



Judicial Council of California

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 23-170

For business meeting on September 19, 2023

Title

Domestic Violence: Form Changes to Implement New Laws

Agenda Item Type

Action Required

Rules, Forms, Standards, or Statutes Affected

Adopt forms DV-715 and DV-716; revise forms DV-100, DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-700, DV-700-INFO, DV-710, DV-720, DV-730, DV-800-INFO/JV-270-INFO, DV-840/FL-840, EPO-001

Effective Date

January 1, 2024

Date of Report

August 23, 2023

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Recommended by

Family and Juvenile Law Advisory Committee

Hon. Stephanie E. Hulseley, Cochair

Hon. Amy M. Pellman, Cochair

Executive Summary

The Family and Juvenile Law Advisory Committee recommends revising 14 domestic violence restraining order forms to implement Assembly Bill 2369, Senate Bill 935, and Assembly Bill 1621. The committee also recommends adopting 2 new forms that would be used to continue a hearing on a request to renew a restraining order.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2024:

1. Adopt 2 Judicial Council forms:

- *Request to Reschedule Hearing to Renew Restraining Order* (form DV-715); and

- *Order to Reschedule Hearing to Renew Restraining Order* (form DV-716); and
2. Revise 14 Judicial Council forms:
- *Request for Domestic Violence Restraining Order* (form DV-100);
 - *Notice of Court Hearing* (form DV-109);
 - *Temporary Restraining Order* (form DV-110);
 - *Response to Request for Domestic Violence Restraining Order* (form DV-120);
 - *How Can I Respond to a Request for Domestic Violence Restraining Order?* (form DV-120-INFO);
 - *Restraining Order After Hearing (Order of Protection)* (form DV-130);
 - *Request to Renew Restraining Order* (DV-700);
 - *How Do I Ask the Court to Renew My Restraining Order?* (form DV-700-INFO);
 - *Notice of Hearing to Renew Restraining Order* (DV-710);
 - *Response to Request to Renew Restraining Order* (DV-720);
 - *Order to Renew Domestic Violence Restraining Order* (DV-730);
 - *How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?* (DV-800-INFO/JV-270-INFO);
 - *Notice of Compliance Hearing for Firearms and Ammunition* (DV-840/FL-840); and
 - *Emergency Protective Order (CLETS-EPO)* (EPO-001).

The proposed forms are attached at pages 10–79.

Relevant Previous Council Action

Under the Domestic Violence Prevention Act, the Judicial Council must provide forms and instructions for use in domestic violence restraining order matters. The council has approved revisions to the forms when changes to the law required revisions and in response to feedback from user testing and suggestions made by the public, judicial officers, and court professionals. Forms DV-720 and DV-730 were adopted effective 2012 and have not been revised since their adoption. Forms DV-700, and DV-700-INFO were last revised in 2012 to implement a new law and to make the styles consistent with other civil restraining order forms, and form DV-710 was revised in 2014 to add a clerk’s seal and to clarify when the restraining order after hearing expires. The other forms in this proposal were last revised in 2023 to implement new laws.

Analysis/Rationale

This proposal is needed to implement three new laws. Because most litigants in domestic violence restraining order proceedings represent themselves, it is particularly important for the council to act quickly to ensure that litigants are provided up-to-date information about available remedies and court procedures. A number of additional changes are recommended to the renewal forms to make the format and content consistent with changes that have been made to other domestic violence forms over the past few years, as are a few substantive changes that are described below.

Assembly Bill 2369

Effective January 1, 2023, AB 2369 (Stats. 2022, ch. 591) requires the court in a domestic violence restraining order proceeding to, on request, award attorney's fees or costs to a prevailing petitioner, or to a prevailing respondent if the prevailing respondent can show "by a preponderance of the evidence" that the petition or request was "frivolous or solely intended to abuse, intimidate, or cause unnecessary delay."¹ However, before an award of attorney's fees or costs can be made, the court must first determine whether "the party ordered to pay has, or is reasonably likely to have, the ability to pay."²

To implement AB 2369, the committee recommends adding information on the request and response forms informing the parties of the new legal requirements. For the request forms (DV-100 and DV-700), the committee has added information that the court must award lawyer's fees and costs to a prevailing petitioner if the respondent can afford to pay.³ For the response forms (DV-120 and DV-720), the committee has added information that the court may award lawyer's fees and costs to a prevailing respondent if the respondent can show that (1) the request for restraining order was frivolous or was made only to abuse, intimidate, or cause unneeded delay; and (2) the petitioner can afford to pay.⁴ For form DV-120 the committee also recommends removing the options to agree or disagree with the request for lawyer's fees and costs because the court no longer has discretion on whether to make this award.

Senate Bill 935

Effective January 1, 2023, SB 935 (Stats. 2022, ch. 88) changes the duration of a renewed order. Before SB 935, the duration of a renewed order either had to be five years or was permanent. Under SB 935, a renewed order may be for any length of time provided that it is at least five years long, and could still be made a permanent order of the court.⁵ SB 935 also clarifies that a domestic violence restraining order may be renewed more than once. The committee proposes to revise the renewal forms to indicate that the order may be extended for any length of time that is at least five years. Changes to implement AB 2369 and to make the renewal forms consistent with the format of other DV forms are also recommended and described below.

Request to renew form (form DV-700)

To implement SB 935, the committee has added a third option in the request to renew, for the petitioner to ask for a duration longer than five years but less than a permanent order.⁶

In response to a suggestion from a domestic violence organization, the committee also recommends including an instruction at the top of the request form to indicate that the form may

¹ Fam. Code, § 6344(a) & (b).

² *Id.*, § 6344(c).

³ See DV-100, item 26, and DV-700, item 5.

⁴ See DV-120, item 23, and DV-720, item 6.

⁵ Fam. Code, § 6345(a).

⁶ See DV-700, item 3c.

be used to request a renewal of a juvenile restraining order that was issued to prevent domestic violence. Under Family Code section 6345, on request of a party, the court may renew the personal conduct, stay-away, and residence exclusion orders for a period of at least five years, or permanently. The availability of renewals under the Family Code is not limited to those cases arising from family court but applies to all restraining orders issued under the Domestic Violence Prevention Act.⁷ Therefore, a protected party in a juvenile restraining order to prevent domestic violence would use the DV forms to request a renewal of a juvenile restraining order in family court after the juvenile case has been closed.

The committee also recommends providing more space for the protected party to include the reasons for requesting the renewal, and, as noted above, adding an item for the party to seek attorney's fees and costs to implement AB 2369.⁸

Response to request to renew form (form DV-720)

To implement SB 935, the committee has added information at item 3 that the duration of a renewed order could be more than five years, or a permanent order. At item 5, more space has been provided for a respondent who opposes the request and wishes to state the reasons. Item 6 has also been added to allow the respondent to respond to or make a request for lawyer's fees or costs, consistent with the new requirements under AB 2369, as described above.

Notice and order forms (forms DV-710 and DV-730)

To implement SB 935 on form DV-730, the committee has provided two options for when a renewed order expires: a specific date after five years, or no expiration.⁹

The committee also recommends adding an item to form DV-730 to address service of the order on the respondent. The committee notes that the Domestic Violence Prevention Act is silent on the issue of service of a renewed order when the respondent did not attend the hearing. Because a renewed restraining order changes only the duration of the restraining order, the committee recommends applying the requirement in Family Code section 6384(a) that applies to temporary restraining orders where the court may order service by first-class mail if the only change to the restraining order is the duration of the order.¹⁰ The committee also recommends including notice of this new procedure on form DV-710, informing the restrained person that the person will receive a copy of the renewed restraining order at the address provided on form DV-710 if the person does not appear at the hearing. A similar notice is already provided on the existing temporary restraining order (page 7 of form DV-110).

⁷ *Garcia v. Escobar* (2017) 17 Cal.App.5th 267; *Priscila N. v. Leonardo G.* (2017) 17 Cal.App.5th 1208.

⁸ New item 5 on form DV-700.

⁹ New item 3a on form DV-730.

¹⁰ New item 6 on form DV-730.

Information form (form DV-700-INFO)

This form provides information for the protected party (person requesting the renewal). The committee recommends adding information on what the protected party will have to prove to the court at the renewal hearing, as provided by the Court of Appeal in *Richie v. Konrad*.¹¹ The committee also recommends adding information on when a juvenile restraining order involves domestic violence, and the possibility of filing a request to renew in another county by filing a request to change venue.

AB 1621

Assembly Bill 1621 (Stats. 2022, ch. 76) went into effect immediately on the Governor’s approval on June 30, 2022. It prohibits persons subject to a restraining order from possessing or owning certain firearm parts, including a “firearm precursor part,” which it redefined.¹² Changes are needed to certain order forms (DV-110, DV-130, and EPO-001) and other forms (DV-100, DV-120-INFO, DV-800-INFO/JV-270-INFO, and DV-840/FL-840) to implement the new definition of firearm precursor part. The recommended language parallels language the council has previously approved to implement this new definition in other protective order forms.¹³

Continuance forms for renewal hearings

Currently, no forms are available to request or order to continue (reschedule) a hearing on a request to renew a restraining order. The committee has received comments that continuance forms would be helpful because the existing continuance forms (e.g., forms DV-115 and DV-116) are not designed for renewal proceedings. The committee agrees that continuance forms would be helpful and especially important if the order for continuance extends the *Restraining Order After Hearing*, because the new expiration would need to be entered into the California Law Enforcement Telecommunications System (CLETS). A new request (form DV-715) and order to continue (form DV-716) a request for renewal are contained in this proposal. They are substantially similar to the forms for requesting and ordering continuances of hearings on the original petitions. Similar forms for gun violence (GV), civil harassment (CH), elder abuse (EA), school violence (SV), and workplace violence (WV) are also being proposed in a separate report being made concurrently with this one.

Additional changes to form EPO-001

In addition to revising the language regarding firearm precursor parts to implement AB 1621, the committee also recommends simplifying the warning and notices contained on page 2 of the EPO form. Many of the existing notices unnecessarily repeat information that is on page 1 of the order. Also, some of the words used could be stated more plainly. Simplifying the content on this

¹¹ In *Richie*, the court held that a protected party would be entitled to renewal, merely on request, if the request is uncontested. If the request to renew is contested, the court held that the court could renew on a finding of “reasonable apprehension of future abuse.” (*Richie v. Konrad* (2004) 115 Cal.App.4th 1275,1284.)

¹² Pen. Code, § 16531(a).

¹³ See Judicial Council of Cal., Advisory Com. Rep., *Protective Orders: Civil Protective Order Forms Implementing Assembly Bill 1621* (Nov. 2, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11461123&GUID=89F39689-D073-494C-9390-2A55F4C5AEC0>.

page also provides more space to allow for a complete translation into Spanish of all the content on page 2. The existing version does not translate into Spanish the bolded “Warnings and Information” for the restrained person, or the information provided to law enforcement.

In light of comments received, the proposal will also correct item 1, the identity of all protected persons. to add an instruction to include the persons’ gender (M, F, or X) because that is a field mandated for the protective order registry accessible via CLETS.

Clarification of service requirements after remote appearance

To clarify the service requirements for respondents who appear remotely in protective order proceedings, this committee and the Civil and Small Claims Advisory Committee are jointly recommending two new rules of court, as well as revisions to the CH, EA, SV, and WV forms in a separate proposal. As more fully discussed in that proposal, the committees are recommending revisions to the notice of hearing forms and the order after hearing forms to specify to the respondent that any order issued at the hearing may be enforced immediately if the respondent attends the hearing, including through the use of remote technology. Substantially similar changes are being recommended to forms DV-109 and DV-130 in this proposal.

Form DV-109

As discussed above, on this notice form, the committee recommends alerting respondents that orders issued at a hearing may be enforced immediately if respondent attends the hearing—whether physically, by phone, or by videoconference.

In response to a suggestion received by a court, the committee also recommends removing form 250 (proof of service by mail) from the list of forms that must be served by the petitioner on respondent. This requirement can lead to court delays and safety issues when the petitioner unintentionally does not include it in the packet of forms that must be served on the restrained person. The committees note that service of a blank proof of service form is atypical and not a requirement in other proceedings and should be removed for the reasons noted above.

The committee also recommends simplifying the notices provided to each party.¹⁴ The committee believes that reducing the amount of text would make the form easier to read. For example, in the current version of form DV-109, information regarding the process for serving a response form is provided. While this could be helpful, the committee believes it is unnecessary to provide the information on this form as the response form itself (DV-120) provides this information. The same is true for information regarding the right to cancel a hearing where referring to the relevant form (form DV-112) provides the details related to that process.

Form DV-130

The item for service on form DV-130 would be revised to state that no other proof of service is needed to enforce an order if the respondent attends the hearing “either physically or remotely

¹⁴ Page 3 of proposed form DV-109.

(by telephone or videoconference).” This language is consistent with the new rules in the joint proposal.

Additional changes to implement new request for service form

One or more forms are being proposed in a separate proposal to implement AB 2791 (Stats. 2022, ch. 417), which requires the Judicial Council to create forms to allow litigants in civil cases to request service of process by a sheriff or marshal. Those forms are being circulated in August and September of 2023, and are expected to be approved effective January 1, 2024. In this proposal, the committee proposes to include language on certain order forms that includes an instruction to use the proposed form (form SER-001) to request service by a sheriff or marshal.¹⁵

Policy implications

In addition to implementing legislative changes, this recommendation helps implement Goal I, “Access, Fairness, Diversity, and Inclusion,” of the Judicial Council’s strategic plan by helping to make forms easier to complete and understand for self-represented litigants. Additionally, changes to the forms were based on user testing and feedback from service providers, consistent with Goal IV of the strategic plan to provide the highest quality of justice and service to the public.

Comments

This proposal was released for public comment from March 30 through May 12, 2023. Nine commenters responded to the proposal. Four agreed with the proposal, three agreed if modified, and two did not indicate a position; no commenters disagreed with the proposal. Commenters were the Superior Courts of Los Angeles, Orange, Riverside, San Bernardino, and San Diego Counties; the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee; the California Lawyers Association, Family Law Section Executive Committee; the Family Violence Appellate Project; and the Orange County Bar Association.

The committee thanks commenters for taking the time to respond to this proposal. In general, commenters supported many of the changes. Some of the more significant changes are described below. All comments and the committee’s responses are provided in the attached chart of comments at pages 80–103.

Commenters supported many of the proposed revisions to the renewal forms (DV-700 series), including the recommendation to adopt new continuance forms for these proceedings. Some commenters suggested adding more information to form DV-700-INFO, including the ability to (1) request a renewal more than once; (2) file a request to renew in another county; and (3) request a continuance. The committee agrees with these additions to form DV-700-INFO. One commenter suggested renumbering form DV-700 to DV-700/JV-700 since the forms may be used to request a renewal of a juvenile restraining order issued to prevent domestic violence. As noted above, form DV-700 would be used to request a renewal of a juvenile restraining order

¹⁵ See DV-110, item 22; DV-130, item 31; DV-710, item 6; and DV-730, item 7.

after the juvenile case has closed. Currently, there are no juvenile forms to specifically request a renewal of a restraining order within a juvenile case. The committee is interested in the possibility of recommending new forms for this purpose and will consider it in a future cycle.

Another suggestion by a commenter that the committee did not recommend is to have the order renewing the restraining order (form DV-730) reflect all the current orders made by the court. For example, child custody and visitation orders may have changed since the original restraining order (form DV-130) was issued and form DV-730 could include what those current orders are. While the committee sees value in this approach, it reflects a significant change in process that the committee would want the public to comment on. Therefore, this suggestion will be considered in the future.

Alternatives considered

Many of the proposed revisions are required by statutory changes, so the committee did not consider the alternative of no action.

For the new continuance forms for renewal proceedings, the committee considered revising existing forms DV-115 and DV-116. However, the committee rejected this approach because some of the provisions of the Family Code apply only to continuances of the initial request for restraining order (e.g., under Family Code section 245, a respondent is entitled to one continuance, for a reasonable period of time, to respond to the petition). Creating a form that would work both for the initial request for restraining order and for a renewal would make the forms more complicated. Instead, the committee decided that a separate continuance form set for renewals would be more user-friendly. The committee also considered whether to adopt a new information form, similar to form DV-115-INFO. The committee decided against a separate information form at this time and instead included more instruction on new form DV-715, under “Your Next Steps.” In response to a comment received, the committee considered including information about the option to appear remotely on form DV-716. The committee decided against including the information without public comment but will propose the addition in the future.

The committee considered not adding an item on form DV-730 to address service on respondent. However, the committee rejected this approach because adding the information provides clarity to both parties on when further service of the order is required. It would also inform law enforcement as to whether service is required for enforcement purposes, because this information would be entered into CLETS.

Fiscal and Operational Impacts

Commenting courts noted that resources would be needed to provide training, revise internal procedures, and update form packets and case management systems. All courts that responded indicated that three months for implementation would be sufficient.

Attachments and Links

1. Forms DV-100, DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-700, DV-700-INFO, DV-710, DV-715, DV-716, DV-720, DV-730, DV-800-INFO/ JV-270-INFO, DV-840/FL-840, EPO-001, at pages 10–79.
2. Chart of comments, at pages 80–103.
3. Link A: Assem. Bill 2369 (Stats. 2022, ch. 591),
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB2369
4. Link B: Sen. Bill 935 (Stats. 2022, ch. 88),
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB935
5. Link C: Assem. Bill 1621 (Stats. 2022, ch. 76),
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1621

Clerk stamps date here when form is filed.

Draft- Not approved by the Judicial Council

7.7.23

Instructions

To ask for a domestic violence restraining order, you will need to complete this form and other forms (see page 12 for list of forms). If this case includes sensitive information about a minor child (under 18 years old), see form DV-160-INFO, Privacy Protection For a Minor (Person Under 18 Years Old) Domestic Violence Prevention for more information on how to protect the child’s information.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

1 Person Asking for Protection

a. Your name: _____

b. Your age: _____

c. ! Address where you can receive court papers

(This address will be used by the court and by the person in 2 to send you official court dates, orders, and papers. For privacy, you may use another address like a post office box, a Safe at Home address, or another person’s address, if you have their permission and can get your mail regularly. If you have a lawyer, give their information.)

Address: _____

City: _____ State: _____ Zip: _____

d. ! Your contact information (optional)

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

Telephone: _____ Fax: _____

Email Address: _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

2 Person You Want Protection From

a. Full name: _____

b. Age (give estimate if you do not know exact age): _____

c. Date of birth (if known): _____

d. Gender: M F Nonbinary

e. Race: _____

This is not a Court Order.



3 Your Relationship to the Person in 2

(If you do not have one of these relationships with the person in 2, do not complete the rest of this form. You may be eligible for another type of restraining order. Learn more at <https://selfhelp.courts.ca.gov/restraining-orders>.)

(Check all that apply)

- a. We have a child or children together (*names of children*): _____
- b. We are married or registered domestic partners.
- c. We used to be married or registered domestic partners.
- d. We are dating or used to date.
- e. We are or used to be engaged to be married.
- f. We are related. The person in 2 is my (*check all that apply*):
- | | |
|---|--|
| <input type="checkbox"/> Parent, stepparent, or parent-in-law | <input type="checkbox"/> Brother, sister, sibling, step-sibling, or sibling in-law |
| <input type="checkbox"/> Child, stepchild, or legally adopted child | <input type="checkbox"/> Grandparent, step-grandparent, or grandparent-in-law |
| <input type="checkbox"/> Child's spouse | <input type="checkbox"/> Grandchild, step-grandchild, or grandchild-in-law |
- g. We live together or used to live together. (*If checked, answer question below*):
 Have you lived together with the person in 2 as a family or household (more than just roommates)?
 Yes No (If no, you do not qualify for this kind of restraining order unless you checked one of the other relationships listed above.)

4 Other Restraining Orders and Court Cases

- a. Are there any restraining orders currently in place **or** that have expired in the last six months (examples: Did the police give you a restraining order that lasts a few days? Do you have one from the criminal court?)
 No
 Yes (*If yes, give information below and attach a copy if you have one.*)
 (1) (*date of order*): _____ (*date it expires*): _____
 (2) (*date of order*): _____ (*date it expires*): _____
- b. Are you involved in any other court case with the person in 2?
 No
 Yes (*If you know, list where the case was filed (city, state, or tribe), the year it was filed, and case number.*)
- | | |
|---|-------|
| <input type="checkbox"/> Custody | _____ |
| <input type="checkbox"/> Divorce | _____ |
| <input type="checkbox"/> Juvenile (<i>child welfare or juvenile justice</i>): | _____ |
| <input type="checkbox"/> Guardianship | _____ |
| <input type="checkbox"/> Criminal | _____ |
| <input type="checkbox"/> Other (<i>what kind of case?</i>): | _____ |

This is not a Court Order.



Describe Abuse

In this section, explain how the person in (2) has been abusive. The judge will use this information to decide your request. Listed below are some examples of what "abuse" means under the law. **It is not a complete list** of all examples of abuse. Give information on any incident that you believe was abusive.

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

5 Most recent abuse

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

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

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

This is not a Court Order.



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

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

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

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

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

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

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

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

This is not a Court Order.



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

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

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

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

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

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

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

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

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

This is not a Court Order.



8 Other Protected People

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

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

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

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

(2) Why do these people need protection?

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

(A firearm includes a handgun, rifle, shotgun, and assault weapon. A firearm part means a receiver or frame or any item that may be used as or easily turned into a receiver or frame. Ammunition includes bullets, shells, cartridges, and clips.)

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

<u>Describe Firearms (Guns), Firearm Parts, or Ammunition</u>	<u>Number or Amount</u>	<u>Location, if known</u>
---	-------------------------	---------------------------

(1) _____	_____	_____
(2) _____	_____	_____
(3) _____	_____	_____
(4) _____	_____	_____
(5) _____	_____	_____
(6) _____	_____	_____

This is not a Court Order.



Choose the Orders That You Want a Judge to Make

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

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

10 **Order to Not Abuse**

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

Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace. (For more information on what "disturbing the peace" means, read [form DV-500-INFO](#), *Can A Domestic Violence Restraining Order Help Me?*)

11 **No-Contact Order**

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

12 **Stay-Away Order**

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

(Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Me. | <input type="checkbox"/> My vehicle. | <input type="checkbox"/> My children's school or childcare. |
| <input type="checkbox"/> My home. | <input type="checkbox"/> My school. | <input type="checkbox"/> Other <i>(please explain)</i> : _____ |
| <input type="checkbox"/> My job or workplace. | <input type="checkbox"/> Each person in (8) . | _____ |

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

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

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

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

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

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

This is not a Court Order.



13 **Order to Move Out**

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

(Give address): _____

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

(Check all that apply)

- I own the home.
- I have lived at this address for _____ years, _____ months.
- My name is on the lease.
- I pay for some or all the rent or mortgage.
- I live at this address with my child(ren).
- Other (please explain): _____

14 **Other Orders**

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

15 **Child Custody and Visitation**

(Check this box if you have a child with the person in **(2)** and want the judge to make or change a child custody or visitation order. **You must fill out [form DV-105, Request for Child Custody and Visitation Orders](#), and attach it to this form.**)

Orders that you can request on form DV-105 include:

- Child custody
- No visits with your children
- Stop person in **(2)** from accessing your child's school or medical information
- Supervised (monitored) visits with your children
- Unsupervised (unmonitored) visits with your children

This is not a Court Order.



16 **Protect Animals**

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

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

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

(Check all that apply)

- (1) Stay away from the animals by at least: 100 yards (300 feet) Other (number of yards): _____
- (2) **Not** take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
- (3) Give me sole possession, care, and control of the animals because (check all that apply):
 - Person in ② abuses the animals. I take care of these animals.
 - I purchased these animals. Other (please explain): _____

17 **Control of Property**

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

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

18 **Health and Other Insurance**

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

19 **Record Communications**

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

This is not a Court Order.



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

I ask the judge to order the person in 2 not to borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in 2 to notify me of any new or big expenses and to explain them to the court.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- No Yes

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

This is not a Court Order.



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

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

(23) Pay Expenses Caused by the Abuse

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

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

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

(Check all that apply)

- a. I do not have a child support order and I want one.
 b. I have a child support order and I want it changed *(attach a copy if you have one)*.
 c. I now receive or have applied for TANF, Welfare, or CalWORKS.

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

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

(26) Lawyer's Fees and Costs

I ask that the person in (2) pay for some or all of my lawyer's fees and costs. **(If you ask for fees and costs and the court grants your restraining order, the court must award you fees and costs if the respondent can afford to pay.)**

(27) Batterer Intervention Program

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

(28) Transfer of Wireless Phone Account

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

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

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

This is not a Court Order.



Automatic Orders if the Judge Grants Restraining Order

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

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

30 Cannot Look for Protected People

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

31 Additional pages

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

32 Your signature

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

Date: _____

Type or print your name



Sign your name

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

Date: _____

Lawyer's name



Lawyer's signature

Your Next Steps

1 You must complete at least three additional forms:

- [Form DV-110](#), *Temporary Restraining Order (only items 1, 2 and 3)*
- [Form DV-109](#), *Notice of Court Hearing (only items 1 and 2)*
- [Form CLETS-001](#), *Confidential CLETS Information*
- **If you are asking for child custody and visitation orders**, you must complete [form DV-105](#), *Request for Child Custody and Visitation Orders*, and [form DV-140](#), *Child Custody and Visitation Order*.

2 Turn in your completed forms to the court. Find out when your forms will be ready for you.

3 Once you get your forms back from the court, have someone "serve" a copy of all forms on the person in (2). The sheriff or marshal can do this for free. See [form SER-001](#), *Request for Sheriff to Serve Court Papers*. Learn more about service at <https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order>.

4 If you are asking for child support or spousal support you must also complete [form FL-150](#), *Income and Expense Declaration*. If you are only asking for child support, you may be eligible to fill out a simpler form, [FL-155](#). Read [form DV-570](#) to see if you are eligible. Turn in your completed form to the court before your court date. You must also have someone mail or personally deliver a copy to the person in (2).

This is not a Court Order.

Clerk stamps date here when form is filed.

Draft- Not approved by the
Judicial Council
7.31.23

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

1 Person Asking for Protection

Name: _____

2 Person to Be Restrained

Name: _____

3 Notice of Hearing

A court hearing is scheduled on the request for restraining orders against the person in 2 :

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:



Date: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court if different from above:

You may attend your court date remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to: www.courts.ca.gov/find-my-court.htm.

To the person in 2:

- If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order.
If you do not attend the hearing, the judge may still grant the restraining order that could last up to five years. After you receive a copy of the order, you could be arrested if you violate the order.

4 Temporary Restraining Orders (Any orders granted are attached on form DV-110.)

a. Temporary Restraining Orders (any order requested under Family Code section 6320): (check one)

- (1) [] All granted until the court hearing.
(2) [] All denied until the court hearing. (Reasons for denial are given below in b.)
(3) [] Partly granted and partly denied until the court hearing. (Reasons for denial are given in b.)



- 4 b. Reasons for denial of some or all of the orders requested on form DV-100.
- (1) The facts given in the request (form DV-100) do not show reasonable proof of a past act or acts of abuse. (Family Code sections 6300, 6320, and 6320.5.)
- (2) The facts given in the request do not give enough detail about the most recent incidents of abuse, including what happened, the dates, who did what to whom, or any injuries or history of abuse.
- (3) Other reasons for denial:
-

5 **Confidential Information Regarding Minor**

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

6 **Service of Documents by the Person in 1**

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

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

Judge's Signature

Date: _____

Judicial Officer



To the Person in ① :

- **At the hearing:** The judge will decide if a restraining order is needed to keep you or your children safe. If the judge grants you a restraining order at the hearing, it can last up to five years. You must attend the hearing if you want the judge to make any of the orders you requested on form DV-100. Bring any evidence or witnesses you have. For more information, read [form DV-520-INFO](#), *Get Ready for Your Restraining Order Court Hearing*.
- **Option to cancel hearing:** If item ④a(2) or ④a(3) is checked, you have the option of canceling the hearing. If you cancel the hearing, your request for restraining order will not move forward. Any temporary orders made will expire on the day of the hearing. If you want to cancel the hearing, use [form DV-112](#), *Waiver of Hearing on Denied Request for Temporary Restraining Order*.
- **Before the hearing:** You must have someone personally serve (give) the person in ② a copy of all the papers listed in ⑥ by the deadline listed in ⑥. For more information, read form DV-200-INFO, *What Is "Proof of Personal Service"?* You may ask to reschedule the hearing if you are unable to serve the person in ② and need more time to serve the documents, or for other good reasons. Read [form DV-115-INFO](#), *How to Ask for a New Hearing Date*.

To the Person in ② :

- **Respond in writing (optional):** You can respond in writing by completing form DV-120, *Response to Request for Domestic Violence Restraining Order*. For more information, read [form DV-120-INFO](#), *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- **At the hearing:** Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making an order. At the hearing, tell the judge why you agree or disagree with the orders requested. Bring any evidence or witnesses you have. Read [form DV-520-INFO](#), *Get Ready for Your Restraining Order Court Hearing*.
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask the judge to reschedule your court date. Read [form DV-115-INFO](#), *How to Ask for a New Hearing Date*.

**Request for Accommodations**

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

(Clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

Clerk stamps date here when form is filed.

Original Order Amended Order

Draft- Not approved by the
Judicial Council
7.31.23

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

1 Protected Person (name):

2 Restrained Person

*Full Name:
*Gender: M F Nonbinary *Race:
*Age: (estimate, if age unknown) Date of Birth:
Height: Weight:
Hair Color: Eye Color:
Relationship to person in 1:
Address of restrained person:
City: State: Zip:
Firearms, firearm parts, or ammunition that restrained person may have:
(Information that has a star (*) next to it is required to add this order
into a California police database. Give all the information you know.)

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

3 Other Protected People

In addition to the person named in 1, the people listed below are protected by the orders listed in 8 through 11.

Table with 3 columns: Full name, Relationship to person in 1, Age

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

(The court will complete the rest of this form)

4 Your Hearing Date (Court Date)



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

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

This order must be enforced throughout the United States. See page 7.

This is a Court Order.



To the Person in 2

The judge has granted temporary orders. See 5 through 20. If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine. It is a felony to take or hide a child in violation of this order.

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

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

6 Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

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

b. Ammunition

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

This is a Court Order.



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

In addition to the hearing listed on form DV-109, item **(3)**, you must attend the court hearing listed below to prove that you have properly turned in, sold, or stored all prohibited items (described in **(5)b)** you still have or own, including any items listed in **(6)**. If you do not attend the court hearing listed below, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.



Date: _____ Dept.: _____
Time: _____ Room: _____

Name and address of court, if different than court address listed on page 1

8 **Cannot Look for Protected People**

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

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

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

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

- Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace.
- "Disturb the peace" means to destroy someone's mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- "Coercive control" means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status. Coercive control includes reproductive coercion meaning controlling someone's reproductive choices, such as using force, threat, or intimidation to pressure someone to be or not be pregnant, and to control or interfere with someone's contraception, birth control, pregnancy, or access to health information.

This is a Court Order.



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

- a. You must **not contact** the person in ① the persons in ③ directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.
- b. Exception to 10a:
 - (1) You may have brief and peaceful contact with the person in ① only to communicate about your children for court-ordered visits.
 - (2) You may have contact with your children only during court-ordered contact or visits.
 - (3) Other (*explain*): _____
- c. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.

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

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

<input type="checkbox"/> Person in ①.	<input type="checkbox"/> School of person in ①.
<input type="checkbox"/> Home of person in ①.	<input type="checkbox"/> Persons in ③.
<input type="checkbox"/> Job or workplace of person in ①.	<input type="checkbox"/> Children’s school or child care.
<input type="checkbox"/> Vehicle of person in ①.	<input type="checkbox"/> Other (<i>explain</i>): _____
- b. Exception to 11a:
The stay-away orders do not apply:
 - (1) For you to exchange your children for court-ordered visits. You must do so briefly and peacefully.
 - (2) For you to visit with your children for court-ordered contact or visits.
 - (3) Other (*explain*): _____

12 Order to Move Out Not requested Denied until the hearing Granted as follows:

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

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

This is a Court Order.



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

Granted on the attached [form DV-140](#), *Child Custody and Visitation Order*, and

(list other form): _____.

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

a. You must stay at least _____ yards away from the animals listed below.

b. You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.

c. The person in ① is given the sole possession, care, and control of the animals listed below.

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

16 Control of Property Not requested Denied until the hearing Granted as follows:

Until the hearing, **only** the person in ① can use, control, and possess the following property:

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

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

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

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

This is a Court Order.



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

The person in ① in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. (If the court granted ⑧, the person in ② must not contact the person in ①. To notify the person in ① of new or big expenses, have a server mail or personally give the information to the person in ① or contact their lawyer, if they have one.)

20 Pay Debts Owed for Property Not requested Denied until the hearing Granted as follows:

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

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

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

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

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

22 No Fee to Serve (Notify) Restrained Person

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

23 **Attached pages** (All of the attached pages are part of this order.)

- a. Number of pages attached to this nine-page form: _____
- b. Attachments include forms (check all that apply):
- DV-140 DV-145 DV-820 Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.



Certificate of Compliance With VAWA

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

Warnings and Notices to the Restrained Person in ②

Your Address to Receive Court Orders

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

Child Custody, Visitation, and Support

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

Firearms (Guns), Firearm Parts, and Ammunition

Under California law, you cannot have any firearms (guns), certain firearm parts, or ammunition. (Family Code sections 6216 and 6389(a)). Ask the court for information on how to properly turn in, sell, or store these items in your city or county. You can also contact your local police department for instructions.

This is a Court Order.



Instructions for Law Enforcement

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

Duties of Officer Serving This Order

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

- Ask if the Restrained Person is in possession of any of the prohibited items listed in ⑥, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.

Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

Arrest Required if Order Is Violated

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

If the Protected Person Contacts the Restrained Person

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

Child Custody and Visitation

Child custody and visitation orders are listed on form DV-140 or another attached form. If the judge made these orders, look at ⑩ and ⑪ of this order to see if the judge granted an exception for brief and peaceful contact with the person in ① as needed to follow court-ordered visits. Contact by the person in ② that is **not** brief and peaceful is a violation of this order. **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

This is a Court Order.



Conflicting Orders—Priorities for Enforcement

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

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item ⑩ is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Family Code sections 6383(h)(2) and 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. (Penal Code section 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

**Draft- Not approved by
the Judicial Council
8.6.23**

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

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

Fill in court name and street address:

Superior Court of California, County of

1 Name of Person Asking for Protection:

(See form DV-100, item 1):

2 Your Name: _____

Fill in case number:

Case Number:

! Address where you can receive court papers

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

Address: _____

City: _____ State: _____ Zip: _____

! Your contact information (optional)

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

Email Address: _____ Telephone: _____ Fax: _____

Your lawyer's information (if you have one)

Name: _____ State Bar No.: _____

Firm Name: _____

3 Your Hearing Date (Court Date)

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

This is not a Court Order.

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

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

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

5 Your Relationship to the Person in ①

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

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

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

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

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

7 Other Protected People

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

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

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

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

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

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

This is not a Court Order.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This is not a Court Order.



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

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

Explain why you disagree, or describe a different order that you would agree to: _____
_____**15** **Control of Property** (see item 17 on form DV-100)

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

Explain why you disagree, or describe a different order that you would agree to: _____
_____**16** **Health and Other Insurance** (see item 18 on form DV-100)

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

Explain why you disagree, or describe a different order that you would agree to: _____
_____**17** **Record Communications** (see item 19 on form DV-100)

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

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

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

Explain why you disagree, or describe a different order that you would agree to: _____
_____**19** **Pay Debt (Bills) Owed for Property** (see item 22 on form DV-100)

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

Explain why you disagree, or describe a different order that you would agree to: _____
_____**This is not a Court Order.**

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

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

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

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

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

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

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

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

23 **Lawyer's Fees and Costs**

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

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

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

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

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

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

This is not a Court Order.



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

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

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

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

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

(Check all that apply)

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

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

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

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

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

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

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

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

This is not a Court Order.



29 **My Out-of-Pocket Expenses**

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

For: _____	Because: _____	Amount: \$ <input type="text"/>
For: _____	Because: _____	Amount: \$ <input type="text"/>
For: _____	Because: _____	Amount: \$ <input type="text"/>

30 **Additional Pages**

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

31 **Your signature**

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

Date: _____

Type or print your name



Sign your name

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

Date: _____

Lawyer's name



Lawyer's signature

Your Next Steps

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

This is not a Court Order.

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

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

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

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

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

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

What is a Domestic Violence Restraining Order?

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

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

What can a restraining order do?

A restraining order can include orders for you to:

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

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

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

How long does the order last?

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



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

What do I do next?

Part 1: Turn in or sell prohibited items

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



Prohibited items include:

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

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

Part 2: Respond in writing (optional)

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

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

Part 3: Get ready and go to your court hearing

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

What if I need an interpreter?



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

What if I have a disability and need an accommodation?

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

Request for Accommodations



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



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

Do I need a lawyer?

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

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

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

Where can I find a self-help center?

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

What if I don't obey the order?

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

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

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

What if I want to leave the county or state?

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

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

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

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

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

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

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

Information about the court process is also available online

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

Clerk stamps date here when form is filed.

Draft- Not approved by the Judicial Council 7.11.23

Original Order Amended Order

1 Protected Person (name):

2 Restrained Person

*Full Name: *Gender: *Race: *Age: Date of Birth: Height: Weight: Hair Color: Eye Color: Relationship to person in 1: Address of restrained person: City: State: Zip: (Information that has a star (*) next to it is required to add this order into a California police database. Give all the information you know.)

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in case number when form is filed.

Case Number:

3 Other Protected People

In addition to the person in 1, the following persons are protected by orders as indicated in 11 through 14.

Table with 3 columns: Full name, Relationship to person in 1, Age

Check here if you need to list more people. List them on a separate piece of paper, write "DV-130, Other Protected People" at the top, and attach it to this form.

4 Expiration Date

This restraining order, except the orders noted below,* end on: (date): at (time): a.m. p.m. or midnight

*Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. Custody, visitation, and child support orders usually end when the child is 18.

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

This order must be enforced throughout the United States. See page 9.

This is a Court Order.



5 Hearing

- a. The hearing was on *(date)*: _____ with *(name of judicial officer)*: _____
- b. These people attended the hearing *(check all that apply)*:
- The person in ① The lawyer for the person in ① *(name)*: _____
- The person in ② The lawyer for the person in ② *(name)*: _____

6 Future Court Hearing

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

Date: _____ Department: _____

Time: _____ a.m. p.m. to review *(list issues)*: _____

To the Person in ②

The court has granted a long-term restraining order. See ⑦ through ⑲. If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine. It is a felony to take or hide a child in violation of this order.

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

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.
- b. **Prohibited items are:**
- (1) Firearms;
 - (2) Firearm parts, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
 - (3) Ammunition.
- c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
- d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
- e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, sold, or stored. (You may use [form DV-800/JV-270](#), *Receipt for Firearms, Firearm Parts, and Ammunition*.) If law enforcement served you with the restraining order, you must give a copy of the receipt to that law enforcement agency.
- f. Limited Exemption: The judge has made the necessary findings to grant an exemption under Family Code section 6389(h). Under California law, the person in ② is not required to relinquish this firearm *(make, model, and serial number of firearm)*: _____ but must only have it during scheduled work hours and to and from their place of work. Even if exempt under California law, the person in ② may be subject to federal prosecution for possessing or controlling a firearm.

This is a Court Order.


Case Number: _____

8 **Restrained Person Has Prohibited Items**

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

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

b. Ammunition

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

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

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

a. The court finds that you have not fully complied with the orders previously granted on (date): _____
The court has not received a receipt or proof of compliance for all the items listed in **(8)**.

b. Notify Law Enforcement

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

c. Notify Prosecutor

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

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

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

This is a Court Order.



11 Cannot Look for Protected People

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

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

12 Order to Not Abuse

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

- Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace.
- “Disturb the peace” means to destroy someone's mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- “Coercive control” means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status. Coercive control includes reproductive coercion meaning controlling someone's reproductive choices, such as using force, threat, or intimidation to pressure someone to be or not be pregnant, and to control or interfere with someone's contraception, birth control, pregnancy, or access to health information.

13 No-Contact Order

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

b. Exception to 13a:

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

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

(3) Other (*explain*): _____

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

This is a Court Order.



14 **Stay-Away Order**

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

- Person in ①.
- Home of person in ①.
- Job or workplace of person in ①.
- Vehicle of person in ①.
- School of person in ①.
- Persons in ③.
- Children’s school or child care.
- Other (*specify*): _____

b. Exception to 14a:

The stay-away orders do not apply:

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

15 **Order to Move Out**

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

16 **Other Orders**

17 **Child Custody and Visitation Order**

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

18 **Protect Animals**

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

Name (<i>or other way to ID animal</i>)	Type of animal	Breed (<i>if known</i>)	Color
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

This is a Court Order.



19 **Control of Property**

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

20 **Health and Other Insurance**

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

21 **Record Communications**

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

22 **Property Restraint**

The person in ① in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. (If the court granted the order in ⑬, the person in ② must not contact the person in ①. To notify the person in ① of new or big expenses, have a server mail or personally give the information to the person in ① or contact their lawyer, if they have one.)

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

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

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

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

This is a Court Order.



24 **Pay Expenses Caused by the Abuse**

You must pay the following:

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

25 **Child Support**

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

26 **Spousal Support**

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

27 **Lawyer's Fees and Costs**

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

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

28 **Batterer Intervention Program**

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

29 **Transfer of Wireless Phone Account**

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

This is a Court Order.



30 Service

(Check a, b, or c)

- a. **No other proof of service is needed.** The people in ① and ② attended the hearing, either physically or remotely (by telephone or videoconference), or agreed in writing to this order.
- b. **The person in ② was not present.** Proof of service of form DV-109 and form DV-110 (if issued) was presented to the court. *(Check all that apply):*
 - (1) This order can be served by mail. The judge’s orders in this form are the same as in form DV-110 except for the expiration date. The person in ② must be served, either by mail or in person.
 - (2) This order must be personally served. The judge’s orders in this form are different from the orders in form DV-110, or form DV-110 was not issued. The person in ② must be personally served (given) a copy of this order.
 - (3) The court has scheduled a firearms and ammunition compliance hearing. The person in ① must have a copy of this order served on the person in ② by:
 - (a) Personal service by *(date)*: _____
 - (b) Mail at the person in ②’s last known address by *(date)*: _____
- c. **Proof of service of form FL-300 to modify the orders in form DV-130 was presented to the court.**
 - (1) The people in ① and ② attended the hearing or agreed in writing to this order. No other proof of service is needed.
 - (2) The person in ① in ② did not attend the hearing and must be personally served (given) a copy of this amended (modified) order.

31 No Fee to Serve (Notify) Restrained Person

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

32 Attached pages

All of the attached pages are part of this order.

- a. Number of pages attached to this 10-page form: _____
- b. Attachments include forms *(check all that apply)*:
 DV-140 DV-145 DV-900 FL-341(C) FL-342 FL-343 Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.



Certificate of Compliance With VAWA

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

Instructions for Law Enforcement

Start Date and End Date of Orders

This order starts on the earlier of the following dates:

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

This order ends on the expiration date in (4). If no date is listed, they end three years from the hearing date.

Duties of Officer Serving This Order

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

- Ask if the Restrained Person is in possession of any of the prohibited items listed in (7)b, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer’s name and law enforcement agency.

Enforcing the Restraining Order in California

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

Notice/Proof of Service

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

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

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; *or*
- The restrained person attended the hearing (see (30)) or was informed of the order by an officer. (Family Code section 6383; Penal Code section 836(c)(2).) An officer can obtain information about the contents of the order in the California Restraining and Protective Order System (CARPOS). (Family Code section 6381(b)-(c).)

This is a Court Order.



Arrest Required if Order Is Violated

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

If the Protected Person Contacts the Restrained Person

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

Child Custody and Visitation

Child custody and visitation orders are listed on form DV-140 or another attached form. If the judge made these orders, look at (13) and (14) of this order to see if the judge granted an exception for brief and peaceful contact with the person in (1) as needed to follow court-ordered visits. Contact by the person in (2) that is **not** brief and peaceful is a violation of this order.

Conflicting Orders—Priorities for Enforcement

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

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item (13) is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Family Code sections 6383(h)(2) and 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. (Penal Code section 136.2(e)(2)). All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps below when form is filed.

Draft- Not approved by the
Judicial Council
8.6.23
Changes are substantial
and not highlighted.

Instructions

Use this form to renew *Restraining Order After Hearing* (form DV-130), or a juvenile restraining order (form JV-255 or JV-265) based on domestic violence. For more information about how to renew a restraining order, read [form DV-700-INFO](#), *How Do I Ask the Court to Renew My Restraining Order.*)

1 Your Name: _____*Fill in court name and street address:***Superior Court of California, County of****! Address where you can receive court papers**

(This address will be used by the court and by the person in ② to send you official court dates, orders, and papers. For privacy, you may use another address like a post office box, a Safe at Home address, or another person's address, if you have their permission and can get your mail regularly. If you have a lawyer, give their information.)

*Fill in case number:***Case Number:**

Address: _____

City: _____ Zip: _____ State: _____

! Your contact information (optional)

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

Telephone: _____ Fax: _____

Email Address: _____

Your lawyer's information (if you have one)

Name: _____ State Bar No.: _____

Firm Name: _____

2 Name of Restrained Person _____**This is not a Court Order.**

3 Request to Renew

- a. When does your current restraining order expire?
(Expiration date: month, day, year): _____

- b. Has the order been renewed before?
 No Yes (If yes, how many times?) _____

- c. How long do you want the restraining order to be renewed for? (check one)
 Five years Permanently Other (any length more than five years): _____

(Attach a copy of your current restraining order. Your current restraining order would be on form DV-130, DV-730, JV-255, or JV-265, and must have a judge’s signature or stamp.)

4 Reason for Renewal

(In this section, explain why you want the judge to renew your restraining order.)

(Check all that apply)

- a. I am afraid or worried that the person in **2** might abuse me in the future because:

(For information about what “abuse” means under the law, go to [form DV-500-INFO](#), *Can a Domestic Violence Restraining Order Help Me?*)

This is not a Court Order.



4 b. **The person in ② has violated the order**

(Note: For the judge to grant your request, you do not have to prove to the judge that the person in ② violated the order. But this information can help the judge make a decision, if it applies in your case.)

(1) Date violation happened (*give estimate if you don't know the date*): _____

Explain what the person in ② did: _____

How often has the person in ② violated the order like this?

Just this once 2-5 times Weekly Other: _____

Give dates of other violations or estimates of when they happened, if known:

(2) Date other violation happened (*give estimate if you don't know the date*): _____

Explain what the person in ② did: _____

How often has the person in ② violated the order like this?

Just this once 2-5 times Weekly Other: _____

Give dates of other violations or estimates of when they happened, if known:

c. **Other reason or violation (*explain*):**

Check here if you need more space. Attach a sheet of paper and write "Form DV-700, Reason for Renewal" for a title.

This is not a Court Order.



5 **Lawyer's Fees and Costs**

I ask that the person in **(2)** pay for some or all of my lawyer's fees and costs. (If you ask for fees and costs and the court grants your restraining order, the court must award you fees and costs if the respondent can afford to pay.)

6 **Your Signature**

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

Date: _____

*Type or print your name*_____
*Sign your name***7** **Your lawyer's signature** *(if you have one)*

Date: _____

*Lawyer's name*_____
*Lawyer's signature***Your Next Steps**

- After you complete this form, complete items 1 and 2 of [form DV-710, Notice of Hearing to Renew Restraining Order](#).
- File this form and form DV-710 with the court clerk. You must do this before your restraining order expires.
- Once you get your forms back from the court, have someone "serve" a copy of all forms on the person in **(2)**. The sheriff or marshal can do this for free. See [form SER-001, Request for Sheriff to Serve Court Papers](#). Learn more about service at <https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order>.
- Learn more about how to prepare for your hearing at <https://selfhelp.courts.ca.gov/DV-restraining-order/renew/court>.

This is not a Court Order.

DV-700-INFO How Do I Ask the Court to Renew My Restraining Order?

What does "renew" mean?

It means to extend your current restraining order (form DV-130). If renewed, the judge would extend it for at least five years, or make the order permanent (no expiration).

When do I ask for a renewal?

You must ask to renew your restraining order before your current restraining order expires. The expiration date is listed on the first page of your current restraining order. You can make the request up to three months before your order expires. Give yourself enough time, if possible, to fill out and file all the required paperwork before your order expires.

What if I want to renew a juvenile restraining order in Family Court?

If you have a juvenile restraining order (on form JV-255 or JV-265), that was based on domestic violence and the juvenile case has closed, you can ask the judge to renew your restraining order. Your restraining order is based on domestic violence if it was granted to protect you or your child from the other parent, or to protect you from someone you dated or had an intimate relationship with. If you are not sure whether your juvenile restraining order was based on domestic violence, talk to your lawyer. If you do not have a lawyer, your local self-help center may be able to help you. Find your local court's self-help center at www.selfhelp.courts.ca.gov/find.

Is there a court fee to ask for a renewal?

No.

Will I have to go to court?

Yes, if you ask for a renewal, you will get a court date. At your court hearing, the judge will ask you why you want your restraining order renewed. If you do not attend your hearing, your restraining order will not be renewed.

What if I also want to change (modify) my restraining order?

There is another process to ask to change your restraining order. If you ask to renew your restraining order, and also ask to change your restraining order, you can ask the judge to decide both requests at the same time. For information on how to ask to change your order, read [form DV-400-INFO](#), *How Do I Ask to Change or End a Domestic Violence Restraining Order After Hearing?*

What if my restraining order expired but I still want protection?

You are not eligible for a renewal if you have not filed your request to renew before your restraining order expired. You can still ask for protection by filing another request for restraining order. For more information, read [form DV-505-INFO](#), *How to Ask for a Domestic Violence Restraining Order*.

What if my restraining order has been renewed before? Can I ask to renew it again?

Yes, a judge can renew your restraining order more than once. Follow the steps on the next page to ask for a renewal.

What if I've moved and want to file my request to renew in another county?

If you want to file your request in another county in California, you may ask the judge in your case to move (transfer) your case. This is called changing venue. For more information about how to make this request, your local self-help center may be able to help you, or contact a lawyer for advice.



Steps to ask for a renewal

① Complete two forms:

- Form DV-700, *Request to Renew Restraining Order*; and
- Form DV-710, *Notice of Hearing to Renew Restraining Order* (items 1 and 2 only).

② File forms with court

File both forms with the court clerk. Make sure you include a copy of your current restraining order (form DV-130, JV-255, or JV-265) with form DV-700. You can file in person or electronically. For more information on how or where to file, go to the court's website.

③ Get your papers back from the court

Make sure you get at least two copies back: one for you and one to have served on the restrained person.

④ Have restrained person served with papers

You must have an adult personally give a copy of all the court papers (all forms listed on form DV-710, item 5) to the person you want a restraining order against. It cannot be you or anyone listed on the restraining order. Your server must then complete a proof of service (form DV-200). Make a copy of the completed form DV-200 and file it with the court.

Serving papers can be a dangerous situation. If you want the sheriff to serve your papers, they will do so for free. If you want the sheriff to serve your papers, complete [form SER-001, Request for Sheriff to Serve Court Papers](#). Give the sheriff a copy of the completed form and all papers that need to be served on the other side (all forms listed on form DV-710, item 5). For more information on service, go to <https://selfhelp.courts.ca.gov/DV-restraining-order/renew/sheriff-serves>.

If you can't serve the restrained person before your court hearing, you will need to ask the judge to reschedule your court hearing. Fill out and file forms DV-715 and DV-716. The judge will review your request and decide whether to reschedule your court hearing. If you do not receive a signed copy of form DV-716 from the judge before your court date or the judge denied your request to reschedule your hearing, you *must* attend your court date (listed on form DV-710 or DV-716) if you still want to renew your restraining order.

⑤ Get ready for and attend your court hearing

At your court hearing, the judge will decide whether to grant your request to renew your restraining order. What you will need to prove at your court hearing will depend on if the other side attends the hearing:

- If the restrained person does not attend the hearing, the judge can renew your restraining order based on only your request.
- If the restrained person attends the hearing and does not agree to the renewal, then you must prove that you have a reasonable fear or concern that there is enough risk of further abuse if the order is not renewed. The further abuse can be different from the abuse that led to your restraining order. But you don't have to prove that you've been abused by the person since the restraining order has been in effect. The abuse that led to your restraining order may be enough to renew it.

At the hearing, you and the other side will have the opportunity to tell your side of the story. Bring any evidence or witnesses you have.

If you don't want to attend your court hearing in person, go to the court's website to find out more information about attending by phone or videoconference. For information on your court hearing, go to <https://selfhelp.courts.ca.gov/DV-restraining-order/renew/court>.



What if the judge renews my restraining order?

- ① You will need form DV-730, *Order to Renew Domestic Violence Restraining Order*, signed by the judge. If the court does not complete this form for you, make sure you complete it and give it to the court clerk. Contact the court's self-help center if you need help.
- ② You will need to get copies of form DV-730, once it is signed by the judge. Ask the court clerk when your forms will be ready. There is no fee for turning in this form, and you should receive some free copies.
- ③ Look at form DV-730 to see if the judge ordered you to serve the form by mail or in person. If you are ordered to serve the form by mail, this means your server only has to mail a copy of the restraining order. But serving someone in person is always best. When you mail court papers, it may be hard to prove that the person actually received a copy, especially if the person moves a lot. Learn more about service at <https://selfhelp.courts.ca.gov/DV-restraining-order/renew/serve-order>.

Where can I find free help?

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

What if I need an interpreter?



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

What if I have a disability and need an accommodation?

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

Request for Accommodations



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

Information about this process is also available online

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

What if I am worried about my safety?

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

Clerk stamps date here when form is filed.

Draft- Not approved by the Judicial Council-8.7.23

Changes are substantial and not highlighted.

Instruction: The protected person must complete 1 and 2 only. The court will complete the rest of this form.

1 Protected Person (name):

2 Restrained Person (full name):

Address of restrained person:

City: _____ State: _____ Zip: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

3 Court Hearing

The judge has set a court hearing (court date) for the request to renew restraining order.

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



Date: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court, if different from above:

4 To the person in 2:

- You must continue to obey the current restraining order until the expiration date on the current order or the hearing date, whichever is later.
At the hearing: The judge can renew the current restraining order for at least five years or make it permanent. You can tell the judge why you agree or disagree with the request to renew the orders.
If you do not attend the hearing, the judge can still renew the restraining order. If the judge renews the order you should receive a copy of the order at the address listed in 2. If your address is incorrect or not listed, contact the court.
If the restraining order is renewed, you must obey the orders even if you do not attend the hearing. If you did not attend the hearing and want to know if the judge renewed the order, contact the court.
If you want to respond in writing to the request to renew the restraining order, fill out form DV-720, Response to Request to Renew Restraining Order. File the original with the court, and have someone 18 or over—not you—mail a copy of it to the person in 1 before the hearing. Also file form DV-250, Proof of Service by Mail, with the court before the hearing, and bring a copy to the court hearing.

This is a Court Order.



5 To the Person in 1

a. You must have the person in 2 personally served with a copy of all the forms listed below in 5 b by (date of deadline): _____

b. Forms to serve:

- DV-700, *Request to Renew Restraining Order* (file stamped);
- DV-710, *Notice of Hearing to Renew Restraining Order* (this form);
- DV-720, *Response to Request to Renew Restraining Order* (blank copy); and
- The current *Restraining Order After Hearing (Order of Protection)* that you want to renew (form DV-130, JV-255 or JV-265).

(“Service” means someone 18 or over—not you or anyone else protected by the restraining order—must personally give the court forms to the person in 2. After the person has been served, file form DV-200, *Proof of Personal Service*, with the court clerk, and bring a copy to the court hearing. For help with service, read [form DV-200-INFO](#), *What Is “Proof of Personal Service”?*)

6 No Fee to Serve (Notify) Restrained Person

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

Judge's Signature

Date: _____

Judge or Judicial Officer**Request for Accommodations**

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

(Clerk will fill out this part.)

Instructions to Clerk: The court must enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made.

—Clerk's Certificate—

Clerk's Certificate
[seal]

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

Date: _____ Clerk, by _____, Deputy

Clerk stamps date here when form is filed.

**Draft- Not approved by the
Judicial Council**

8.6.23

Instructions

Either party may use this form to ask the court to reschedule the hearing (court date) listed on form DV-710, *Notice of Hearing to Renew Restraining Order*.

Note: if your hearing is rescheduled, the restraining order will be extended until the new court hearing.

1 Your Information

a. Name: _____

b. Who are you in this case?:

Protected party (*skip to 2*)

Restrained party (*give your contact information below*).

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

Address: _____
City: _____ State: _____ Zip: _____

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

Telephone: _____ Fax: _____
Email Address: _____

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

Name: _____ State Bar No.: _____
Firm Name: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

2 Information About Your Case

a. The other party in this case is (*full name*): _____

b. The court date is currently scheduled for (*date*): _____

This is not a Court Order.

3 Why does your court date need to be rescheduled?

- a. I need more time to have the restrained party personally served.
- b. Other reason:

4 Your Signature

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

Date: _____

Type or print your name

▶ _____
Sign your name

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

Date: _____

Lawyer's name

▶ _____
Lawyer's signature

Your Next Steps

- Complete form DV-716, *Order to Reschedule Hearing to Renew Restraining Orders* (only items 1 and 2).
- File this form and form DV-716 with the court. A judge will review your forms and decide whether to reschedule your court date.
- If the judge grants your request to reschedule your court date, you must have someone serve a copy of this form and any other form that the judge ordered you to serve (see form DV-716, item **5**). Your server can be the sheriff or another adult who is not involved in the case. For more information on how to serve the restrained person, go to <https://selfhelp.courts.ca.gov/DV-restraining-order/renew/sheriff-serves>.
- If the judge denies your request to reschedule, you must attend your court hearing (listed on form DV-710). For information on how to prepare for your court date, go to <https://selfhelp.courts.ca.gov/DV-restraining-order/renew/court>.

This is not a Court Order.

Clerk stamps date here when form is filed.

**Draft -Not approved by
the Judicial Council
8.4.23**

Instruction: Complete ① and ② only. The court will complete the rest of this form.

① **Protected Party:** _____

② **Restrained Party:** _____

③ **Next Court Date**

a. **Denied.** The request to reschedule the court date is denied.

Your court date is: _____

(1) The *Restraining Order After Hearing* (form DV-130) granted in this case stays in full force and effect until your court date.

(2) Your court date is not rescheduled because:

b. **Granted.** The request to reschedule the court date is granted. Your court date is rescheduled for the date and time listed below.

The *Restraining Order After Hearing* (form DV-130) stays in effect until the hearing date below or the original expiration date, whichever is later. See ④–⑦ for more information.



Date: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court, if different from above:

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

Warning and Notice to the Restrained Party:
You must obey the restraining order while it is in effect.

This is a Court Order.



4 Reason Court Date Is Rescheduled

a. The protected party has not served the restrained party.

b. Other reason:

5 Serving (Giving) Order to Other Party

The request to reschedule was made by the:

a. **Protected party**

b. **Restrained party**

c. **Court**

(1) You do not have to serve the restrained party because they were or their lawyer was at the court date or agreed to reschedule the court date.

(1) You do not have to serve the protected party because they were or their lawyer was at the court date or agreed to reschedule the court date.

(1) Further notice is not required.

(2) You must have the restrained party personally served with a copy of this order and all forms listed on form DV-710, item **5** by (date): _____

(2) You must have the protected party personally served with a copy of this order by (date): _____

(2) The court will mail a copy of this order to all parties by (date): _____

(3) You must have the restrained party served with a copy of this order. This can be done by mail. You must serve by (date): _____

(3) You must have the protected party served with a copy of this order. This can be done by mail. You must serve by (date): _____

(3) Other: _____

(4) Other: _____

(4) Other: _____

This is a Court Order.



6 No Fee to Serve

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

7 Other Orders

8 Attached Pages *(All of the attached pages are part of this order.)*

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

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

DV-710 DV-820 Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer



Request for Accommodations

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

Instructions for Clerk

If the court rescheduled the court date, the court must enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made.

—Clerk's Certificate—

Clerk's Certificate

[seal]

I certify that this *Order to Reschedule Hearing to Renew Restraining Order* (form DV-716) is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by: _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

Draft- Not approved by the
Judicial Council
8.6.23

Changes are substantial
and not highlighted.

Instructions: Use this form if the protected person has asked to renew the restraining order against you and you want to respond in writing. There is no court fee to file this form.

1 Protected Person (see form DV-700, item 1):

2 Your Name:

! Address where you can receive court papers

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

Address: _____

City: _____ State: _____ Zip: _____

! Your contact information (optional)

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

Email Address: _____ Telephone: _____ Fax: _____

Your lawyer's information (if you have one)

Name: _____ State Bar No.: _____

Firm Name: _____

3 Your Hearing Date (Court Date)



Your hearing date is listed on form DV-710, (Notice of Hearing to Renew Restraining Order). If you do not agree to having the restraining order renewed, attend your hearing date. If you do not attend your hearing, the judge could renew the restraining order against you for at least five years, or make it a permanent order with no expiration.

This is not a Court Order.



4 Do you agree with the request to renew the restraining order?

- a. I agree.
- b. I do not agree.

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

5 Additional Reasons I Do Not Agree With the Request (optional)

If you do not agree to the request to renew restraining order, you may explain why (*give specific facts and reasons*):

Check here if you need more space. Attach a sheet of paper and write “DV-720, Additional Reasons I Do Not Agree With the Request” at the top.

6 Lawyer's Fees and Costs

If the person in ① checked item ⑤ on form DV-700, this means that they have asked the judge to order you to pay their lawyer's fees and costs. You may also ask for lawyer's fees and costs. The judge can order the person in ① to pay for your lawyer's fees and costs if:

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

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

This is not a Court Order.



7 Your signature

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

Date: _____

Type or print your name



Sign your name

8 Your lawyer's signature (if you have one)

Date: _____

Lawyer's name



Lawyer's signature

Your Next Steps

- Turn in (file) your completed form with the court.
- Have someone (not you) mail the person in **1** a copy of this form, and complete [form DV-250](#), *Proof of Service by Mail*. File form DV-250 with the court. *(The person who mails this form must be at least 18 years old and cannot be you or someone protected on the restraining order.)*
- Prepare for your court date by gathering evidence or witnesses, if you have any. If you need an interpreter for your court date, use [form INT-300](#) to request an interpreter, or ask the court clerk how you can request one. If you need a disability accommodation, use [form MC-410](#) to request assistance, and contact the disability/ADA coordinator at your local court for more information.
- Free legal help is available at your court's self-help center. Find your local court's self-help center at www.courts.ca.gov/selfhelp.

This is not a Court Order.

Clerk stamps date here when form is filed.

Draft- Not approved by Judicial Council. 8.1.23

Changes are substantial and not highlighted.

Instructions: *Restraining Order After Hearing* (form DV-130, JV-255, or JV-265) must be attached to this form.**1 Protected Person**

Name: _____

Fill in court name and street address:

Superior Court of California, County of _____

2 Restrained Person

Full Name: _____

Fill in case number:

Case Number: _____

Address: _____

City: _____ State: _____ Zip: _____

3 Renewal and Expiration

The request to renew the attached restraining order is:

a. **Granted.****The attached restraining order is renewed and will (check one):**(1) Expire on (must be renewed for at least five years)(date): _____ (time): _____ a.m. p.m. or midnight(2) Not expire (permanent order)*(*Child custody and visitation, property, and support orders may have been changed (modified) and may be different from those issued on the attached restraining order.)*b. **Denied.** The attached restraining order expires as stated in that order.**This is a Court Order.**

4 HearingThere was a hearing on *(date)*: _____ at *(time)*: _____ a.m. p.m.These people were at the hearing *(check all that apply)*:

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

5 Lawyer's Fees and CostsThe person in ① in ② must pay the following lawyer's fees and costs:

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

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

6 Service by Person in ①*(Check a or b.)*

- a. **No other proof of service is needed.** The people in ① and ② attended the hearing, either physically or remotely (by telephone or videoconference), or agreed in writing to this order.
- b. **The person in ② was not present.** The person in ① must have person in ② served with a copy of this order by *(check all that apply)*:
- (1) Mail (at the address listed on form DV-710)
- (2) Other: _____
- (3) The court has scheduled a firearms and ammunition compliance hearing. The person in ① must have person in ② served with a copy of this order by:
- (a) Personal service by *(date)*: _____
- (b) Mail at the person in ②'s last known address by *(date)*: _____

This is a Court Order.

7 No Fee to Serve (Notify) Restrained Person

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

8 Attached Pages

All of the attached pages are part of this order.

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

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

DV-820 Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

Certificate of Compliance With VAWA

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

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

I certify that this *Order on Request to Renew Restraining Order (form DV-730)* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

DV-800-INFO/JV-270-INFO

How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?

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

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

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

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

You must take them to:

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

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

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

Can I give my prohibited items to family or friends?

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

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

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

How do I take prohibited items to law enforcement?

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

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

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

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

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

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

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



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

Yes, if:

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

Where can I find free help?

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

More information on how to obey these orders is available online

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

DV-840/FL-840 Notice of Compliance Hearing for Firearms and Ammunition

Clerk stamps date here when form is filed.
**Draft- Not approved by the
Judicial Council
7.12.23**


1 Protected Person
(name): _____

2 Restrained Person
(name): _____

3 Notice of Compliance Hearing
To the person in 2:
The court has issued a domestic violence restraining order against you. You must attend the court hearing on the date and time listed below. At the hearing, you must prove that you have properly turned in, sold, or stored any firearms (guns), firearm parts, or ammunition that you have or own, as required in the restraining order and listed below in 4.

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

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

 Date: _____ Dept.: _____
Time: _____ Room: _____
Name and address of court, if different from the one listed above: _____

4 No Firearms (Guns), Firearm Parts, or Ammunition
a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.
b. Prohibited items are:
(1) Firearms (guns);
(2) Firearm parts, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
(3) Ammunition.
c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, sold, or stored. (You may use [form DV-800/JV-270](#), Receipt for Firearms, Firearm Parts, and Ammunition.) If law enforcement served you with the restraining order, you must give a copy of the receipt to that law enforcement agency.

This is a Court Order.



5 **Restrained Person Has Prohibited Items**

The court has found that you have the following prohibited items:

a. **Firearms and/or firearm parts**

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

b. **Ammunition**

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

Check here to list additional items. List them on a separate piece of paper, write "DV-840/FL-840, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

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

a. The court finds that you have not fully complied with (obeyed) the orders previously granted on (date): _____. The court has not received a receipt or proof of compliance for all the items listed in **5**.

b. **Notify Law Enforcement**

The court will immediately notify the following law enforcement agency of this violation (*name of agency*): _____.

c. **Notify Prosecutor**

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

7 **Service**

The person in **2** does not have notice of these orders. The person in **1** must have the person in **2** served by:

a. Personal service by (date): _____

b. Mail, at the person in **2**'s last known address by (date): _____

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.

EPO-001

ONE copy to court, ONE copy to restrained person, ONE copy to protected person, ONE copy to issuing agency

LAW ENFORCEMENT CASE NUMBER:

EMERGENCY PROTECTIVE ORDER (See reverse for important notices.)

1. PROTECTED PERSONS (insert the name and gender (M, F, X) of all persons protected by this Order):

2. RESTRAINED PERSON (name): Gender: M F X
Ht.: Wt.: Hair color: Eye color: Race: Age: Date of birth:

3. TO THE RESTRAINED PERSON:

- a. YOU MUST NOT harass, attack, strike, threaten, assault...
b. YOU MUST NOT contact, either directly or indirectly...
c. YOU MUST stay away at least: yards from each person...
d. YOU MUST NOT take any action, directly or through others...
e. YOU MUST NOT own, possess, purchase, receive, or attempt to purchase or receive any firearm (gun), firearm parts (receiver, frame, or item that may be used as or easily turned into a receiver or frame), or ammunition.

4. (Name): is given temporary care and control of the following minor children of the parties (names and ages):

5. Order Expires on (date): at (time): EXPIRES ON THE 5TH COURT DAY OR 7TH CALENDAR DAY, WHICHEVER IS EARLIER. DO NOT COUNT THE DAY THE ORDER IS GRANTED.

6. To Person in 1: To ask for a longer restraining order, ask for help at your local court. If there is an open juvenile case, file in that case. (Name and address of court):

7. Reasonable grounds for the issuance of this Order exist, and an emergency protective order is necessary to prevent the occurrence or recurrence of domestic violence, child abuse, child abduction, elder or dependent adult abuse, or stalking.

8. Judicial officer (name): granted this Order on (date): at (time):

APPLICATION

9. The events that caused the protected person to fear immediate and present danger of domestic violence, child abuse, child abduction, elder or dependent adult abuse (except solely financial abuse), or stalking are (give facts and dates; specify weapons):

10. Firearms or ammunition were (check all that apply): observed reported physically searched for seized

11. The persons in 1 and 2 live together. The person in 1 asks that the person in 2 immediately move out from the address in item 3c

12. The person in 1 has minor children in common with the person in 2, and a temporary custody order is requested because of the facts alleged in item 9. A custody order does exist. does not exist.

By: (PRINT NAME OF LAW ENFORCEMENT OFFICER) (SIGNATURE OF LAW ENFORCEMENT OFFICER)

Agency: Telephone No.: Badge No.:

PROOF OF SERVICE

13. I personally delivered (served) copies of this Order to the person named in 2 on: (date): at (time): Address where person in 2 was served:

14. At the time of service, I was at least 18 years of age and not a party to this cause. I am a California law enforcement officer.

15. My name, address, and telephone number are (this does not have to be server's home telephone number or address):

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

Date: (TYPE OR PRINT NAME OF SERVER) (SIGNATURE OF SERVER)

EMERGENCY PROTECTIVE ORDER WARNINGS AND INFORMATION

EPO-001

To the restrained person: You must follow this order until it expires (see item 5). If you have firearms, firearm parts, or ammunition, follow the orders in item 3e. After you have turned in or sold your items, you must file a receipt with the court that proves that all items listed in 3e have been turned in or sold. You may use form DV-800, *Receipt for Firearms, Firearm Parts, and Ammunition*. If you violate the order, you can be arrested, charged with a crime, and/or fined. If you are served with another restraining order, you must follow the order. You may want advice from a lawyer. If you were served with more court papers, contact one as soon as possible. Free help may be available at your court's local self-help center. To find your local self-help center, go to www.selfhelp.courts.ca.gov/find.

A la persona restringida: Tiene que cumplir con esta orden hasta su fecha de vencimiento (vea el punto 5). Si tiene armas de fuego, componentes de armas de fuego, o municiones, cumpla con las órdenes del punto 3e. Después de haber entregado o vendido todos estos artículos, tiene que presentar un recibo a la corte comprobando que todos los artículos indicados en el punto 3e han sido entregados o vendidos. Puede usar el formulario DV-800, *Recibo por armas de fuego, componentes de armas de fuego, y municiones*. Si contraviene la orden, puede ser arrestado, acusado de un delito, y/o multado. Si recibe por entrega legal otra orden de restricción, tiene que cumplir con esa orden. Es posible que quiera los consejos de un abogado. Si recibió por entrega legal más documentos de la corte, contáctese con un abogado lo más pronto posible. Es posible que el centro de ayuda de su corte local ofrezca un servicio de ayuda gratuita. Puede localizar su centro de ayuda local en www.selfhelp.courts.ca.gov/find.

To the protected person: This order will expire on the the date and time listed in item 5. If you want a longer restraining order to protect you or your children from abuse, you will have to ask for one from your local court. Start the process as soon as you can. The paperwork can take a few hours to complete. There is no court fee and you do not need a lawyer to ask for one, but the process can be hard to get through on your own. If you want advice from a lawyer, contact one as soon as possible. Free help may be available at your local court's self-help center. To find your local self-help center, go to www.selfhelp.courts.ca.gov/find. You can also ask for child custody orders to stop child abuse or abduction. Note that if there is a juvenile dependency case for your child, ask for orders to protect your child in that case.

A la persona protegida: Esta orden se vence en la fecha y la hora indicadas en el punto 5. Si desea una orden de más larga duración para protegerse a sí mismo o a sus hijos del maltrato, tendrá que solicitarla de su corte local. Comience el proceso lo más antes posible. Los formularios pueden tomar algunas horas para llenar. No hay cuota de presentación y no necesita un abogado para presentar su solicitud, pero el proceso puede ser difícil de navegar sin ayuda. Si desea consejos de un abogado, contáctese con uno lo más pronto posible. Es posible que el centro de ayuda de su corte local ofrezca un servicio de ayuda gratuita. Puede localizar su centro de ayuda local en www.selfhelp.courts.ca.gov/find. También puede solicitar órdenes de custodia de los hijos para impedir el maltrato o el secuestro. Nótese que si hay un caso de dependencia de menores para su hijo, solicite órdenes para proteger a su hijo en ese caso.

To Law Enforcement

This order must be served on the restrained person by the officer, if the restrained person can be found. A copy must be given to the protected person. A copy must be filed with the court as soon as practicable. Also, the officer must have the order entered into CLETS (CARPOS).

This emergency protective order is effective when made and must be enforced by all law enforcement officers in the State of California who are aware of or shown a copy of this order. The terms and conditions of this order are enforceable regardless of the acts of the parties; the order may be changed only by the court (Penal Code section 13710(b)). A law enforcement officer shall use every reasonable means to enforce this order. An officer acting in good faith to enforce the order will not be held liable.

The provisions of this emergency protective order take precedence in enforcement over provisions of other existing protective orders between the same protected and restrained persons if the provisions of this order are more restrictive. The provisions in another existing protective order remain in effect and take precedence if they are more restrictive than the provisions in this emergency protective order. The availability of an emergency protective order must not be affected by the fact that the endangered person has vacated the household to avoid abuse.

A las agencias del orden público

El agente tiene que hacer la entrega legal de esta orden a la persona restringida, si esta puede ser localizada. Hay que darle una copia a la persona protegida. Hay que presentar una copia a la corte tan pronto sea posible. También, el oficial tiene que hacer que la orden se ingrese al sistema CLETS (CARPOS).

Esta orden de protección de emergencia entra en vigencia al emitirse y tiene que hacerse cumplir por todos los oficiales del orden público del estado de California que tengan conocimiento de, o a quienes se les muestre una copia de esta orden. Los términos y condiciones de esta orden pueden hacerse cumplir a pesar de las acciones de las partes; la orden solo puede ser modificada por la corte (Código Penal, sección 13710(b)). Un agente del orden público tiene que usar todo recurso razonable para hacer cumplir esta orden. Un agente que actúe de buena fe para hacer cumplir esta orden quedará exento de toda responsabilidad civil o penal.

Las disposiciones de la presente orden de protección de emergencia tendrán prioridad sobre las disposiciones de otras órdenes de protección existentes entre las mismas partes si las disposiciones de la presente orden son más restrictivas. Las disposiciones de otras órdenes se mantienen en vigencia y tendrán prioridad si son más restrictivas que las disposiciones de la presente orden de protección de emergencia. La disponibilidad de una orden de protección de emergencia no será afectada por el hecho de que la persona en peligro haya desocupado el hogar para evitar el maltrato.

SPR23-29

Domestic Violence: Form Changes to Implement New Laws (Adopt forms DV-715 and DV-716; revise forms DV-100, DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-700, DV-700-INFO, DV-710, DV-720, DV-730, DV-800-INFO/JV-270-INFO, DV-840/FL-840, EPO 001)

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	Commenter	Position	Comment	Committee Response
1.	California Lawyers Association, Family Law Section Executive Committee by Saul Bercovitch, Associate Executive Director, Governmental Affairs	A	<p>FLEXCOM agrees with this proposal, and has the following suggestions:</p> <ul style="list-style-type: none"> As to Form DV-710, in the parenthetical instructions at item 1, it might be clearer to restate the final sentence as: If you have a lawyer, give their contact information. The same as to Form DV715, in the parenthetical instructions at item 1.b., and Form DV-720 in the parenthetical instructions at item 2. As to Form DV-720, the term renew is parenthetically explained in item 3 as meaning “extend.” It might be clearer to also do the same in the instructions at the top of page one as follows, so the explanation is provided early: Use this form if the protected person has asked to renew (extend) the restraining order against you and you want to respond in writing. Additionally, or alternatively, the form could be retitled as “Response to Request to Renew (Extend) Restraining Order. 	<p>The committee prefers to keep the instruction as-is to be consistent with the instruction on form DV-100 and does not recommend this change on form DV-100 as there is not enough space.</p> <p>Because “renew” is used regularly in other contexts (e.g., renew driver’s license, passport, membership) the committee believes that “extend” does not need to be included as a parenthetical to “renew.”</p>
2.	Family Violence Appellate Project by Arati Vasani, Senior Managing Attorney	NI	<p>Implementing New Attorney’s Fees Law (AB 2369)</p> <p>Overall, the changes to the DV-100 Request for DVRO, and DV-120 Response to Request for DVRO, help to achieve the purpose of the law. However, more information on the DV-100 (and the DV-500-INFO), and different wording and changes on the DV-120 would be helpful.</p>	Thank you for reviewing this proposal.

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SPR23-29

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	Commenter	Position	Comment	Committee Response
			<p><i>DV-100 & DV-500-INFO</i></p> <p>The purpose of AB 2369 in part was to make it easier for survivor petitioners to receive lawyer’s fees and costs and more difficult for respondents to receive them—in keeping with other statutes which reduce the barriers to and chilling effects of seeking protection under important public policy priorities. The changed language seeks to make it easier for survivors to have legal representation at restraining order hearings. It is widely understood that the most survivors are unrepresented in these hearings and having legal representation can have a significant positive effect on a survivor’s ability to receive protection from the court.</p> <p>As such, it would help to have language that informs petitioners of these reduced barriers, so they can make decisions based on the knowledge that they have a better chance at recovering lawyer’s fees and costs than before. To the extent that before AB 2369, a survivor would not be able to get representation or would not file for protection because of legal fees and costs, the language of the statute is now clear. Where the petitioner is the prevailing party in their restraining order request and asks for lawyer’s fees and costs, they <i>will</i> be awarded payment of some or all their lawyer’s fees and costs if the other party has or reasonably has the ability to pay, regardless of the petitioner’s own circumstances. In addition, they will not be penalized by having to pay the respondent’s costs and fees simply for</p>	<p>The committee is recommending added language to DV-100 to explain the legal requirements for an award of attorney’s fees and costs if the petitioner makes the request and prevails.</p>

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	Commenter	Position	Comment	Committee Response
			<p>filing their request and being denied. These reduced barriers to coverage of legal fees and costs should be reflected in the DV-100 (and the DV-500 INFO). One example of additional language is: “(Note: If you have a lawyer and ask for lawyer’s fees and costs, and the court grants your restraining order, the court will determine if the other person has the ability to pay and if so, you will be awarded lawyer’s fees and costs.)”</p> <p><i>DV-120</i> On Form DV-120, page 5, number 23, the language in the Note should be revised to make it clear that the court <i>also</i> must find that the petitioner has or reasonably has the ability to pay. It would be better to add the word “only” before the word “if” so it is understood that the court will not award their lawyer fees and costs without all three elements: 1) a denied restraining order, 2) a finding that it had no basis in law or fact or was made only to abuse, intimidate or cause unneeded delay, and 3) a finding that petitioner has or reasonably has the ability to pay.</p> <p>Additionally for the same item on the DV-120, the options (a) and (b), to agree to pay or to explain why they disagree are unneeded. First, the DV-100 does not ask for a specific amount so it is unlikely and possibly harmful that a respondent would agree to an unspecified blanket request for lawyer fees and cost. Second, it is unclear why a respondent should be asked to explain why they do</p>	<p>The committee has added the requirement that the court must find that petitioner has the ability to pay to the proposed form.</p> <p>Because the issuance of lawyer’s fees and costs are no longer discretionary, the committee agrees that the option to agree or disagree to the request for lawyer’s fees or costs should be removed from the recommended form.</p>

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	Commenter	Position	Comment	Committee Response
			<p>not want to pay. Whether or not the respondent agrees or requests something different, the court will order lawyer fees and costs if requested by a prevailing petitioner and the respondent has or reasonably has the ability to pay.</p> <p>Another problem with this question is that, while the explanation section does not explicitly say it is required, in many cases that space is used to make additional accusations, character attacks and other statements about the petitioner. If anything, now that the additional language is there in the Note, the respondent may effectively be encouraged to use the space in number 23(a) and (b) to allege the petitioner had an improper motive and intent from the start. That was not the purpose of the statute. It is widely understood that survivors of domestic violence seeking protection can often be treated with skepticism and have to overcome preconceived negative perceptions about credibility and intent. Some abusive parties capitalize on this general understanding by immediately alleging ulterior and improper motives by survivors and focusing the courts attention on those claims while deflecting from their own conduct. AB 2369 was not enacted to encourage or increase the common practice of making unfounded attacks on survivors about improper motive. Maintaining questions and a space that is often used for that purpose along with this new language for an issue that does not lend</p>	

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	Commenter	Position	Comment	Committee Response
			itself to agreement or explanation is unnecessary and can easily be removed.	
			<p>DV-700 & DV-720 As the DV-700 and DV-720 were modified to reflect this new law, the recommendations above would apply to these forms now that the option to request lawyer fees and costs has been added to both forms as part of this proposal.</p>	The committee proposes the same changes be made to forms DV-700 and DV-720 as described above regarding implementation of AB 2369.
			For the purposes of implementing SB 935, the proposed changes to the DV-700 form and the DV-730 form are effective and help to make it clear that the minimum duration for a renewal is still 5 years.	Thank you for your response.
			For purposes of this law, the only change to the DV-720 appears to be adding the words “at least” before “five years” in the box about the hearing date. It is not clear what if any are the plain language or accessibility differences between using “at least”, “5 or more” or “from 5 years up to permanent.” Deferring of course to the results of any focus groups and testing, but “at least” may not be clearest of those options.	To be consistent with language on the other forms (DV-710 and DV-730), the committee proposes using “at least five years.”
			For the DV-700-INFO, the form does not have language that makes it clear, per the new law, that a protected person can ask for a renewal more than once. In addition to the change of “at least”, it would be helpful to add a sentence under the section “What does “renew” mean?” or the section	The committee has added a section to the proposed form to explain that a judge can renew a domestic violence restraining order more than once.

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			<p>“When do I ask for the renewal?” that explains that a person can renew more than once either”</p> <p>Changing the heading to say “a” renewal rather than “the” renewal will help clarify that there can be more than one renewal.</p>	<p>This change has been made.</p>
			<p>Implementing New Law Changing Definition of “firearm precursor part” (AB 1621)</p> <p>The updated language on the seven forms is clear. Using language that is already being used on other forms and keeping it uniform across forms is very helpful.</p>	<p>The committee agrees that using consistent language across the protective forms is helpful.</p>
			<p>Adopting Forms to Request Rescheduling Hearing for Restraining Order Renewal (DV - 715, DV- 716)</p> <p>The new forms are a welcome addition to helping make the renewal process clearer and easier. While it is understandable that it is difficult and resource-consuming to add new forms, and there is a constant effort to reduce and streamline, adding these forms will actually help those efforts. By having forms in the same number group (DV-700s), they reflect the differences in rescheduling a renewal hearing when an existing DVRO must be extended. The process of finding and using the forms for the original DV-115/DV-116 forms was confusing. Including separate forms in the DV-700 group makes it easier for people who rely on the sequencing of the numbers (e.g., DV-710 comes before DV-716) to understand the steps and flow</p>	<p>The committee agrees that adding these forms to the renewal series (700s) will be helpful and ensure the consistent and accessible administration of justice.</p>

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			<p>in their case. The approach of having similar forms across the different types of restraining orders as proposed in SPR23-26 is very helpful. Across the board, the additional forms will reduce confusion and make it easier to reschedule hearings in renewal cases.</p>	
			<p>As an initial note, the DV-700-INFO form does not have information about the ability to request that the renewal hearing be rescheduled. This would be helpful particularly as there will not be a separate DV-715-INFO.</p>	<p>The committee agrees that it would be helpful to include information regarding how to reschedule a court hearing on form DV-700-INFO and has added information at page 2 of the proposed form.</p>
			<p>For the DV-715, there are two suggestions: 1) increase the font size of the language in the Note confirming that the restraining order will be extended and 2) add space and increase the font size for Protected Party and Restrained Party. The first suggestion is to allow that language to stand out, so it is clear to either party requesting rescheduling. In the current size and space, it is less distinctive than it should be given its importance. The second suggestion is due to a concern that the eye easily goes directly to the prominent exclamation points for the address. In doing so a person would not answer the important question of which party they are. In addition, it is important that petitioners understand that they can skip this portion. If the focus groups and user feedback say otherwise, that is of course what should be followed, but increasing the font size is</p>	<p>The Judicial Council has a forms style guide that provides parameters for certain form design elements, like font size. The font size used in the body of a form is set at 11-point Times New Roman. However, the committee has increased the spacing in the instruction box to draw attention to the "Note." Also, to make it easier to see item 1b, spacing has been increased and boldface type has been removed from the subheadings.</p>

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			<p>unlikely to have negative effects and based on the spaces. between numbers 1 and 2, there seems to be enough room to increase the size without affecting the layout or length of the form.</p> <p>For the DV-716 it would be helpful for petitioners to know that that their DV-716 form goes on top of their DV-710 form, or that it should be attached to the DV-710 form along with the underlying restraining order. Sometimes when rescheduling restraining order hearings, problems can arise when the original restraining order has a different expiration date than the rescheduled hearing date. While those forms may be stapled together, without keeping the DV-716 with the DV-710 and underlying order, there is no readily available proof that the restraining order has not expired. A clear reminder that papers should be together would be helpful.</p> <p>In addition, consistent with the formatting on the DV-710, it would be helpful to put in bold the language that the restraining order remains in effect. Finally, the form would have more clarity if the new hearing date information used the same icon and box format as that used on the DV-710 and the DV-720. The icon and box format for the new date on the renewal could be added while keeping the box saying New Court Date. Using the same icon and formatting keeps the visual cues for this important information consistent across the forms.</p>	<p>The committee did not adopt this suggestion in its proposal as form DV-716 states that the restraining order stays in effect, at least until the next court date.</p> <p>The committee has bolded the language and added the icon to the proposed form, as requested by commenter.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Other Changes to the Existing Renewal Forms (DV-700, DV-700-INFO, DV-710, DV-720 and DV-730)</p> <p>The committee is to be commended for its significant work to make these forms easier with visuals and language that is clearer and more informative. The committee is also thanked for being diligent and responsive about seeking and incorporating feedback from those who work with survivors. The addition of information on the DV-700 and DV-700-INFO about juvenile restraining orders is a prime example and will be extremely helpful.</p>	<p>Thank you for your response.</p>
			<p><i>DV-700, Request to Renew Restraining Order</i></p> <p>While the form is now 4 pages, it is easier to read and use. It provides space for information that is more consistent with the DV-100 and other request forms, which provide more information and more detailed questions for petitioners.</p> <p>On page 2, number 4a, consider adding a note similar to the note provided for 4b that makes it clear that for the judge to grant the order, the petitioner does not have to show/prove that the other person will commit abuse. While asking the petitioner to explain why they are afraid the person will abuse them in the future does give much more guidance than is than the previous version, there is the potential in the wording for a petitioner to believe they have to talk about what the restrained party “will” do or specific acts they “could” do.</p>	<p>To address commenter’s concern, the committee has revised the language in proposed item 4a to state that the petitioner is afraid or worried that the person in 2 “might” abuse them in the future, instead of “will” abuse them in the future. The committee notes that item 4a is optional, and not required to be completed by the petitioner.</p>

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			<p>The underlying acts that led to the original restraining order can be enough to meet the legal standard of reasonable apprehension of future abuse. In addition, the future abuse feared does not have to be the same type of abuse as what happened in the past. The current wording, without clarification, could suggest that the person has to speculate or say they are afraid of the same thing happening again, when what already happened to them can be more than enough to be afraid, and they can be afraid even if the same abuse would not be possible.</p>	
			<p>Furthermore, in item 4(a) we would suggest saying “I am afraid or concerned . . .” (emphasis in our suggestion), because the case law uses “apprehension,” which can be either fear <i>or concern</i>, and concern seems broader than fear.</p>	<p>The committee has changed the language in the proposed form to “I am afraid or worried...” as “worried” has the same meaning as “concerned” but represents more natural language.</p>
			<p>The section on page 3 number 4 which gives space for violations is helpful and appreciated. It would be helpful to make the “Note” larger in size and give it more emphasis visually. Some courts still routinely deny restraining order renewals based on a lack of violations or because they prioritize lack of violations over every other factor. If there are no violations, this page in a request will stand out for being blank. Petitioners should have clarity and reassurance that the renewal cannot be denied because the restraining order was working, as case law holds. The language in the “Note” should provide more clarity to that effect</p>	<p>As noted above, the font size is consistent with the Judicial Council’s forms style guide. The committee has bolded “Note” in the proposed form to make the note more visible.</p>

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			<p>and be more prominent so that anyone looking at it will know that this section being blank does not allow the court to deny it on that basis. This is particularly important where the restraining orders are issued for a shorter duration, like a year or less.</p> <p>DV-710, Notice of Hearing To Renew Restraining Order, DV-730 Order to Renew Domestic Violence Restraining Order</p> <p>The changes to these forms make them much easier to use and understand. The ability to serve by mail if there is no change except for the duration is helpful and clear. However, for the DV-730, page 1 number 5, the information on no fee personal service is confusing. In most cases, a DV-730 will not have to be personally served as either the restrained party appears at the hearing, or the renewal is granted with no change other than duration. Placing prominent information on the first page about personal service suggests a step which often will not be required. In comparison, documents that often require personal service including the DV-109, 110 and 130 do not have this language on the first page. While in some cases, a survivor may be told that it is better to take the additional step of having the DV-730 personally served, that should not be confused with requiring personal service to be effective. A suggestion would be to place this information after page 2, number 6 “Service by person in 1” so that if the personal service is checked in 6(b)(1)(3)(A) or written in 6(b)(2) the information is readily</p>	<p>To respond to the commenter’s concern, the committee has moved the items regarding service toward the end of proposed form DV-730.</p>

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			<p>available. If space is an issue, then consider moving number 7 “Lawyer’s Fees and Costs” to the first page.</p> <p>Another suggested change to the DV-730 is to format the box and information on page 1, number 3, the same way that information is formatted on the DV-130, on page 1, number 4. The DV-730 is a separate document and must always be attached to the original restraining order, unlike the DV-130 which is itself a complete order. The formatting of the expiration date and other information on the DV-130 emphasizes this information and draws the eye. The same should be true of the DV-730.</p> <p>In addition, since the DV-730 functions as the order going forward if it is “Granted”, that should be the first option available. Switching numbers 3(a) and 3(b) on the DV-730 will make it more prominent. This is consistent with the DV-110, page 2, number 4(a)(1) where “All granted” is the first box.</p> <p><i>DV-700- INFO, How Do I Ask the Court to Renew My Restraining Order?</i> The changes to this form, including the removal of the numbers make the form clearer and easier to read. As noted above, adding language about how it can be renewed more than once would be helpful.</p>	<p>The committee has reformatted the proposed item that contains the new expiration date to make it more visible.</p> <p>The committee has made this change to the proposed form.</p> <p>The committee has added a section to the proposed form to address subsequent renewals.</p>

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SPR23-29

Domestic Violence: Form Changes to Implement New Laws (Adopt forms DV-715 and DV-716; revise forms DV-100, DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-700, DV-700-INFO, DV-710, DV-720, DV-730, DV-800-INFO/JV-270-INFO, DV-840/FL-840, EPO 001)

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	Commenter	Position	Comment	Committee Response
			<p>[DV-700-INFO] In addition, adding a sentence explaining the petitioner can file the request to renew in any court in California, and it need not necessarily be the same as the court that originally granted the order would be helpful to survivors who may not be in the same area where the underlying order was issued. Most survivors do not have this information even if they are aware of the option to renew. Some survivors may abandon seeking renewal because they incorrectly believe they must go back to the place where the order was granted.</p>	<p>The committee has added a section that addresses the issue of changing venue on page 1 of the proposed form.</p>
			<p>[DV-700-INFO] Additional language and adding emphasis to existing language in the section “When do I ask for the renewal?” will be helpful. Survivors need to know that not only do they need to file for a renewal before their existing restraining order expires, but also that they should allow sufficient time for processing to ensure continuous protection. In some cases, if a petitioner only files on or just before the date of expiration, they may not be able to get the DV-710 order extending their restraining order the same day or next day. Petitioners can risk being without proof that their restraining order is extended. This period of time however brief, can be dangerous.</p>	<p>The committee has added language to the proposed form to instruct petitioners to give themselves enough time to fill out the forms and file. Because processing will vary from court to court, the committee is not able to include more information about the timeline, other than what is allowed under the Family Code.</p>
			<p>[DV-700-INFO] In addition, restraining order after hearings in some cases are issued for less than three months so</p>	<p>The language on the form, as proposed, reflects the requirement under the Family Code. Therefore,</p>

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			the language could be confusing as it assumes that their restraining order is valid for at least three months.	the committee does not recommend changing the proposed language.
			It is not uncommon to find survivors who did not know they had the option to renew their restraining order (a fact that should be included on the DV-130), and only find out on the last day, or shortly before. At that point, there is not enough time to actually apply for the renewal and get their papers processed and returned. As such, it would be helpful to 1) emphasize the language that it has to happen before the expiration date, 2) add language that people should not wait until the last day(s) if possible, and 3) add language that makes it clear that without renewing the order, not only will their current order expire but they will have to start all over again if there is any further abuse.	As stated above, the committee has added language to the proposed form to instruct petitioners to give themselves enough time to fill out the forms and file. The committee has also added a section that addresses the situation where the restrained order has expired before a request to renew has been submitted.
			Finally, the additional language on page 2, number 5, including language as to what a petitioner will generally have to prove is helpful particularly in conjunction with the changes in the DV-700. However, the language is buried under the issue of whether the other person appears. A greater delineation between the issue of appearance and the underlying points of what will be expected of the petitioner would be more helpful.	The committee did not adopt this suggestion to its proposal as what is expected of petitioner directly depends upon whether the other side appears in the case. However, the committee has added additional information on what the petitioner will have to prove, if the respondent attends the hearing and opposes the restraining order.
			Changes to EPO-001 Emergency Protection Order	The committee has added the following language to the proposed form, "Start the process as soon as

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			<p>The changes to the back of the form are helpful and as noted remove a lot of duplicative and unclear language. The primary suggestion is that in the section “To the protected person” that language is added, which, similar to what was suggested with the renewal form above, makes it clear that if they do not want to lose protection, they need to go to court before the EPO expires with enough time to fill out the forms for the DVRO. We have worked with many people who did not have enough information or correct information in advance and thought they could show upon the day it expired, at the courthouse at 4pm, and try to get it “extended” with a TRO (which is often how police phrase it even though it is a separate request and order). Completion of the DV-100 and understanding what it is about should not happen under the time pressure of an EPO running out that same day; it would be helpful to give protected parties a better understanding of that by including language about giving themselves enough time to go to court and fill out and file papers. Whether EPOs should be longer to give petitioners more time to make an informed decision about whether to also seek a TRO/DVRO is beyond this proposal but perhaps something the Council would consider suggesting to the Legislature. In any event, without further legislative action on that issue, survivors should have more information up front about the fact that</p>	<p>you can. The paperwork can take a few hours to complete.” This additional information should help protected persons plan accordingly.</p>

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	Commenter	Position	Comment	Committee Response
			they will need that time before the EPO expires, if they want to have secure protection.	
3.	Orange County Bar Association by Michael A. Gregg, President	A	* The commenter indicates agreement.	Thank you for reviewing this proposal.
4.	Superior Court of Los Angeles County by Bryan Borys, Director of Research and Data Management	AM	Regarding DV-109 Notice of Court Hearing form: o Page 1, Section 3, 2nd Bullet: Suggest rephrasing or expanding the sentence “If you attend the hearing (in person, by phone or by videoconference) and the judge...” to avoid misleading restrained parties to think that if they don’t attend the hearing, they won’t have to follow any orders made.	The committee has revised the proposed instruction to make it clear that the restraining order must be complied with even if the person does not attend the hearing.
			Regarding DV-700 Request to Renew Restraining Order form: o Page 2, Section 3c: Suggest capitalizing the first letter in “five” and “permanently” for consistency with “Other” o Page 2, Section 4: Correct the formatting error around “abuse” by placing spaces in the sentence “(For information about what”abuse”means under the law...”	This change has been made to the proposed form. The spacing has been corrected.
			Regarding DV-710 Notice of Hearing to Renew Restraining Order form: o Page 1: Above the “Case Number” box, replace the ellipses with a colon where it says “Fill in case number..”	This error has been fixed.

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			<p>Regarding DV-715 Request to Reschedule Hearing to Renew Restraining Order form:</p> <ul style="list-style-type: none"> o Form Title: Suggest using the phrase “Continue” either in place of, or in addition to, “Reschedule,” as the statute uses the term “continuance,” and because it conforms with the term used in the current DV-115/DV-116 form titles. o Page 2, First bullet under Your Next Steps: Place a period after the sentence beginning with “Complete form DV-716, Order to Reschedule Hearing to Renew Restraining Order...” o Page 2, Last bullet under Your Next Steps: This statement may be confusing because it is possible to request a continuance at the hearing. Instead, suggest stating “If the judge denies your request to reschedule the hearing, you must be prepared to proceed on the date listed on form DV-710” or something similar. 	<p>The committee does not recommend using “continuance” as it is a legal term and not as understandable as “reschedule.” The committee will recommend that other domestic violence forms be changed in the future to use “reschedule” instead of “continuance.”</p> <p>This change has been made to the proposed form.</p> <p>The committee has added a link for more information on how to prepare for the court hearing.</p>
			<p>Regarding DV-716 Order to Reschedule Hearing to Renew Restraining Order form:</p> <ul style="list-style-type: none"> o Current DV-116 forms include the option to attend remotely; proposed DV-716 forms do not. 	<p>The committee agrees that including the option to attend remotely would be helpful but does not recommend making this change without public comment. The committee will consider adding this information in a future cycle.</p>
			<p>Regarding DV-730 Order to Renew Domestic Violence Restraining Order form:</p>	

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	Commenter	Position	Comment	Committee Response
			<p>o Page 1, Section 3b: Suggest capitalizing the first letter in “five” and “permanently” for consistency with “Other”</p> <p>o Page 1, Sections 3 & 4: Current DV-730 forms list the Hearing first, then the Date for Expiration. Is there a reason this was reordered?</p> <p>o Page 1, Section 3b: Suggest reordering the duration options in the following order: “Five years,” “Other (give duration longer than five years),” then “Permanently” If the “Permanently” option is selected, what date is one supposed to put in the box under Section 3b? If a “Permanently” option is included in the expiration date box, this may cause an issue with CLETS.</p> <p>In the same expiration date box, the old DV-730 forms had the note about “(Child custody and visitation, property...” listed underneath the box, but now it is included in the box. Should there be clarity as to what is being attached in terms of what is being renewed and what has been amended since the original orders? For example, provide an option under Section 8 for attached pages to include other changes/court orders so that the information entered into CLETS reflect the entire correct restraining order, along with current orders and expiration date.</p>	<p>These changes have been made to the proposed form.</p> <p>These items have been reordered to match the sequence of these same items on form DV-130, <i>Restraining Order After Hearing</i>.</p> <p>This section has been reorganized to allow for two options: 1) at least five years (with a specific date of termination), or 2) permanent. The committee notes that CLETS (CARPOS) can record permanent orders and the new format clarifies that no expiration date is needed for permanent orders.</p> <p>This would be a substantive change that the committee would like feedback on. The committee will consider this suggestion in a future cycle.</p>

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			<p>o Page 2, Section 8: Suggest including an option for DV-840 (Notice of Compliance Hearing for Firearms and Ammunition) to be attached rather than including a reference of a compliance hearing in Section 6, as there is room for error to include a different date in DV-730 and in DV-840. Additionally, DV-730 does not need to serve as the notice for the compliance hearing, as that is what DV-840 is intended for.</p>	Form DV-820, <i>Prohibited Items: Finding and Orders</i> , which includes an order to attend a compliance hearing, would be more appropriate as an attachment to DV-730. The committee will add a reference to form DV-820 in item 8 (Attached pages) in the proposed form. Because form DV-820 does not include an item regarding service, form DV-730 would need to address service to provide notice of a noncompliance hearing.
			<p>Regarding EPO-001 Emergency Protective Order (CLETS-EPO) form:</p> <p>o Page 1, Section 1: Is there a reason why the “Gender” field was removed? It seems appropriate to include the “Gender” field in both Sections 1 and 2 with the non-binary option.</p>	The committee notes that item 1 in the current version of EPO-001 does not include the gender of the protected persons. The committee will add gender to item 1 in the proposed form as it is a mandatory field for the protective order registry accessible via CLETS.
5.	Superior Court of Orange County, Family Law and Juvenile Law Division	NI	<p>Form DV-715 - Request to Reschedule Hearing to Renew Restraining Order, revise any reference of “Protected Party/Restrained Party” to “Protected Person/Restrained Person” to be consistent with other DV forms such as DV-110, DV-130, DV-140, etc.</p>	The committee did not accept this recommendation. Similar to other protective order forms that can be used by either party, proposed forms DV-715 and DV-716 use "party" to make clear that either side may use the form. For the continuance forms, the committee also believes it is important to use “party” to make clear that an additional protected person may not ask for a continuance.
			<p>Form DV-716 - Order to Reschedule Hearing to Renew Restraining Order</p> <p>a. Change any reference of “Protected Party/Restrained Party” to “Protected</p>	See response above.

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			Person/Restrained Person” so that it is consistent with other DV forms such as DV-110, DV-130, DV-140, etc.	
			b. Align boxes in item #4	This change has been made to the proposed form.
			c. Remove period under “(date)” in item #5c(2)	The period has been removed.
			<i>Does the Proposal appropriately address the stated purpose?</i> Yes.	Thank you for reviewing this proposal.
			<i>Would the proposal provide cost savings? If so, please quantify.</i> No.	No response required.
			<i>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</i> This implementation would require training for staff, judicial officers, and the Protective Order Unit (approximately 1 hour each group). New event codes would need to be created for the two new forms.	Thank you for your response.
			<i>Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i> Yes.	The committee agrees that three months will provide courts with sufficient time to implement this proposal.

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			<i>How well would this proposal work in courts of different sizes?</i> Our court is a large court, and this process can work for a court of our size.	Thank you for your response.
6.	Superior Court of Riverside County by Susan Ryan, Chief Deputy of Legal Services	AM	Suggested Edit: [DV-109] At Item, #2 - Replace the deleted line: “The court will fill out the rest of this form.” to ensure pro pers don't fill in hearing information and orders.	The committee removed the instruction to create more white space on the first page and notes that the instruction is still included at the top of the form.
			Temporary Restraining Order (DV-110) Information in the box concerning firearms box seeking firearms must also be repeated in item 6 and in significant detail. *If there is a distinction between these sections in that #2 contains permissible weapons, the form is not clear on that distinction. Suggested edit: If the information is intended to be the same, state: See item #6 for prohibited firearms and ammunition.	The information in item 2 is provided by the petitioner while the information in item 6 is based on the court’s determination that the restrained person has prohibited items in their possession or control. The committee has included an instruction in item 2 to make clear that the information is provided by the petitioner and should be based on the information included on the request form (DV-100).
7.	Superior Court of San Bernardino County, Barstow District by Anita Morales, Legal Processing Assistant II	A	Form DV-700-Info- there are two Page 2s. The last page should be numbered Page 3.	The page number has been corrected.
8.	Superior Court of San Diego County by Mike Roddy, Court Executive Officer	AM	Does the proposal appropriately address the stated purpose? Yes.	Thank you for reviewing this proposal.
			Would the proposal provide cost savings? If so, please quantify.	No response required.

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			No.	
			<p>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p> <p>Revising internal procedures, training staff, and adding new forms to the case management system.</p>	Thank you for your response.
			<p>Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p>Yes, provided the final versions of the forms are provided to the court at that time. This will ensure that the court is able to provide training to staff and update its internal procedures and case management systems.</p>	The committee agrees that three months is sufficient time for implementation. If approved by the council, the forms will be published with enough time to allow the courts to modify forms packets.
			<p>How well would this proposal work in courts of different sizes?</p> <p>It appears the proposal would work for courts of various sizes.</p>	No response required.
			<p>DV-110, Item 22: Refers to form SERVE-001, however Invitation SPR23-27 lists the form name as SER-001.</p>	The form number for the proposed new request for service form is SER-001 and has been corrected on this form.
			<p>DV-700: Propose that form be renumbered as “DV-700/JV-700” as the form may be used for</p>	The committee did not make this proposed change as the issue of whether these renewal forms may

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			renewing juvenile DVROs. Dual form numbering is used for other DV and JV forms (e.g. DV-800/JV-270 Receipt for Firearms, Firearm Parts, and Ammunition).	be filed in juvenile cases is a substantive change that the committee would seek public comment on. As proposed, this form would be used to renew a juvenile restraining order after a juvenile court has terminated jurisdiction. The committee will consider whether to adopt renewal forms for use in a juvenile case in a future cycle.
			DV-716, Item 6: Refers to form SERVE-001, however Invitation SPR23-27 lists the form name as SER-001.	The form number has been corrected.
			The proposed modifications appear appropriate and address the new statutes.	Thank you for reviewing this proposal.
9.	Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee Joint Rules Subcommittee	A	Comments are for proposed DV-120. Page 5, paragraph 23, provides a note about respondent’s ability to recover attorney fees if court finds “that the request had no basis (in fact or law) or was made only to abuse, intimidate, or cause unneeded delay.” Family Code Section 6344(b) uses the word “frivolous” and not “no basis (in fact or law).” The concern is that “frivolous” may be a different standard. From People v Collins (2003) 110 Cal.App.4th 340: “Code of Civil Procedure section 128.5, subdivision (b)(2) defines “frivolous” to mean “(A) totally and completely without merit or (B) for the sole purpose of harassing an opposing party.” Whether action taken by a party or party's attorney is frivolous under that statute ‘is governed by an objective standard: Any reasonable attorney	The committee agrees to recommend the statutory language “frivolous” instead of a plain language explanation of frivolous.

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			would agree it is totally and completely without merit.' "Totally and completely without merit" appears to be a higher standard than "no basis in fact or law." This might be misleading. Why not use the word in the statute?	

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