicial officer):		•	
6. Personal service			
		-6 4b:	and distance and a financial after and a
	as personally served with a copy of	or this order at the court hearing, and r	no additional proof of service of this order
is required.			
7 The court finds	d cause to grant a protective and	or Socitoms 9 10	
<ol> <li>ine court tinas goo</li> </ol>	d cause to grant a protective orde	er. See ilems 8– <mark>19.</mark>	
To the defendant			
	outhood and are very see he share	and with a prime as to but an arises.	nd/or nov a fina
Il you do not ob	bey mese orders, you can be char	ged with a crime, go to jail or prison, a	пи/ограу а ппе.



				CASE NU	IMBER:			
D	EFEN	NDANT:						
8.		Io firearms (guns), firearm parts, or ammunition  The defendant must not own, possess, buy or try to buy, receive or try to receive, or in any other way get any firearms (guns), firearm parts (meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame; see Penal Code section 16531), or ammunition. Possession of firearms, firearm parts, or ammunition while this order is in effect may subject the defendant to state or federal prosecution and may include jail or prison time and/or a fine.						
	b.	For orders issued under Penal Code section 136.2: Within 24 hours of receiving this order the defendant must turn in to local law enforcement, or sell to or store with a licensed gun dealer, any firearms, firearm parts, and ammunition owned by the defendant or within the defendant's immediate possession or control. Within 48 hours of receiving this order the defendant must file a receipt with the court showing that all firearms, firearm parts, and ammunition have been turned in, sold, or stored.						
	C.		r sell to or store with a licens s immediate possession or o	sed gun dealer, any fire control. By <i>(dat</i>				
	d.	The defendant may use Receipt for Fire	earms, Firearm Parts, and A	mmunition (form CR-80	00).			
	e.	The court has granted a limited exform CR-850.	ception to allow firearms or	ammunition for work on	ly. See detailed orders on attached			
9.		Possession of prohibited items						
	a.	The court finds that the defendant	has the following prohibited	items:				
		(1) Firearms and/or firearm parts						
		Description (include serial number, if known)	Loca	ation, if known	Proof of compliance received by the court			
		(a)			(date):			
		(b)			(date):			
		(2) Ammunition			Proof of compliance			
		<b>Description</b>	Amount, if known	Location, if known	received by the court (date):			
		Check here to list additional item Items" at the top, and attach it to		ece of paper, write "Re	strained Person Has Prohibited			
	b.		sold, or stored all prohibited ag, the court may find that the		to determine whether the ems listed in item 9a. If the defendant d the protective order and notify law			
10		Noncompliance with surrendering	prohibited items (for orde	ers issued under Pena	Code section 136.2)			
	a.	The court finds that the defendant has The court has not received a receipt or						
	b.	The court will immediately notify the agencies):	ne following law enforcemen	t agency of this violation	n (law enforcement agency or			
	C.	The court will immediately notify the	ne following prosecuting age	ncy of this violation (pro	osecuting agency):			
11	The	o body armor e defendant must not own, possess, or b y body armor in their possession.	uy any body armor (defined	in Penal Code section	16288). Defendant must relinquish			
12		No dissuading victim or witness (for The defendant must not attempt to or or making a report to any law enforce	r actually prevent or dissuad					

DEFENDANT:	CASE NUMBER:
<ul> <li>13. No obtaining addresses (for orders issued under Penal Code section 136.2)</li> <li>a. The defendant must take no action to obtain the addresses or locations of protected caretakers, or guardians unless good cause exists otherwise.</li> <li>b The court finds good cause not to make this order.</li> <li>14 Order to not abuse</li> <li>Defendant must not harass, strike, threaten, assault (sexually or otherwise), hit, follow, so real property, disturb the peace of, keep under surveillance, annoy by phone or other elements of the property of the internet, electronically, or otherwise), or block movements of the property.</li> </ul>	stalk, molest, destroy or damage personal or ectronic means (including repeated contact),
15. No-contact order  Defendant must not contact the protected persons named in items 2 and 3, directly or in telephone, mail, email or other electronic means, or through a third party. Contact through set by the court does not violate this order.	
16. Stay-away order  Defendant must stay at least yards away from (check all that apply):  a. The protected person  b. The protected person's home job or workplace vehicle  c. Other protected persons in item 3	e
<ul> <li>d Other location:</li> <li>17 Exceptions Defendant may have peaceful contact with the protected persons named in items 2 and stay-away orders in items 15 and 16 of this order, only for the safe exchange of children a the family, juvenile, or probate court order in (case number): issued on (date):</li> </ul>	
<ul> <li>any family, juvenile, or probate court order issued after the date this order is s</li> <li>The restrained and protected persons should always carry a certified copy of the most reprobate court.</li> </ul>	_
18. Electronic monitoring  Defendant must be placed on electronic monitoring for <i>(specify length of time):</i> (Not to exceed one year from the date of this order. Pen. Code, § 136.2(a)(1)(G)(iv), (i)(	3).)
19. Other orders	
Executed on (date):	Judicial Officer

	CASE NUMBER:
DEFENDANT:	

#### **Instructions for Law Enforcement**

#### 1. Start Date and End Date of Order

This order starts on the date it was issued by a judicial officer.

This order ends as ordered in item 4 on page 1 of this order.

- Orders under Penal Code section 136.2(a) are valid as long as the court has jurisdiction over the case. They are not valid after imposition of a county jail or state prison commitment. (*People v. Stone* (2004) 123 Cal.App.4th 153.)
- Orders issued under Penal Code sections 136.2(i)(1) and 646.9(k) are valid for up to 10 years and may be issued by the court regardless of whether the defendant is sentenced to state prison, county jail, or subject to mandatory supervision or if imposition of sentence is suspended and the defendant is placed on probation.
- To terminate this protective order, courts should use Notice of Termination of Protective Order in Criminal Proceeding (form CR-165).

## 2. Enforcing This Order in California

- This order must be enforced in California by any law enforcement agency that has received the order, or is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS).
- The peace officer must first determine if the restrained person had notice of the order. If notice cannot be verified, the restrained person must be advised of the terms of the order. If the restrained person fails to obey the order, the officer must enforce it. (Code Civ. Proc., § 527.12.)

#### 3. 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 Code Civ. Proc., § 527.12(d)(2); Pen. Code, § 136.2; Fam. Code, §§ 6383(h)(2), 6405(b)):

- 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 also be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
- No-Contact Order: If a restraining/protective order includes a no-contact order, the no-contact order must also be enforced.
   Item 15 is an example of a no-contact order.
- Criminal Protective Order (CPO): If none of the orders includes an EPO or a no-contact order, the most recent CPO must be enforced (Code Civ. Proc., § 527.12(d)(2); 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 also be enforced.
- **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.

SUP	PERIOR COURT OF CALIFORNIA, COUNTY OF	FOR COURT USE ONLY			
STRE	EET ADDRESS:				
MAILI	ING ADDRESS:				
CITY	AND ZIP CODE:				
BRAN	NCH NAME:	08/05/2025			
	PEOPLE OF THE STATE OF CALIFORNIA	DRAFT Not approved by			
	V.	the Judicial Council			
	DEFENDANT:				
С	ORDER TO SURRENDER FIREARMS <mark>, FIREARM PARTS, AND AMMUNITION</mark> IN				
	DOMESTIC VIOLENCE CASE	CASE NUMBER:			
	(CLETS—CPO)				
	(Pen. Code, § 136.2(a)(1)(G)(ii))				
PEF	RSON TO SURRENDER FIREARMS/DEFENDANT (complete name):				
(	Gender: M F Nonbinary Race:	Date of birth:			
	Ht.: Wt.: Hair color:	Eye color:			
1. T	This proceeding was heard on (date): at (time):	in Dept.:			
	Room: by judicial officer (name):	·			
2 T	Fhis order expires on <i>(date):</i> If no date is listed, this order rem	ains in effect until further court order.			
	For terminate, courts must use <i>Notice of Termination of Protective Order in Criminal Processing to the Criminal Processing to th</i>				
		,			
3.	Defendant was personally served with a copy of this order at the court hearing, a order is required.	nd no additional proof of service of this			
/ N	lo firearms (guns), firearm parts, or ammunition				
	a. The defendant must not own, possess, buy or try to buy, receive or try to receive,	or in any other way get any firearms (guns)			
-	firearm parts (meaning receivers, frames, or any item that may be used as or easi				
	Code section 16531), or ammunition. Possession of firearms, firearm parts, or am				
	subject the defendant to state or federal prosecution and may include jail or prisor	time and/or a fine.			
b	J	r work only. See detailed orders on attached			
	form CR-850.				
5.	Relinquishment of prohibited items				
а	Within 24 hours of receiving this order the defendant must turn in to local law enfo	rcement, or sell to or store with a licensed			
	gun dealer, any firearms <mark>,</mark> firearm parts <mark>, and ammunition</mark> owned by the defendant o				
	possession or control. Within 48 hours of receiving this order the defendant must	ile a receipt with the court showing that all			
	firearms, firearm parts, and ammunition have been turned in, sold, or stored.				
b	The court finds that the defendant has the following prohibited items:				
	(1) Firearms and/or firearm parts				
	Description (include serial	Proof of compliance			
	number, if known)	received by the court			
	<mark>(a)</mark>	(date):			
	(b)	(date):			
	(2) Ammunition	Proof of compliance			
	Description Amount, if known Location,				
		(date):			
	Check here to list additional items. List them on a separate piece of paper, write "Restrained Person Has Prohibited Items" at the top, and attach it to this form.				
_		(dont)			
C	The court sets a review hearing for (date): (time):  defendant has properly turned in, sold, or stored all prohibited, including iter	(dept.): to determine whether the			
	§ 527.9; Pen. Code, § 18120.5.) If the defendant does not attend the review				
	has violated the protective order and notify law enforcement and a prosecut				

## **NOTICES**

Judicial Officer

- This order is effective as of the date it was issued by the judicial officer and expires as ordered in item 2.
- This order is to be used ONLY when the court orders firearms relinquishment but does not make any other protective or restraining orders. Do NOT use in conjunction with other criminal protective orders (form CR-160 or CR-161).

Executed on:

CR-800 Receipt for Firearms, Firearm Parts, and Ammunition	Clerk stamps date here when form is filed.
This form provides information for a restrained person/defendant who is ordered to turn in firearms, firearm parts, and ammunition under a criminal protective order (form CR-160 or CR-161) or <i>Order to Surrender Firearms in Domestic Violence Case</i> (form CR-162).	07/22/2025 DRAFT Not approved by
1 Protected Person: Name:	the Judicial Council
2 Restrained Person / Defendant a. Name:	Fill in court name and street address:  Superior Court of California, County of
Lawyer (if you have one for this case):  Name: State Bar No.:  Firm Name:	-
b. Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)	Court fills in case number when form is filed.  Case Number:
Address:	City:
State: Zip: Telephone:	Fax:
To the Restrained Person:  If a judge has ordered you to turn in, sell, or store your firearms (guns), fir receivers, frames, or any item that may be used as or easily turned into a re—use this form to prove to the judge that you have obeyed their orders. Ta or a licensed gun dealer to complete 4 or 5. For more information on h form CR-800-INFO, How Do I Turn In, Sell, or Store My Firearms, Firear	eceiver or frame (see Pen. Code, § 16531) ake this form to a law enforcement officer ow to properly turn in your items, read
(Complete the section below. Keep a copy and give the original to the per	rson in <b>2</b> .)
Name of Law Enforcement Agency:	
Name of Law Enforcement Agent:	

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

Telephone number:

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

Address:

**Items Surrendered** 

Email address:

		Case No	umber:	
	To Law Enforcement			
agency (e.g., a property rep	List of items. (List all the items surrendered by the person in ②). You may attach a separate form from ya agency (e.g., a property report), use ⑥, or both.) Check below if you have attached a separate form:  □ Separate form is attached. (If it does not include all surrendered items, list additional items in ⑥.)			
I declare under penalty of perjutrue and correct.	ary under the laws of the S	state of California that the	information abo	ove is
Signature of law enforcement	agent			
	To Licensed	Gun Dealer		
(Complete the section below. Ke	ep a copy and give the ori	ginal to the person in <b>2</b> ).	)	
Name of Licensed Gun Dealer:				
License number:				
Address:				
Telephone number: Email address:				
Items Stored or Sold				
a. Firearms, firearm parts, and ammunition transferred on:  Date: Time: a.m p.m.				
b. List of items. (List all the ite Department of Justice's Rep a separate form:				
☐ Separate form is attached. (If it does not include all surrendered items, list additional items in <b>6</b> ).)				
I declare under penalty of perjutrue and correct.	ary under the laws of the S	tate of California that the	information abo	ove is
Signature of licensed gun de	ealer			
List of Items Surrender	ea			
a. Firearms and firearm parts	<b>N</b>	Serial Number,		To be
Make	Model	if there is one	Sold Sto	red destroye
1)				
2)				
3)				
4)				
5)				

Ammunition	_	<b>A</b>	~ 11	To be
Brand	Type	Amount	Sold	Stored destroyed
Check here if there is not enoug items, write "CR-800, item 6" a		•	heet of pap	per to list other
To the Restrained Perso	n:			
Besides the items listed on page parts, or ammunition?	e 2 or in an attached for	rm, do you have or own a	ny other fi	rearms (guns), firearm
□ No				
☐ Yes (If yes, check one of the	e boxes below:)			
a.   I filed Receipt for Fired items with the court or	arms, Firearm Parts, a	nd Ammunition (form CR		•
b. I am filing the proof f		), firearm parts, or ammu		
		· · · · · · · · · · · · · · · · · · ·		
c. I have not yet filed the	proof for the other fire	earms (guns), mrearm part	s, or ammi	unition. (Explain why not)
War and an				
Your signature	1 1 1 61		4	
I declare under penalty of perjuctorrect.	iry under the laws of th	e State of California that	the inform	ation above is true and
Date:				
Type or print your name		Sign your name		

**Case Number:** 

## **Your Next Steps**

- After the form is complete, make two additional copies. Take the copies and original to the court clerk to file.
- Keep a copy for yourself.

Note that failure to file a receipt with the court is a violation of the court's order.

### CR-800-INFO How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and **Ammunition?**

This form provides information for a restrained person/defendant who is ordered to turn in firearms, firearm parts, and ammunition under a criminal protective order (form CR-160 or CR-161) or Order to Surrender Firearms in Domestic Violence Case (form CR-162).

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

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

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

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

You must take them to:

• Law enforcement, who will accept all prohibited items for safekeeping or to destroy,

• A licensed gun dealer, who can buy or store your firearms. If you have firearm parts or ammunition, call ahead for more information.

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

In most cases, within 24 hours of being served with the protective order. Check the protective order or court order for further details.

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

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

## Do I have to pay a fee to store prohibited

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

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

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

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

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

#### After I give my firearms to law enforcement, can I change my mind?

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

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

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

CR-800-INFO, Page 1 of 1

**CR-830** 

# Noncompliance With Firearms and Ammunition Order

## **CONFIDENTIAL**

	Clerk stamps date here when form is filed.
This notice is provided to the agency or agencies listed below.	
1 Protected Person Name:	08/05/2025 DRAFT Not approved by
2 Restrained Person / Defendant	the Judicial Council
Name:	Fill in court name and street address:
3 ☐ Noncompliance—Domestic Violence	Superior Court of California, County of
a. The court has found that the person listed in 2 has firearms (guns), firearm parts, or ammunition in violation of the following order in a case involving domestic violence (choose one):	
(1)   Criminal Protective Order—Domestic Violence (form	
CR-160)	Court fills in case number when form is filed.
(2) Order to Surrender Firearms, Firearm Parts, and Ammunition in Domestic Violence Case (form CR-162)	Case Number:
b.   Notice to Law Enforcement Agency (name of agency or agencies	s):
The person listed in 2 is subject to a criminal protective order. Notice is provided under Penal Code section 273.75(d). The ago obtain the firearms and ammunition.	
c. Notice to Prosecuting Agency (name of agency):	
☐ The person listed in (2) is subject to a criminal protective order Notice is provided under Penal Code section 273.75(d). The agreement obtain the firearms and ammunition.	
d.   Additional information	
The court has conducted a background search pursuant to Penal information provided above, the court is attaching the following search. (Briefly describe information):	
4	
a. The court has found that the person listed in 2 has firearms (guns violation of the following order:	), firearm parts, or ammunition in
☐ Criminal Protective Order—Other Than Domestic Violence (fo	orm CR-161)
b.   Notice to Law Enforcement Agency (name of agency or agencie	s):
☐ The person listed in ② is subject to a criminal protective order. Notice is provided under Code of Civil Procedure section 527.	

		Case Number:
(4) c. [	Notice to Prose	ecuting Agency (name of agency):
		sted in 2 is subject to a criminal protective order issued under Penal Code section 136.2. vided under Code of Civil Procedure section 527.9(b).
5 Numbe	er of pages at	tached to this form, if any:
Judge's Si	gnature	
Date:		
		Judicial Officer
		—Clerk's Certificate—
[seal]	•	I am not a party to this case and that a true copy of <i>Noncompliance With Firearms and Order</i> (form CR-830) was sent to the agency or agencies listed on page 1:
	a. 🗌	Law enforcement agency listed in <i>(check one)</i> : item   3b or  4b
	` /	by fax, email, or other electronic means by personal delivery
	(2)	(Phone number, email address, or address):
	(3)	Date of transmission or delivery:
	b. 🗆	Prosecuting agency listed in (check one): item  3c or 4c
	(1)	<ul> <li>□ by fax, email, or other electronic means</li> <li>□ by personal delivery</li> </ul>
	(2)	(Phone number, email address, or address):
	(3)	Date of transmission or delivery:
	Date: _	, Clerk, by, Deputy

CR-840 Prohibited It	tems Finding a	and Orders	Clerk stamp	s date here when form is filed.
Protected Person Name:				07/22/2025 DRAFT Not approved by the Judicial Council
Restrained Person/Defendant	t			
a. Name:			Fill in court	name and street address:
a. Ivailie.			Superior	Court of California, County
b. The defendant is subject to a crimin Penal Code section 136.2.	nal protective order is	ssued under		
			Court fills in	case number when form is filed
☐ Restrained Person Has Pro	ohibited Items		Court fills in	
		1 items:		
☐ Restrained Person Has Pro The court has found that you have the a. Firearms and/or firearm parts		1 items:		nber:
The court has found that you have the	e following prohibited	l items:  Location, if k	Case Nur	nber: Proof of compliance
The court has found that you have the a. Firearms and/or firearm parts  Description (include serial number)	e following prohibited er, if known)	Location, if k	Case Nur	Proof of compliance received by the coun
The court has found that you have the a. Firearms and/or firearm parts  Description (include serial numbe (1)	e following prohibited	Location, if k	Case Nur	Proof of compliance received by the coun
The court has found that you have the a. Firearms and/or firearm parts  Description (include serial numbe (1)	e following prohibited	Location, if k	Case Nur	Proof of compliance received by the coun [ (date): [ (date):
The court has found that you have the a. Firearms and/or firearm parts  Description (include serial numbe (1)	e following prohibited	Location, if k	Case Nur	Proof of compliance received by the coun (date):
The court has found that you have the a. Firearms and/or firearm parts  Description (include serial numbe  (1)  (2)  (3)  (4)	e following prohibited	Location, if k	Case Nur	Proof of compliance received by the coun (date):  (date): (date): (date):
The court has found that you have the a. Firearms and/or firearm parts  Description (include serial numbe (1)	e following prohibited er, if known)  Amount,	Location, if k	Case Nur	Proof of compliance received by the cour (date):  (date): (date): (date): (date):
The court has found that you have the a. Firearms and/or firearm parts  Description (include serial number (1)	e following prohibited er, if known)  Amount, if known	Location, if k	cnown	Proof of compliance received by the coun (date): (date): (date): (date): (date): Proof of compliance received by the county
The court has found that you have the a. Firearms and/or firearm parts  Description (include serial numbe  (1) (2) (3) (4)  b. Ammunition  Description (1)	Amount, if known	Location, if k	cnown	Proof of compliance received by the coun (date): (date): (date): (date): (date): (date): (date): (date):
The court has found that you have the a. Firearms and/or firearm parts  Description (include serial number (1)	Amount, if known	Location, if k	cnown	Proof of compliance received by the cour (date): (date): (date): (date): (date): Proof of compliance received by the cour

(4) □ Notic	ce of Comp	liance Hearing		
To the p	erson in 2	:		
properly t find that the	urned in, sold,	person has violated the protective	n does not attend th	at all prohibited items have been e hearing listed below, the court may w enforcement and a prosecuting
			Name and add	dress of court, if different from the one
	Date:	Dept.:		
	Time:	Room:		
	trained Dar	oon Hoo Not Complied Wi	ith Currenderin	a Drobibitod Itomo
		son Has Not Complied W		_
		you have not fully complied with	` • /	
(date).	:	The court has not received a r	receipt or proof of co	ompliance for all the items listed in (3).
	Law Enforces ourt will imme		enforcement agency	of this violation (name of agency):
The co	Prosecutor ourt will imme cuting agency	diately notify the following prosen:	ecuting agency of th	
Judge's Sig	nature			
Date:			-	1.1:100
				Judicial Officer
		This is a	Court Order.	

Case Number:

Prohibited Items Finding and Orders (Criminal Protective Order)

		Draft-Not approved by Judicial Council.08.05	.25			
	CF	Permission to Have Firearm or Ammunition for Work	Case Number:			
This	form	is attached to (check one):  Form CR-160 Form CR-161  Other:	Form CR-162 _			
1	Co	urt Findings				
	The	court finds that the restrained person/defendant (name):				
	a.	Is required to carry a specific firearm or ammunition during scheduled continued employment.	work hours as a condition of their			
	b.	Cannot be reassigned by their employer to another position where havin needed.	ng a firearm or ammunition is not			
	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 evaluat licensed mental health professional with domestic violence expertise				
		(2) The personal safety of the restrained person depends on their ability ammunition outside of scheduled work hours.	y to carry a specific firearm or			
	f.	☐ Is not a sworn peace officer and (check (1) or (2)):				
		(1) $\square$ The court did not order the restrained person to complete a psyconic complete a psyconic complete and psyconic complete complete and psyconic complete and psyconic complete complete and psyconic complete complet	hological evaluation.			
		(2)  The court ordered and reviewed a completed psychological evaluation licensed mental health professional with domestic violence expensional with domestic violence expensions.				

This is a Court Order.

g. 

Other



Case Number:		

2	Court	Order

a.	The restrained person is <i>(check one)</i> :						
	(1) \( \subseteq 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) $\square$ 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 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.

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Criminal Law: Implementation of Recent Legislation Regarding Criminal Protective Orders (Amend Cal. Rules of Court, rule 1.51; repeal rule 4.700; adopt forms CLETS-002 and CR-850; approve forms CR-800, CR-800-INFO, CR-830, and CR-840; revise forms CR-160, CR-161, and CR-162)

	Commenter	Position	Comment	Committee Response
1.	Orange County Bar Association by Mei Tsang, President	AM	The proposal appropriately addresses the stated purpose.	The committee appreciates the comment.
			There is no apparent reason to retain any part of rule 4.700. The statutory gaps around firearm relinquishment compliance are filled by Penal Code § 18120.5.	The committee agrees with repealing rule 4.700.
			• The information in item 2c on form CR-850 (advisement to the restricted person that a granted firearm exemption only applies to the specific restraining order, and that if the restricted person is prohibited from having firearms or ammunition by another order or law, the restricted person may be in violation of state or federal law) is important information that would be more clearly communicated in a stand-alone warning box.	The committee agrees and has added a standalone warning box to more clearly communicate the advisement.
			<ul> <li>Proposed form CLETS-002 would increase the workload for prosecuting agencies, but serves a sufficiently important function (protecting personal information of the protected person) to justify it.</li> <li>It would be helpful to include language</li> </ul>	The committee recognizes the increased workload associated with form CLETS-002 and agrees that the form is necessary to include the protected person's information in the federal electronic database, which is only possible if a date of birth is provided.  The committee agrees and has added language
			preferences and prohibited item information on form CLETS-002 that is identified as optional information.	preferences and prohibited item information on form CLETS-002 as optional items.

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2.	Superior Court of Los Angeles County by Stephanie Kuo	AM	The following comments are representative of the Superior Court of California, County of Los Angeles, and do not represent or promote the viewpoint of any particular officer or employee.	The committee appreciates the comment.
			In response to the Judicial Council of California's "ITC SPR25-12 Criminal Law: Legislation Regarding Criminal Protective Orders," the Superior Court of California, County of Los Angeles (Court), agrees with the proposed changes if modified.	
			Regarding California Rules of Court, rule 4.700, the Court believes it should be repealed given Penal Code 18120.5 addresses when and how a court must determine whether a restrained person has a prohibited firearm and the consequences of noncompliance.	The committee agrees with repealing rule 4.700.
			In response to the proposal to add Item 2c on form CR-850, the information to the defendant is more effectively communicated as a standalone warning box. Judicial officers typically read the entire Standardized Advisement of Protective Order (SAPO) to each defendant. Therefore, it would be preferable to incorporate the advisement directly into the form, allowing it to be read to the defendant and entered into the record. However, if the SAPO is not read in its entirety, a stand-alone box could serve to	The committee agrees and has added a standalone warning box to more clearly communicate the advisement.

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		highlight the advisement. To improve visibility, it is recommended that the stand-alone box be presented in bold text and a larger font for greater emphasis.	
		The proposed form CLETS-002 would undoubtedly increase the workload for the Court. In addition to this, it imposes a burden on the judicial officer to notify law enforcement if the defendant is found to have violated the protective order. If the court determines that the defendant has not complied with the order, it is likely that such a finding would be made after a hearing in which both the defense and prosecution were present. Furthermore, including language preferences and prohibited item information on form CLETS-002, similar to form CLETS-001, would be acceptable.	Notification by the court to law enforcement regarding protective order violations, and any associated hearings, are required by statute under recent legislation. (See Code of Civ. Proc., § 527.9(b), Pen. Code, §§ 273.75(d), 18120.5.) Costs associated with these procedures are not attributable to form CLETS-002.  The committee agrees that it would be helpful to include language preferences and prohibited item information on form CLETS-002 as optional items and has recommended that approach.
		The proposal will not result in cost savings. In fact, it is anticipated that there will be significant costs associated with training staff and updating the Court's technology.	The committee recognizes the increased workload associated with proposed form CLETS-002, but believes the form is necessary to include the protected person's information in the federal electronic database, which is only possible if a date of birth is provided. To reduce workload across form CLETS-002 and the associated criminal protective order, form CLETS-002 is drafted so that only the protected persons' information in items 1 and 2 are mandatory, and the defendant's information in item 3 is largely optional since it is already required on the criminal protective order. The committee has

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				revised item 3 to only require the defendant's name as a mandatory field and to take out the mandatory fields for the defendant's gender, race, and age, since those are already mandatory on each criminal protective order.
			To implement the proposal, training would be required for managers, supervisors, judicial assistants and clerical staff. So, roughly 1,000 employees would need to be trained at the Court on the new process and handling of the CLETS-002. This would also require a new procedure for Criminal Protective Orders in handling the additional CLETS-002 form, as well as a new event code in the case management system. Two months to implement the proposal is possible, but three months is preferable to account for training and testing of new codes.	The committee appreciates the amount of work involved in implementing new forms changes. The changes in this proposal are largely to implement laws that became effective on January 1, 2025, or will be effective on January 1, 2026. Given the importance and safety issues associated with the new laws, the committee does not recommend delaying implementation of this proposal.
			Finally, this proposal may challenge courts of different sizes, especially the largest trial court in California, since it will require extensive education for parties, law enforcement, court staff and judicial officers.	See response above.
3.	Superior Court of Orange County by Thomas Anthony Williams, Operations Analyst II	AM	• Does the proposal appropriately address the stated purpose?  The proposal appropriately addresses the purpose as indicated.	The committee appreciates the comment.

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Com	nmenter	Position	Comment	Committee Response
			• Should all or parts of California Rules of Court, rule 4.700 be retained rather than repealed? If so, why?  All of California Rule of Court (CRC) 4.700 should be repealed. Existing statute will capture	The committee agrees with repealing rule 4.700.
			• Item 2c on form CR-850 is an advisement to the defendant that a granted firearm exemption only applies to the specific restraining order, and that if the defendant is prohibited from having firearms or ammunition by another order or law, the defendant may be in violation of state or federal law. Is such information more clearly communicated as a stand-alone warning box?	The committee agrees with repeating rule 4.700.
			Information provided as a stand-alone warning box is preferable to avoid confusion and for emphasis.	The committee agrees and has added a standalone warning box to more clearly communicate the advisement.
			• Would proposed form CLETS-002 increase the workload for courts, prosecuting agencies, and law enforcement?	
			The CLETS-002 form would increase workload for court staff, particularly with review for errors in comparison to the protective order prior to sentencing for entry into CLETS for law enforcement agencies. Workload for prosecutors	The committee recognizes the increased workload associated with proposed form CLETS-002, but believes the form is necessary to include the protected person's information in the federal electronic database, which is only possible if a date of birth is provided. To reduce workload

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		would also increase as they would be required to complete the form to provide to staff upon issuance of any protective order throughout the life of a case.	across form CLETS-002 and the associated criminal protective order, form CLETS-002 is drafted so that only the protected persons' information in items 1 and 2 are mandatory, and the defendant's information in item 3 is largely optional since it is already required on the criminal protective order. The committee has revised item 3 to only require the defendant's name as a mandatory field and to take out the mandatory fields for the defendant's gender, race, and age, since those are already mandatory on each criminal protective order.
		<ul> <li>Would it be helpful to include language preferences and prohibited item information on form CLETS-002, similar to form CLETS-001?</li> <li>To ensure the process and information is as consistent as possible, provision of language preferences and prohibited item information similar to form CLETS-001 would be helpful.</li> <li>Would the proposal provide cost savings? If so, please quantify.</li> <li>The proposal would not provide cost savings as ordering and printing costs for provision of the form would be required.</li> </ul>	The committee agrees and has added language preferences and prohibited item information on form CLETS-002 as optional items.  No response required.
		What would the implementation requirements be for courts—for example, training staff	

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		(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?	
		Implementation would require the courts to print and provide the forms. Implementation would also require detailed training of court staff and judicial officers as to the review of the information provided in the CLETS-002 form. The review process itself requires court staff to meticulously compare the information identified on the form is identical to any other CLETS-002 form and the order for successful transmission into CARPOS. The court would also have to meet with the impacted stakeholders to inform them of the forms mandatory use and requirement for prosecutor submission. To further support the process, we may be required to create new system docket codes and procedural updates. Provision of cross training may take one to two weeks as all staff in the courtroom will require training in addition to all staff in the Protective Order Unit.	To reduce workload across form CLETS-002 and the associated criminal protective order, form CLETS-002 is drafted so that only the protected persons' information in items 1 and 2 are mandatory, and the defendant's information in item 3 is optional since it is already on the criminal protective order. The committee has revised item 3 to only require the defendant's name as a mandatory field and to take out the mandatory fields for the defendant's gender, race, and age, since those are already mandatory on each criminal protective order.
		• Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?	
		Two months for implementation would not be sufficient due to the level of impact to staff,	The committee appreciates the amount of work involved in implementing new forms changes.

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			judicial officers, and stakeholders.  • How well would this proposal work in courts of different sizes?	The changes in this proposal are largely to implement laws that became effective on January 1, 2025, or will be effective on January 1, 2026. Given the importance and safety issues associated with the new laws, the committee does not recommend delaying implementation of this proposal.
			N/A	No response required.
4.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) by TCPJAC/CEAC Joint Rules Subcommittee (JRS)	AM	Regarding California Rules of Court, rule 4.700, the JRS believes it should be repealed given Penal Code 18120.5 addresses when and how a court must determine whether a restrained person has a prohibited firearm and the consequences of noncompliance.	The committee agrees with repealing rule 4.700.
			In response to the proposal to add Item 2c on form CR-850, the information to the defendant is more effectively communicated as a standalone warning box. Judicial officers typically read the entire Standardized Advisement of Protective Order (SAPO) to each defendant. Therefore, it would be preferable to incorporate the advisement directly into the form, allowing it to be read to the defendant and entered into the record. However, if the SAPO is not read in its entirety, a stand-alone box could serve to highlight the advisement. To improve visibility, it is recommended that the stand-alone box be presented in bold text and a larger font for greater emphasis.	The committee agrees and has added a standalone warning box to more clearly communicate the advisement.

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		The proposed form CLETS-002 would undoubtedly increase the workload for the Court. In addition to this, it imposes a burden on the judicial officer to notify law enforcement if the defendant is found to have violated the protective order. If the court determines that the defendant has not complied with the order, it is likely that such a finding would be made after a hearing in which both the defense and prosecution were present. Furthermore, including language preferences and prohibited item information on form CLETS-002, similar to form CLETS-001, would be acceptable.  The proposal will not result in cost savings. In fact, it is anticipated that there will be significant costs associated with training staff and updating the Court's technology.	Notification by the court to law enforcement regarding protective order violations, and any associated hearings, are required by statute under recent legislation. (See Code of Civ. Proc., § 527.9(b), Pen. Code, §§ 273.75(d), 18120.5.) Costs associated with these procedures are not attributable to form CLETS-002.  The committee agrees that it would be helpful to include language preferences and prohibited item information on form CLETS-002 as optional items and has recommended that approach.  The committee recognizes the increased workload associated with proposed form CLETS-002, but believes the form is necessary to include the protected person's information in the federal electronic database, which is only possible if a date of birth is provided. To reduce workload across form CLETS-002 and the associated criminal protective order, form CLETS-002 is drafted so that only the protected persons' information in items 1 and 2 are mandatory, and the defendant's information in item 3 is largely optional since it is already required on the criminal protective order. The committee has revised item 3 to only require the defendant's name as a mandatory field and to take out the mandatory fields for the defendant's gender, race,

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			and age, since those are already mandatory on each criminal protective order.
		To implement the proposal, training would be required for managers, supervisors, judicial assistants and clerical staff. For Los Angeles, roughly 1,000 employees would need to be trained at the Court on the new process and handling of the CLETS-002. This would also require a new procedure for Criminal Protective Orders in handling the additional CLETS-002 form, as well as a new event code in the case management system. Two months to implement the proposal is possible, but three months is preferable to account for training and testing of new codes.	The committee appreciates the amount of work involved in implementing new forms changes. The changes in this proposal are largely to implement laws that became effective on January 1, 2025, or will be effective on January 1, 2026. Given the importance and safety issues associated with the new laws, the committee does not recommend delaying implementation of this proposal.
		Finally, this proposal may challenge courts of different sizes, especially the largest trial court in California, since it will require extensive education for parties, law enforcement, court staff and judicial officers.	See response above.