



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item No.: 22-170

For business meeting on: September 20, 2022

Title

Domestic Violence: Rule and Form Changes to Implement New Laws

Rules, Forms, Standards, or Statutes Affected

Repeal Cal. Rules of Court, rule 5.495; adopt forms DV-105(A), DV-125, DV-820, DV-830, and DV-840/FL-840; revise forms DV-100, DV-105, DV-108, DV-109, DV-110, DV-116, DV-120, DV-120-INFO, DV-130, DV-140, DV-145, DV-200, DV-500-INFO, DV-505-INFO, DV-520-INFO, DV-530-INFO, and EPO-001; revise form DV-800/JV-252 and renumber as form DV-800/JV-270; revise form DV-800-INFO/JV-252-INFO and renumber as form DV-800-INFO/JV-270-INFO; and revoke form DV-150

Recommended by

Family and Juvenile Law Advisory Committee

Hon. Stephanie E. Hulse, Cochair

Hon. Amy M. Pellman, Cochair

Agenda Item Type

Action Required

Effective Date

January 1, 2023

Date of Report

September 2, 2022

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Executive Summary

The Family and Juvenile Law Advisory Committee recommends adopting five new Judicial Council forms and revising 19 forms to implement new laws enacted by Senate Bill 320 (Rubio; Stats. 2021, ch. 685), Assembly Bill 1621 (Gipson; Stats. 2022, ch. 76), Senate Bill 374 (Min; Stats. 2021, ch. 135), Senate Bill 24 (Caballero; Stats. 2021, ch. 129), Senate Bill 538 (Rubio;

Stats. 2021, ch. 686), and Assembly Bill 277 (Valladares; Stats. 2021, ch. 457). The committee also recommends revoking one form, which will be combined with an existing form, and repealing rule 5.495 of the California Rules of Court, which has been codified by SB 320.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2023:

1. Repeal rule 5.495 of the California Rules of Court;
2. Adopt five Judicial Council forms:
 - *City and State Where Children Lived* (form DV-105(A));
 - *Response to Request for Child Custody and Visitation Orders* (form DV-125);
 - *Prohibited Items Finding and Orders* (form DV-820);
 - *Noncompliance With Firearms and Ammunition Order, or Warrant* (form DV-830);
 - *Notice of Compliance Hearing for Firearms and Ammunition* (form DV-840/FL-840);
3. Revise 19 Judicial Council forms:
 - *Request for Domestic Violence Restraining Order* (form DV-100);
 - *Request for Child Custody and Visitation Orders* (form DV-105);
 - *Request for Order: No Travel With Children* (form DV-108), retitled as *Request for Orders to Prevent Child Abduction*;
 - *Notice of Court Hearing* (form DV-109);
 - *Temporary Restraining Order (Domestic Violence Prevention)* (form DV-110);
 - *Order on Request to Continue Hearing (Temporary Restraining Order)* (form DV-116);
 - *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);
 - *Child Custody and Visitation Order* (form DV-140);
 - *Order: No Travel With Children* (form DV-145), retitled as *Order to Prevent Child Abduction*;
 - *Proof of Personal Service* (form DV-200);
 - *Can a Domestic Violence Restraining Order Help Me?* (form DV-500-INFO);
 - *How Do I Ask for a Temporary Restraining Order?* (form DV-505-INFO), retitled as *How to Ask for a Domestic Violence Restraining Order*;
 - *Get Ready for the Restraining Order Court Hearing* (form DV-520-INFO), retitled as *Get Ready for Your Restraining Order Court Hearing*;
 - *How to Enforce Your Restraining Order* (form DV-530-INFO);
 - *Proof of Firearms Turned In, Sold, or Stored* (form DV-800/JV-252), retitled and renumbered as *Receipt for Firearms, Firearm Parts, and Ammunition* (form DV-800/JV-270);

- *How Do I Turn In, Sell, or Store My Firearms?* (form DV-800-INFO/JV-252-INFO), retitled and renumbered as *How Do I Turn In, Sell, or Store Firearms, Firearm Parts, and Ammunition?* (form DV-800-INFO/JV-270-INFO);
- *Emergency Protective Order* (form EPO-001); and

4. Revoke one form: *Supervised Visitation and Exchange Order* (form DV-150).

The proposed repealed rule, and new, revised, or revoked forms are attached at pages 13–108.

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 suggestions made by the public, judicial officers, and court professionals. In 2022, forms DV-100, DV-105, DV-110, DV-120, DV-130, and DV-500-INFO were revised to reflect changes in the law to (1) add coercive control to the definition of abuse, and (2) include a request for and order by the court to find that debts incurred by the petitioner were the result of abuse. A number of additional changes were made to these same forms to make them more user-friendly and easier for self-represented litigants (SRLs) to complete.

Analysis/Rationale

This proposal is needed to implement six new laws. As 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 make the forms more user-friendly.

SB 320

Effective January 1, 2022, SB 320 (Link A) codifies rule 5.495, *Firearm relinquishment procedures*, and provides additional requirements for courts to comply with when the court receives information that a restrained person has or may have firearms or ammunition in their possession or control.¹ Revisions to existing order forms are needed to allow the court to (1) give notice of a determination regarding possession of firearms or ammunition by the restrained person, (2) set a compliance review hearing, (3) order the clerk of the court to provide notice of noncompliance to law enforcement or the prosecuting agency, and (4) include an order for the restrained person to surrender ammunition.

Three new forms are also being proposed: forms DV-820, DV-830, and DV-840/FL-840. Form DV-820 would be used as an attachment to the temporary restraining order (form DV-110), continuance order (form DV-116), or any other family law order form, to make any of the findings and orders noted above. Form DV-830, would be used when the court is required to

¹ Family Code sections 6306, 6322.5, and 6389.

provide notice to law enforcement under Family Code section 6306 or notice to a prosecuting agency under Family Code section 6389(c)(4). Form DV-830 is a confidential form, as it could contain information from the California Law Enforcement Telecommunications System, also known as CLETS, such as criminal history information. Form DV-840/FL-840 is a notice of hearing and order form, to be used by the court when it is setting a hearing to review compliance with firearms and ammunition provisions subsequent to a restraining order after hearing being issued.

In response to comments received, the committee also recommends listing “guns” as a parenthetical to firearms, rather than listing guns as a separate item. For example, on form DV-110, at item 5, the new heading for the firearms relinquishment order would be “No Firearms (Guns)...” rather than “No Guns, Other Firearms...” Forms for the respondent have also been revised to include firearm parts and ammunition as items that must be surrendered, in addition to firearms.²

AB 1621

Effective on June 30, 2022 (Link B), AB 1621 adds a definition of “firearm” under the Domestic Violence Prevention Act that includes firearm parts, specifically receivers, frames, and “firearm precursor parts” as defined under Penal Code section 16531(a). The change is intended to include “ghost guns” (unserialized and untraceable firearms that can be bought online and assembled at home) in the items that restrained people cannot possess and must surrender.³ This means that a restrained person may not have these parts or homemade firearms, for the duration of the order. AB 1621 was enacted as an urgency statute, and therefore went into effect immediately upon approval by the Governor on June 30, 2022. AB 1621 superseded AB 1057 (Petrie-Norris; Stats. 2021, ch. 682), which would have also added firearm parts to the definition of firearm under the Family Code. A proposal to implement AB 1057 was included as part of this proposal that was released for public comment on April 8, 2022. The committees believe that the same changes to the forms needed to implement AB 1057 would be appropriate to implement AB 1621.

This new definition of firearm will also apply to gun violence, juvenile, other civil, and criminal restraining orders. Because this bill impacts several protective order forms series, this committee worked with the Civil and Small Claims Advisory Committee to harmonize the changes to the extent possible. Both committees, and the Criminal Law Advisory Committee, recommend referring to receivers, frames, and unfinished receivers and frames as “firearm parts” rather than “firearms” or “firearm precursor parts.” The committees also propose using the nomenclature “ghost guns” on the information forms.

² See form DV-120, item 26, page 1, of form DV-120-INFO, and DV-800/JV-270, item 3.

³ Assem. Com. On Public Safety Rep. on Assem. Bill No. 1621 (2021-2022 Reg. Sess.) as amended March 24, 2022 pp. 5-7.

Proof of Firearms Turned In, Sold, or Stored (form DV-800/JV-252) would be revised to include the new provisions about firearm parts from AB 1621 and the additional requirement to surrender ammunition resulting from SB 320. The form would also be renamed *Receipt for Firearms, Firearm Parts, and Ammunition* and renumbered as form DV-800/JV-270. Similar revisions would be made to the current *How Do I Turn In, Sell, or Store My Firearms?* (form DV-800-INFO/JV-252-INFO), including renaming the form to *How Do I Turn In, Sell, or Store Firearms, Firearm Parts, and Ammunition?* and renumbering it to DV-800-INFO/JV-270-INFO.

For form DV-800/JV-270, the committees propose reformatting the sections completed by law enforcement and licensed gun dealers.⁴ The changes to these sections would allow the agency or dealer to attach a document, listing some or all items surrendered. While somewhat different from the format that was circulated, this change is based on feedback from law enforcement and a licensed gun dealer that in most, if not all situations, completing a separate non-Judicial Council form is always required when providing the receipt. For law enforcement, each agency likely has its own property receipt form that must be completed. And for licensed gun dealers, the Department of Justice requires dealers to complete and submit a specific form anytime they receive a firearm. Making it clear on the Judicial Council form that a separate document can be used to list surrendered items will make it easier for law enforcement and licensed gun dealers to complete this form. In the event that an officer or a licensed gun dealer wants to list some or all surrendered items directly on form DV-800/JV-270, they can do so at item 6. If items are listed at item 6, the officer or dealer should indicate the action taken for each item surrendered (i.e., firearm stored, sold to dealer, or to be destroyed by law enforcement agency). This additional information may be helpful to the court, especially when parties have ongoing matters like child custody.

SB 374

Effective January 1, 2022, SB 374 (Link C) adds “reproductive coercion” as a form of coercive control under Family Code section 6320. To implement SB 374, the committee recommends revising the request form, two order forms, and an information form to include examples of reproductive coercion.⁵ An example of the new language and how it would appear on the temporary restraining order is provided below:

⁴For DV-800/JV-270, item 4 for law enforcement officer, and item 5 for licensed gun dealer.

⁵ See form DV-100, item 5; form DV-110, item 7; form DV-130, item 8; and page 2 of form DV-500-INFO.

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 related health information.

SB 24

Effective January 1, 2023, SB 24 (Link D) would allow the court, when granting a domestic violence restraining order, to restrict a parent's access to certain information regarding their child, including health and school records. It would also require providers of health care, daycare, and educational or extracurricular activities to have protocols in place to properly safeguard the child's information when these orders are issued. To implement SB 24, the committee proposes adding an item on the child custody and visitation request form and a parallel item on the order form.⁶ Additionally, the order form would provide information directed at the provider, notifying the provider of their obligation under the new law to refrain from releasing records after the court has issued the order. Information was also added to form DV-530-INFO, to direct the petitioner of the restraining order to provide a copy of the order to providers ordered to safeguard the child information. An example of the new language on order form DV-140 is provided below:

⁶ See form DV-105, item 7, and form DV-140, item 5.

5 ☐ **Stop Access to Children's School, Health, and Other Information**

a. The person in **(2)** must not access or have access to the records or information for:

☐ All the children listed in **(3)**.

☐ Only the children listed here (*names*):

b. From the following (*check all that apply*):

☐ Medical, dental, and mental health providers

☐ School and daycare providers

☐ Extracurricular activity providers, including summer camps and sports

☐ Child's employers (including volunteer and unpaid positions)

☐ Other (*describe*):

! If you are a provider listed above, you must not release information or records regarding the children listed in **(5)a** to the person in **(2)**.

SB 538

Effective January 1, 2022, SB 538 (Link E) provides that parties and witnesses in a domestic violence or gun violence restraining order proceeding may appear remotely on a petition for a restraining order. It also provides that courts must provide e-filing as an option for filing domestic violence and gun violence restraining orders effective July 1, 2023. Revisions to a number of existing forms are recommended to provide notice of the option to appear remotely.⁷ In addition, form DV-505-INFO directs the person seeking a restraining order to check with their local court if they are interested in e-filing their request.

AB 277

Assembly Bill 277 (Link F) requires the council to include information about the California Secretary of State's Safe at Home program on form DV-500-INFO, by January 1, 2023. The following information has been added to form DV-500-INFO, on page 3: "If you are a victim of domestic violence or live with a victim of domestic violence, there is a special program called Safe At Home that you can apply for. It is a free program that would help you keep your address private. To learn more about the program, go to: <https://sos.ca.gov/registries/safe-home>. Note that it may take several weeks to be approved." A Safe at Home address was also added as a potential address on page 1 of the request (form DV-100) and the response (form DV-120).

Other changes to improve the forms

Forms DV-105 and DV-140

The committee recommends a number of changes to the Child Custody and Visitation forms. In the proposal circulated for comment, the committee proposed new layouts for the custody and visitation items, and sought specific comment on whether these new layouts would be easier for SRLs to understand and complete. Most commenters who responded to these questions indicated that the new layouts were helpful and easier to understand. One commenter stated that the new

⁷ See form DV-109, item 3; form DV-116, item 4; page 2 of form DV-120-INFO; page 3 of form DV-505-INFO; and page 1 of form DV-520-INFO.

layouts are even easier for attorneys. The committee agrees and recommends adopting the new layouts, reflected at items 9, 12b, and 13b of form DV-105.

During the comment period, the draft version of form DV-105 that was included in the proposal circulated for comment was user-tested. Feedback showed some confusion with the organization of the form, specifically how the different sections (no visitation order vs. travel restrictions) relate to one another. One user also expressed confusion over presenting requests in the first person (e.g., “I ask that the person in 2 have no visitation with the children”). Based on the feedback from user-testing, the committee has made several further changes to form DV-105, including reorganizing the items and asking questions in a yes/no format rather than stating the requests in the first person.

The orders on form DV-140 would parallel the requests on form DV-105. Because form DV-140 would include supervised visitation and exchange orders to mirror form DV-105, form DV-150 would no longer be needed. As a result, the committee recommends revoking form DV-150.

New Form DV-125

The committee proposes a new attachment form, to allow the proposed restrained person to respond to any child custody and visitation orders requested by the petitioner. This new form would be a mandatory form and if completed would be attached to the response form (form DV-120).

New Form DV-105(A)

This new form would be used by the petitioner to list the residence history for children who have not lived together during the last five years. This would be different than form DV-105 which only provides space for the petitioner to list the residence history for children who have lived together for the last five years. Form DV-105(A) could also be used as an attachment to response form DV-125, if the respondent does not agree with the residence history for children listed by the petitioner.

Priority of Enforcement sections on forms DV-110 and DV-130

Changes were made to the Priority of Enforcement language on the temporary restraining order and restraining order after hearing.⁸ This language acts as an instruction to law enforcement in the event that there are conflicting restraining orders in effect at the same time. This committee worked with other advisory committees on this language to ensure that the instructions are consistent across restraining and protective order forms. One commenter noted that this section, while directed at law enforcement, would also be helpful for litigants to know. In a future cycle, the committee will consider whether additional changes to this section could be made to make the information more accessible to self-represented litigants.

⁸ See form DV-110, page 9, and form DV-130, page 10.

EPO-001

In addition to including revisions to the firearms language, the instructions on the second page have been reformatted so that any content translated into Spanish now appears on the right side of the form, while the English content appears on the left. This committee recommends this format as easier to read for parties with limited English proficiency, and it parallels other plain language bi-lingual forms recently approved by the council.

Information forms

Several of the information forms have also been significantly revised to improve usability. Forms DV-120-INFO and DV-505-INFO are now organized into “parts” to reflect the different parts of the court process (e.g., filing forms, preparing for court date). Separating the entire process into pieces is a strategy often used by self-help centers and other providers to make the information more digestible for SRLs. The committee believes these changes will make the content easier to understand.

Policy implications

In addition to implementing legislative changes, this recommendation helps implement Goal I, “Access, Fairness, and Diversity,” of the Judicial Council’s strategic plan by helping to make forms easier to complete and understand for SRLs. 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 April 8 through May 13, 2022. Ten commenters responded to the proposal. One agreed with the proposal, four agreed if modified, and five did not indicate a position; no commenters disagreed with the proposal. Commenters were the Superior Courts of Orange, Riverside, and San Diego Counties; the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee; the California Partnership to End Domestic Violence; the Family Violence Appellate Project; the Giffords Law Center to Prevent Gun Violence; the Harriett Buhai Center for Family Law; the Orange County Bar Association; and one individual.

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 comments are provided below, including the responses to specific comments sought by the committee. All comments and the committee’s responses are provided in the attached chart of comments at pages 109–171.

Use of term “prohibited items”

The committee received a suggestion to not use the term “prohibited items” on the order forms to describe firearms, firearm parts, and ammunition. The committee considered this suggestion but rejected it. Because of SB 320, there are a number of additional orders that must be included related to firearms, firearm parts, and ammunition. Using the term “prohibited items” makes it easier to explain all the requirements that the restrained person must follow. The committee

believes that using the term “prohibited items” does not create any ambiguity on what the term includes, as the order clearly states what the term includes.⁹

Method of notice to law enforcement and prosecuting agency

Another comment relating to SB 320 was a concern with courts notifying law enforcement or prosecuting agency by a method that would not be immediate, such as by mail. The committee agreed with this comment, and recommends that courts provide notice quickly such as by fax, email, or other electronic means.¹⁰ The committee believes that this change will not be an undue burden as many courts already have a process for notify law enforcement of a restraining order (e.g., sending restraining order to law enforcement to enter restraining order into the CLETS).

Additional information about child custody

Commenters suggested that information involving custody and visitation be included either on form DV-105 or on an information form. This could include information about the requirements under Family Code section 3044, supervised visitation and exchanges, and impact of noncompliance with firearm relinquishment orders on custody. The committee will consider creating a new information form specifically on issues related to child custody and visitation in a future cycle.

The committee sought specific comment on a number of issues. Commenters’ responses are summarized below.

Would it be helpful or relevant for courts to know whether a specific firearm or other prohibited item was stored or seized by law enforcement (see page 4 of form DV-800/JV-270)?

All commenters who responded indicated that it would be helpful or relevant for courts to have this information. Based on feedback from law enforcement, the committee recommends changing “seized” to “to be destroyed.” In other words, law enforcement can either store or destroy firearms or ammunition, while licensed gun dealers can store or buy these items.

Are the new layouts for the child custody and visitation sections easier for SRLs to understand and complete?

As stated above, most commenters who responded indicated “yes.” The committee agrees and recommends using the new layouts on forms DV-105 and DV-140.

Are there other examples of reproductive coercion that should be listed in item 5 of form DV-100, instead of the proposed example?

Most commenters believed that the proposed example was sufficient, while two commenters suggested changes to the example. The committee accepted both suggested revisions so that the example now reads, “tried to control/interfere with your contraception, birth control, pregnancy, or access to health information.”

⁹ See form DV-110, item 5b, and form DV-130, item 7b.

¹⁰ See form DV-830, page 2.

Should language to implement Senate Bill 654 be included on the domestic violence restraining order forms?

Some commenters answered “yes” while another commenter voiced concern over the language being too difficult or detailed for parties to understand. Senate Bill 654 provides an affirmative duty on the court to provide its reasons for granting unsupervised visits to a person accused of abuse, either on the record or in writing. As such, the committee proposes to include space on order form DV-140 for the judicial officer to indicate whether it is providing the information orally on the record, or on the form itself.¹¹ The committee also recommends adding a similar item under the custody section for the judge if sole or joint custody is granted to the restrained person.¹²

Alternatives considered

New forms and changes to the existing forms are necessary to conform to newly enacted laws. The committee did not consider taking no action as this would result in inaccurate and incomplete forms.

One change contemplated by the committee was to combine existing form DV-105, *Request for Child Custody and Visitation Orders*, and form DV-108, *Request for Order: No Travel With Children*, into one form. The committee believed that combining these two forms would give SRLs better access to the additional remedies to prevent child abduction (e.g., posting a bond, notifying consulate) combined on this form. As stated above, the proposed form DV-105 circulated for comment was user-tested. Results showed that combining the additional child abduction orders was confusing to users. For example, one user noted that the “no travel with children” order seemed sufficient to prevent against child abduction and could not understand why the other orders to prevent child abduction would be needed. Users also spent about 30 minutes to complete the one form. Based on user-testing results, the committee no longer recommends combining these two forms. The committee does recommend some minor changes to forms DV-108 and DV-145 to make the forms clearer and easier to understand, including retitling form DV-108 to *Request for Orders to Prevent Child Abduction* and retitling form DV-145 to *Order to Prevent Child Abduction*. These new titles better describe the orders contained on these two forms.

To implement the new requirement to notify a prosecuting agency of non-compliance with firearms and ammunition restrictions, the committee considered including on the order forms that the court has up to two days to provide notice.¹³ The committee rejected this and recommends the alternative of a simpler order which states that the court will immediately notify the prosecuting agency of the non-compliance. While courts still have up to two days to provide notice under Family Code section 6389(c)(4), the committee believes that the language proposed

¹¹ See form DV-140, item 10a.

¹² See form DV-140, item 6c.

¹³ Family Code section 6389(c)(4).

is easier to understand and effectively communicates to the restrained person that notification will happen quickly.

Fiscal and Operational Impacts

Commenting courts noted anticipated costs for implementing new and newly revised forms, including staff and judicial officer training, changes to docket codes in case management systems, and updates to paper forms packets, online forms, and tools. Two courts and the Joint Rules Subcommittee indicated that three months for implementation would not be sufficient. One court responded that three months would be sufficient, provided that the final forms are available three months before January 1, 2023. Given the importance and safety issues associated with the new laws, specifically Senate Bill 320, the committee does not recommend delaying implementation of this proposal.

Attachments and Links

1. Cal. Rules of Court, rule 5.495, at pages 13–16
2. Forms DV-100, DV-105, DV-105(A), DV-108, DV-109, DV-110, DV-116, DV-120, DV-120-INFO, DV-125, DV-130, DV-140, DV-145, DV-150, DV-200, DV-500-INFO, DV-505-INFO, DV-520-INFO, DV-530-INFO, DV-800/JV-270, DV-800-INFO/JV-270-INFO, DV-820, DV-830, DV-840/FL-840, EPO-001, at pages 17–107
3. Chart of comments, at pages 108–171
4. Link A: Senate Bill 320,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB320
5. Link B: Assembly Bill 1621,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1621
6. Link C: Senate Bill 374,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB374
7. Link D: Senate Bill 24,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB24
8. Link E: Senate Bill 538,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB538
9. Link F: Assembly Bill 277,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB277

Rule 5.495 of the California Rules of Court will be repealed, effective January 1, 2023, to read:

Chapter 4. Protective Orders [Repealed]

Rule 5.495. Firearm relinquishment procedures [Repealed]

(a) — Application of rule

~~This rule applies when a family or juvenile law domestic violence protective order as defined in Family Code section 6218 or Welfare and Institutions Code section 213.5 is issued or in effect.~~

(b) — Purpose

~~This rule addresses situations in which information is presented to the court about firearms and provides the court with options for appropriately addressing the issue. This rule is intended to:~~

- ~~(1) — Assist courts issuing domestic violence protective orders in determining whether a restrained person has a firearm in or subject to his or her immediate possession or control.~~
- ~~(2) — Assist courts that have issued domestic violence protective orders in determining whether a restrained person has complied with the court's order to relinquish, store, or sell the firearm under Family Code section 6389(c).~~

(c) — Firearm determination

~~When relevant information is presented to the court at any noticed hearing that a restrained person has a firearm, the court must consider that information to determine, by a preponderance of the evidence, whether the person subject to a protective order as defined in Family Code section 6218 or Welfare and Institutions Code section 213.5 has a firearm in or subject to his or her immediate possession or control in violation of Family Code section 6389.~~

(d) — Determination procedures

- ~~(1) — In making a determination under this rule, the court may consider whether the restrained person filed a firearm relinquishment, storage, or sales receipt or if an exemption from the firearm prohibition was granted under Family Code section 6389(h).~~
- ~~(2) — The court may make the determination at any noticed hearing when a domestic violence protective order is issued, at a subsequent review hearing,~~

1 or at any subsequent family or juvenile law hearing while the order remains
2 in effect.

- 3
4 (3) — If the court makes a determination that the restrained person has a firearm in
5 violation of Family Code section 6389, the court must make a written record
6 of the determination and provide a copy to any party who is present at the
7 hearing and, upon request, to any party not present at the hearing.

8
9 **(e) — Subsequent review hearing**

- 10
11 (1) — When presented with information under (c), the court may set a review
12 hearing to determine whether a violation of Family Code section 6389 has
13 taken place.
14
15 (2) — The review hearing must be held within 10 court days after the noticed
16 hearing at which the information was presented. If the restrained person is not
17 present when the court sets the review hearing, the protected person must
18 provide notice of the review hearing to the restrained person at least 2 court
19 days before the review hearing, in accordance with Code of Civil Procedure
20 414.10, by personal service or by mail to the restrained person's last known
21 address.
22
23 (3) — The court may for good cause extend the date of the review hearing for a
24 reasonable period or remove it from the calendar.
25
26 (4) — The court must order the restrained person to appear at the review hearing.
27
28 (5) — The court may conduct the review hearing in the absence of the protected
29 person.
30
31 (6) — Nothing in this rule prohibits the court from permitting a party to appear by
32 telephone under California Rules of Court, rule 5.9.

33
34 **(f) — Child custody and visitation**

- 35
36 (1) — If the court determines that the restrained person has a firearm in violation of
37 Family Code section 6389, the court must consider that determination when
38 deciding whether the restrained person has overcome the presumption in
39 Family Code section 3044.
40
41 (2) — An order for custody or visitation issued at any time during a family law
42 matter must be made in a manner that ensures the health, safety, and welfare
43 of the child and the safety of all family members, as specified in Family Code

1 section 3020. The court must consider whether the best interest of the child,
2 based on the circumstances of the case, requires that any visitation or custody
3 arrangement be limited to situations in which a third person, specified by the
4 court, is present, or that visitation or custody be suspended or denied, as
5 specified in Family Code section 6323(d).
6

7 (3) ~~An order for visitation issued at any time during a juvenile court matter must~~
8 ~~not jeopardize the safety of the child, as specified in Welfare and Institutions~~
9 ~~Code section 362.1.~~

10
11 **~~(g) Other orders~~**

12
13 (1) ~~The court may consider a determination that the restrained person has a~~
14 ~~firearm in violation of Family Code section 6389 in issuing:~~

15
16 (A) ~~An order to show cause for contempt under section 1209(a)(5) of the~~
17 ~~Code of Civil Procedure for failure to comply with the court's order to~~
18 ~~surrender or sell a firearm; or~~

19
20 (B) ~~An order for money sanctions under section 177.5 of the Code of Civil~~
21 ~~Procedure.~~

22
23 (2) ~~This rule should not be construed to limit the court's power to issue orders it~~
24 ~~is otherwise authorized or required to issue.~~

25
26 **Advisory Committee Comment**

27
28 When issuing a family or juvenile law domestic violence protective order as defined in Family
29 Code section 6218 or Welfare and Institutions Code section 213.5, ex parte or after a noticed
30 hearing, the court is required to order a restrained person "to relinquish any firearm in [that
31 person's] immediate possession or control or subject to [that person's] immediate possession or
32 control." (Fam. Code, § 6389(c)(1).) Several mandatory Judicial Council forms—*Temporary*
33 *Restraining Order* (form DV 110), *Restraining Order After Hearing* (form DV 130), and *Notice*
34 *of Hearing and Temporary Restraining Order—Juvenile* (form JV 250)—include mandatory
35 orders in bold type that the restrained person must sell to or store with a licensed gun dealer or
36 turn in to a law enforcement agency any guns or other firearms within his or her immediate
37 possession or control within 24 hours after service of the order and must file a receipt with the
38 court showing compliance with the order within 48 hours of receiving the order. California law
39 requires personal service of the request for and any temporary protective order at least five days
40 before the hearing, unless the court issues an order shortening time for service. Therefore, by the
41 date of the hearing, the restrained person should have relinquished, stored, or sold his or her
42 firearms and submitted a receipt to the court.
43

1 ~~Courts are encouraged to develop local procedures to calendar firearm relinquishment review~~
2 ~~hearings for restrained persons.~~

3
4 ~~Section (f) of this rule restates existing law on the safety and welfare of children and family~~
5 ~~members and recognizes the safety issues associated with the presence of prohibited firearms.~~

6
7 ~~Although this rule does not require the court to compel a restrained person to testify, the court~~
8 ~~may wish to advise a party of his or her privilege against self incrimination under the Fifth~~
9 ~~Amendment to the United States Constitution. The court may also consider whether to grant use~~
10 ~~immunity under Family Code section 6389(d).~~

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.

DRAFT-
Not approved by
the Judicial Council

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):
- | | |
|---|--|
| ☐ Parent, stepparent, or parent-in-law | ☐ Brother, sister, sibling, step-sibling, or sibling in-law |
| ☐ Child, stepchild, or legally adopted child | ☐ Grandparent, step-grandparent, or grandparent-in-law |
| ☐ Child's spouse | ☐ 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.)
- ☐ Custody _____
- ☐ Divorce _____
- ☐ Juvenile (child welfare or juvenile justice): _____
- ☐ Guardianship _____
- ☐ Criminal _____
- ☐ Other (what kind of case?): _____

This is not a Court Order.



Describe Abuse

In this section, explain how the person in ② has been abusive. The judge will use this information to decide your request. 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*):

(1) <u>Full name</u>	<u>Age</u>	<u>Relationship to you</u>	<u>Lives with you?</u>
_____	_____	_____	☐ Yes ☐ No
_____	_____	_____	☐ Yes ☐ No
_____	_____	_____	☐ Yes ☐ No
_____	_____	_____	☐ Yes ☐ 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, frame, or unfinished receiver or unfinished 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.*)

	Describe firearms (guns), firearm parts, or ammunition	How many or what amount?	Location, if known
(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)

- | | | |
|---|--|---|
| ☐ Me. | ☐ My vehicle. | ☐ My children's school or childcare. |
| ☐ My home. | ☐ My school. | ☐ Other (please explain): _____ |
| ☐ My job or workplace. | ☐ Each person in (8). | |

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

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

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

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

(Check all that apply)

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

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

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

(26) ☐ Lawyer's Fees and Costs

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

(27) ☐ Batterer Intervention Program

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

(28) ☐ Transfer of Wireless Phone Account

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

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

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

This is not a Court Order.



Automatic Orders 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 pick up.**3** Once you get your forms back from the court, have someone "serve" a copy of all forms on the person in (2). The sheriff or marshal can do this for free. Learn more about how to "serve" your papers and prepare for your court date: <https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order>.**4** If you are asking for child support, spousal support, or lawyer's fees, you must also complete [form FL-150](#), Income and Expense Declaration. If you are only asking for child support, 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.**

DV-105

**Request for Child Custody and
Visitation Orders**

Case Number: _____

This form is attached to form DV-100. (Use this form to request orders for children you have with the person in ②.)

① Your Information

Name: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

② Person You Want Protection From

Name: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

③ Children Under 18 Years Old (list from oldest to youngest)

a. Name: _____ Date of birth: _____

b. Name: _____ Date of birth: _____

c. Name: _____ Date of birth: _____

d. Name: _____ Date of birth: _____

☐ (Check here if you need more space. Write "DV-105, Children" at the top and attach it to this form.)

④ City and State Where Children Lived

a. Have all the children listed in ③ lived together for the last five years?

☐ Yes (Complete section 4b.)

☐ No (If no, do not complete the section below. Instead, use form DV-105(A)).

b. List where the child or children have lived for the last five years. Start with their current location.

Children lived with (check all that apply):

Dates (month/year)

City, State, and Tribal Land

Me

Person in ②

Other*

From: _____ To present

☐

☐

☐

☐ Check here if you want to keep your
current location private. List the state only.

From: _____ Until: _____

☐

☐

☐

From: _____ Until: _____

☐

☐

☐

From: _____ Until: _____

☐

☐

☐

From: _____ Until: _____

☐

☐

☐

From: _____ Until: _____

☐

☐

☐

From: _____ Until: _____

☐

☐

☐

Other* (relationship to child): _____

This is not a Court Order.



5 History of Court Cases Involving Your Children

a. Do you know about any other case involving any child listed in ③?

☐ No☐ Yes *(If yes, complete section below.)*

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

☐ Custody _____☐ Divorce _____☐ Juvenile Court *(child welfare, juvenile justice)* _____☐ Guardianship _____☐ Criminal _____☐ Other *(example: child support case)* _____

b. Is there a current order for custody or visitation in effect?

☐ No☐ Yes *(Complete the section below.)*What did the judge order? *(Examples: who has custody of the children and what is the visitation schedule)*

(Attach a copy of the order, if you have one.)

Why do you want to change the order?

c. If there is another parent or legal guardian besides you and the person in ②, complete the section below.

Name: _____ ☐ Parent ☐ Legal Guardian**This is not a Court Order.**

Orders a Judge Can Make to Protect Your Children

To ask for orders to protect your children, answer the questions below.

6 Do you want to limit where the person in 2 can travel with your children?

- ☐ No
- ☐ Yes *(Complete the section below):*

I ask the judge to order that the person in 2 must have written permission from me, or a court order, to take the children outside:

- ☐ The county of *(list)*: _____
- ☐ California
- ☐ Other places *(list)*: _____

7 Do you want the person in 2 to have access to the children's records or information?

- ☐ Yes
- ☐ No *(Complete the section below):*

a. I ask the judge to order that the person in 2 **not** access or have access to the records or information for:

- ☐ All the children listed in 3.
- ☐ Only the children listed here *(names)*: _____

b. For the following records or information *(check all that apply)*:

- ☐ Medical, dental, and mental health
- ☐ School and daycare
- ☐ Extracurricular activity, including summer camps and sports teams
- ☐ Other *(describe)*: _____

(If the judge makes this order, providers will not be able to release the protected information to the person in 2.)

8 Do you believe the person in 2 might abduct (kidnap) your children?

- ☐ No
- ☐ Yes (To ask for orders to help prevent abduction, you must complete [form DV-108](#), *Request for Orders to Prevent Child Abduction*, and attach it to this form.)

This is not a Court Order.



Child Custody

You can ask a judge to make custody orders for your children. There are two types of custody in California: legal and physical custody.

- **Legal custody** means the person that makes decisions about the child's health, education, and welfare.
- **Physical custody** means the person that the child regularly lives with.

For both types of custody, parents can share custody (joint) or one parent can have full custody (sole).

9 Do you want the judge to make child custody orders?

☐ No

☐ Yes (Complete the section):

Legal Custody (check one):

- ☐ Sole to me
- ☐ Sole to person in ②
- ☐ Jointly (shared) by me and person in ②.
- ☐ Other (describe):

Physical Custody (check one):

- ☐ Sole to me
- ☐ Sole to person in ②
- ☐ Jointly (shared) by me and person in ②.
- ☐ Other (describe):

Visitation (Parenting Time) with Children

You can ask a judge to make decisions about when your child spends time with the person in ②. This is called parenting time or visitation. It means the schedule and exact times each parent spends with the child. If a parent does not get custody, that parent can have parenting time with the child if a judge believes it is safe and in the child's best interest. Answer the questions below to tell the judge what parenting time you want right now for person in ②. Any orders the judge makes are temporary for now. They last until the court date (about three weeks away). On your court date, the judge can change or extend the orders.

10 Do you want the person in ② to have visits (parenting time) with the children?

- ☐ No, I ask the judge to order that person in ② have no visits. (Stop here. You have finished completing this form.)
- ☐ Yes (Go to ⑪.)

11 Do you want visits with the children to be supervised (monitored) by a third-party?

(To learn about supervised visitations, go to: <https://selfhelp.courts.ca.gov/guide-supervised-visitation>.)

- ☐ Yes (Go to ⑫.)
- ☐ No (Go to ⑬.)

12 Details of Supervised (Monitored) Visits

(Complete a and b):

a. Who do you want to supervise the visits?

(Check one):

☐ Nonprofessional, like a trusted relative or friend (list name, if known): _____☐ Professional (list name, if known): _____Professional fees paid by: Me _____ % Person in **2** _____ % Other: _____ %

b. How often and how long should the visits be?:

(Check one):

☐ Once a week, for (number of hours): _____☐ Twice a week, for (number of hours): _____ each visit.☐ Other (describe): _____☐ Check here if you want to use the chart listed below for a schedule. _____**Schedule for Supervised Visits**(List the days and times the **person in 2** should visit with the children.)

	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start: End, if applies:		
Tuesday	Start: End, if applies:		
Wednesday	Start: End, if applies:		
Thursday	Start: End, if applies:		
Friday	Start: End, if applies:		
Saturday	Start: End, if applies:		
Sunday	Start: End, if applies:		

Follow the schedule listed above (check one):☐ Every week ☐ Every other week ☐ Other _____**Start date for visits (month, day, year)** _____**!** If you completed **12**, you are done completing this form. Do not complete **13**.)

13 Details of Unsupervised Visits*(Complete a and b):*

- a. If the judge allows the person in ② to have unsupervised visits with your children, you will have to tell the judge how you want to handle drop-off and pick-up of the children, also called child exchanges.

Do you want child exchanges to be supervised by a third-party?

☐ No

☐ Yes *(Complete the section below):*

Who do you want to supervise the exchanges? *(Check one):*

☐ Nonprofessional, like a trusted relative or friend *(list name, if known):* _____

☐ Professional *(list name, if known):* _____

Professional fees paid by: Me _____ % Person in ② _____ % Other: _____ %

- b. Describe the parenting time you want the person in ② to have with the children.

(Use the lines or chart below to explain what days and times the person in ② should visit with the children. Give details including when visits will happen, how often the visits should be, and who will be responsible for transporting the children.)

Schedule for Unsupervised Visits

	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start: End, if applies:		
Tuesday	Start: End, if applies:		
Wednesday	Start: End, if applies:		
Thursday	Start: End, if applies:		
Friday	Start: End, if applies:		
Saturday	Start: End, if applies:		
Sunday	Start: End, if applies:		

Follow the schedule listed above *(check one):*

☐ Every week ☐ Every other week ☐ Other _____

Start date for visits *(month, day, year)* _____

DV-105(A) City and State Where Children Lived

Case Number: _____

This form is attached to (check one):

- ☐ DV-105 (For person in ①: Use this form if you have children that have not lived together for the last five years.)
- ☐ DV-125 (For person in ②: Use this form to list where your children have lived for the last five years.)

(Use the space below to list where the child or children have lived for the last five years. Start with their current location.)

Name of child or children: _____

Children lived with (check all that apply):

<u>Dates (month/year)</u>	<u>City, State, and Tribal Land</u>	<u>Me</u>	<u>Person in ②</u>	<u>Other*</u>
From: _____ To present	_____	☐	☐	☐
☐ Check here if you want to keep your current location private. List the state only.				
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
Other* (relationship to child): _____				

(Use the space below to list another child or children who have not lived with the child or children listed above. List where they have lived for the last five years. Start with their current location.)

Name of child or children: _____

Children lived with (check all that apply):

<u>Dates (month/year)</u>	<u>City, State, and Tribal Land</u>	<u>Me</u>	<u>Person in ②</u>	<u>Other*</u>
From: _____ To present	_____	☐	☐	☐
☐ Check here if you want to keep your current location private. List the state only.				
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
Other* (relationship to child): _____				

- ☐ Check here to list other children with a different residence history than the children you've already listed. Use another form DV-105(A) and attach it to this form.

This is not a Court Order.

DV-108**Request for Orders to Prevent
Child Abduction****Case Number:**This form is attached to DV-105, *Request for Child Custody and Visitation Orders*.(Use this form to ask for protection if you believe that the person in **(2)** might take the children without your permission and hide them from you.)**1 Your Name:** _____**2 Name of Person You Want Protection From:** _____**3 Reasons I Am Afraid of Child Abduction**(In this section, explain to the judge why you believe there is a risk that the person in **(2)** will take your children without your permission and hide them from you. The judge will use the information below to decide whether to grant any orders you request on page 2.)**The person in (2) (check all that apply):**

- a. ☐ Has violated or threatened to violate a custody or visitation order.
- b. ☐ Does not have strong ties to California.
- c. ☐ Has done things recently that make it easy to take our children, like *(check all that apply)*:
- | | |
|---|--|
| ☐ Quit a job | ☐ Applied for a passport, birth certificate, or school or medical records |
| ☐ Closed a bank account | ☐ Hidden or destroyed documents |
| ☐ Sold or gotten rid of property | ☐ Other <i>(explain)</i> : _____ |
| ☐ Sold a home or ended a lease | |
- d. ☐ Has a history of:
- | | |
|---|--|
| ☐ Abusing me | ☐ Taking away or hiding our children from me |
| ☐ Child abuse | ☐ Threatening to take away or hide our children from me |
| ☐ Abusing other partners | ☐ Not cooperating with me in parenting |
- e. ☐ Has a criminal record
- f. ☐ Has strong ties in:
- | |
|--|
| ☐ Another county in California <i>(list county)</i> : _____ |
| ☐ Another state <i>(list state)</i> : _____ |
| ☐ Another country <i>(list country)</i> : _____ |
- g. ☐ Is a citizen of another country *(list country or countries)*: _____
- Does the person in **(2)** have strong family, cultural, or emotional ties to that country? ☐ Yes ☐ No

Give examples or reasons for your answers above:

The statements made above are made under penalty of perjury as declared on the request form (DV-100, **(32)).****This is not a Court Order.**

Orders a Judge Can Make to Prevent Abduction

In this section, you can ask for orders to prevent the person in ② from abducting (kidnapping) your children.

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

4 ☐ **Do Not Move With Children Without Permission**

I ask the judge to order that the person in ② not move with our children without my written permission or the judge's permission.

5 ☐ **Turn In and Do Not Apply for Passports or Other Important Documents**

I ask the judge to order the person in ② to not apply for passports or other documents that can be used for travel, like visas and birth certificates, and to turn in the following documents: _____

by (date): _____ to (name of person to give documents to): _____

6 ☐ **Provide Travel Plan and Documents**

If the person in ② is allowed to travel with our children, the person in ② should be ordered to give me:

(Check all that apply.)

- ☐ Children's travel schedule
- ☐ Copies of round-trip airline tickets
- ☐ Addresses and telephone numbers where the children can be reached
- ☐ An open airline ticket for me in case the children are not returned.
- ☐ Other (describe): _____

7 ☐ **Notify Other State of Travel Restrictions**

I ask the judge to order the person in ② to register this order with

(list county and state): _____ before the children can travel to that state for visits.

8 ☐ **Notify Foreign Embassy or Consulate of Passport Restrictions**

I ask the judge to order the person in ② to notify (name of embassy or consulate): _____ of this order and to file proof of the notification with the court by (date): _____

9 ☐ **Foreign Custody and Visitation Order**

I ask the judge to order the person in ② to get a custody and visitation order equal to the most recent U.S. order before the child can travel to (list country): _____ for visits.

(Note that foreign orders may be changed or enforced depending on the laws of the country.)

10 ☐ **Post a Bond**

I ask the judge to order the person in ② to post a bond for \$ _____.

If the person in ② takes the children without my permission, I can use this money to bring the children back.

This is not a Court Order.

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

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: _____

The court will fill out the rest of this form.

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 Notice of Hearing

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



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.

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 below in b.)

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-250, *Proof of Service by Mail* (blank form)
- f. ☐ 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**
- g. ☐ Other (specify): _____

Judge's Signature

Date: _____

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

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



To the Person in ①:

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

To the Person in ②:

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

**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—

Clerk's Certificate
[seal]

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

Date: _____ Clerk, by _____, Deputy

☐ Original Order ☐ Amended Order

Clerk stamps date here when form is filed.

Draft-Not approved by
the Judicial Council

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

① Protected Person (name): _____

② Restrained Person

*Full Name: _____

*Gender: ☐ M ☐ F ☐ Nonbinary

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

Date of Birth: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

*Race: _____

Relationship to person in **①**: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

Type, number, and location of firearms, firearm parts, or ammunition:

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

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____

③ ☐ Other Protected People

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

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 items ⑤ through ②①. 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 (receiver, frame, or unfinished receiver or frame as defined in 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)

☐ (date):

(2)

☐ (date):

(3)

☐ (date):

(4)

☐ (date):**b. Ammunition**

Description

Amount, if
known

Location, if known

Proof of compliance
received by the court

(1)

☐ (date):

(2)

☐ (date):

(3)

☐ (date):

(4)

☐ (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):
- | | |
|---|---|
| ☐ Person in ①. | ☐ School of person in ①. |
| ☐ Home of person in ①. | ☐ Persons in ③. |
| ☐ Job or workplace of person in ①. | ☐ Children's school or child care. |
| ☐ Vehicle of person in ①. | ☐ Other (explain): _____ |
- b. ☐ Exception to 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 Expensed 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.

Bring a copy of all the papers that you need to be served to the sheriff or marshal.

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 items 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.

Order on Request to Continue Court Hearing

Clerk stamps date here when form is filed.

**Draft- Not approved by
Judicial Council**

(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. ☐ The request to reschedule the court date is **denied**.

Your court date is: _____

(1) Any *Temporary Restraining Order* (form DV-110) already granted stays in full force and effect until the next court date.

(2) Your court date is not rescheduled because: _____

b. ☐ The request to reschedule the court date is **granted**. The new court date is listed below. See ④–⑨ for more information.

**New
Court
Date**

→ 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:

④ Option to Attend Court Hearing By Phone or Videoconference

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.

⑤ Temporary Restraining Order

a. ☐ There is no Temporary Restraining Order (TRO) in this case until the next court date because:

(1) ☐ A TRO was not previously granted by the court.

(2) ☐ The court terminates (cancels) the previously granted TRO because: _____

b. ☐ A Temporary Restraining Order (TRO) is in full force and effect because:

(1) ☐ The court extends the TRO previously granted on (date): _____

It now expires on (date): _____ (If no expiration date is listed, the TRO expires at the end of the court date listed in ③b).

(2) ☐ The court changes the TRO previously granted and signs a new TRO (form DV-110).

c. ☐ Other (specify): _____

Warning and Notice to the Restrained Party:

If ⑤b is checked, a domestic violence restraining order has been issued against you. You must follow the orders until they expire.

This is a Court Order.



6 Reason Court Date Is Rescheduleda. ☐ There is good cause to reschedule the court date (*check one*):(1) ☐ The protected party has not served the restrained party.(2) ☐ Other (*explain*):

_____b. ☐ This is the first time that the restrained party has asked for more time to prepare.c. ☐ The court reschedules the court date on its own motion.**7 Serving (Giving) Order to Other Party**

The request to reschedule was made by the:

a. ☐ **Protected party**(1) ☐ You do not have to serve the restrained party because they or their lawyer were at the court date or agreed to reschedule the court date.(2) ☐ You must have the restrained party personally served with a copy of this order and a copy of all documents listed on form [DV-109](#), item **6**, 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*): _____.(4) ☐ The court gives you permission to serve the restrained party as listed on the attached form DV-117.(5) ☐ Other:

_____b. ☐ **Restrained party**(1) ☐ You do not have to serve the protected party because they or their lawyer were at the court date or agreed to reschedule the court date.(2) ☐ You must have the protected party personally served with a copy of this order 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*): _____.(4) ☐ Other:

_____c. ☐ **Court**(1) ☐ Further notice is not required.(2) ☐ The court will mail a copy of this order to all parties by (*date*): _____.(3) ☐ Other:

_____**This is a Court Order.**

8 No Fee to Serve

The sheriff or marshal will serve this order for **free**.

Bring a copy of all the papers that need to be served to the sheriff or marshal.

9 ☐ Other Orders

10 ☐ 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-110 ☐ 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 to Clerk

If the hearing is rescheduled and the court extended, modified, or terminated a temporary restraining order, then 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 on Request to Continue Court Hearing (Temporary Restraining Order) (CLETS-TRO)* (form DV-116) is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by: _____, Deputy

This is a Court Order.

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

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:**! 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: _____

Fill in case number:

Case Number:**! Your contact information (optional)**

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

Email Address: _____ Telephone: _____ Fax: _____

Your lawyer's information (if you have one)

Name: _____ State Bar No.: _____

Firm Name: _____

3 Your Hearing Date (Court Date)

Your hearing date is listed on form 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 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 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 ⑧ on form DV-100 to see if the person in ① is asking for other people to be protected by the restraining order.

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

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

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

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

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

This is not a Court Order.

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

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

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

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

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

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

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

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

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

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

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

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

13 ☐ **Child Custody and Visitation** (see 15 on form DV-100 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 16 on form DV-100)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

This is not a Court Order.



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

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

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

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

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

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

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

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

(23) ☐ Lawyer's Fees and Costs (see (26) on form DV-100)

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

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

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

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

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

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

This is not a Court Order.

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

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

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

26 **Firearms (Guns), Firearm Parts, or Ammunition** (see 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 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: \$ _____
For: _____	Because: _____	Amount: \$ _____
For: _____	Because: _____	Amount: \$ _____

30 **Additional Pages**

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

31 **Your signature**

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

Date: _____

Type or print your name

Sign your name

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

Date: _____

Lawyer's name

Lawyer's signature

Your Next Steps

- If the person in **1** asked for child support, spousal support, or anyone is asking for lawyer's fees, you must complete [form FL-150, Income and Expense Declaration](#). If the person in **1** is only asking for child support (item 24 on form DV-100), you may be eligible to fill out a simpler form, [form FL-155](#). Read [form DV-570](#) to see if you are eligible to fill out form FL-155. Before your court date, you must file form FL-150 or FL-155 with the court. Then you must have a server mail a copy to the person in **1** and have your server complete [form DV-250, Proof of Service by Mail](#). After form DV-250 is completed, file it with the court.
- Prepare for your court date by gathering evidence or witnesses, if you have any. Learn more at: <https://selfhelp.courts.ca.gov/respond-domestic-violence-restraining-order>. More information is also available on [form DV-120-INFO, How Can I Respond to a Request for Domestic Violence Restraining Order?](#)

This is not a Court Order.

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** include any receiver, frame, or unfinished receiver/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.)



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.courts.ca.gov/selfhelp. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case, 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.courts.ca.gov/selfhelp.

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>

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

Case Number: _____

This form is attached to form DV-120.

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

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

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

② Your Information

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

③ Children (see ③ on form DV-105)

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

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

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

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

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

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

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

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

This is not a Court Order.

6 ☐ **No Travel With Children Without Permission** (see **6** on form DV-105)a. ☐ I agree to the order requested.b. ☐ I do not agree to the order requested because: _____c. ☐ I would agree to a different order (*describe the order you would agree to*): _____**7** ☐ **Stop Access to Children's School, Health, and Other Information** (see **7** on form DV-105)a. ☐ I agree to the order requested.b. ☐ I do not agree to the order requested because: _____c. ☐ I would agree to a different order (*describe the order you would agree to*): _____**8** ☐ **Request for Orders to Prevent Child Abduction** (see **4**–**10** on form DV-108)a. ☐ I agree to the order requested.b. ☐ I do not agree to the order requested because: _____c. ☐ I would agree to a different order (*describe the order you would agree to*): _____**9** ☐ **Custody of Children** (see **9** on form DV-105)a. ☐ I agree to the order requested.b. ☐ I do not agree to the order requested because: _____c. ☐ I would agree to a different order:Legal Custody (*The person that makes decisions about the child's health, education, and welfare.*)
(*check one*):☐ Sole to me☐ Sole to person in **1**☐ Jointly (shared) by persons in **1** and me.☐ Other (*describe*): _____Physical Custody (*The person that the child regularly lives with.*)
(*check one*):☐ Sole to me☐ Sole to person in **1**☐ Jointly (shared) by persons in **1** and me.☐ Other (*describe*): _____**This is not a Court Order.**

10 ☐ **Your Visitation (Parenting Time) with Children** (see pages 3–5 on form DV-105)a. ☐ I agree to the order requested.b. ☐ I do not agree to the order requested because: _____c. ☐ I would agree to a different order: _____

(Use the lines or chart below to describe the parenting time you want. Give as much detail as you can.)

	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start: End, if applies:		
Tuesday	Start: End, if applies:		
Wednesday	Start: End, if applies:		
Thursday	Start: End, if applies:		
Friday	Start: End, if applies:		
Saturday	Start: End, if applies:		
Sunday	Start: End, if applies:		

Follow the schedule listed above (check one):
☐ Every week ☐ Every other week ☐ Other _____

Start date for visits (month, day, year) _____

11 The statements made on this form are made under penalty of perjury as declared on form DV-120.**This is not a Court Order.**

**Restraining Order After Hearing
(Order of Protection)**

Clerk stamps date here when form is filed.

**Draft- Not approved by
Judicial Council**

☐ Original Order ☐ Amended Order

1 Protected Person (name): _____

2 Restrained Person

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

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 items **11** through **14**.

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 item **5**a.
- If no time is written, the restraining order ends at midnight on the expiration date.

This order must be enforced throughout the United States. See page 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 ②⑨. 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 (receiver, frame, or unfinished receiver or frame as defined in 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.

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) _____	_____	☐ (date): _____
(2) _____	_____	☐ (date): _____
(3) _____	_____	☐ (date): _____
(4) _____	_____	☐ (date): _____

b. Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	☐ (date): _____
(2) _____	_____	_____	☐ (date): _____
(3) _____	_____	_____	☐ (date): _____
(4) _____	_____	_____	☐ (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.☐ School of person in ①.☐ Home of person in ①.☐ Persons in ③.☐ Job or workplace of person in ①.☐ Children's school or child care.☐ Vehicle of person in ①.☐ Other (*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 (*or other way to ID animal*) Type of animal Breed (*if known*) 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 were at the hearing 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 were at the hearing or agreed in writing to this order. No other proof of service is needed.
- (2) ☐ The person ☐ in ① ☐ in ② was not at 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.

Take a copy of all the papers that you need to be served to the sheriff or marshal.

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 item **(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 was at the restraining order hearing 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 items (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, elderabuse, 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.

DV-140

Child Custody and Visitation Order

Case Number: _____

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

1 Name of Protected Person: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

2 Name of Restrained Person: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

3 ☐ Children Under 18 Years Old

a. Name: _____	Date of birth: _____
b. Name: _____	Date of birth: _____
c. Name: _____	Date of birth: _____
d. Name: _____	Date of birth: _____

☐ (Check here if you have more children to list. On a separate piece of paper write "DV-105, Children" at the top and attach it to this form.)

4 ☐ No Travel With Children Without Permission

☐ Person in ① ☐ Person in ② ☐ Other (name): _____

must have written permission from the other parent, or a court order, to take the children outside of:

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

5 ☐ Stop Access to Children's School, Health, and Other Information

a. The person in ② must not access or have access to the records or information for:

- ☐ All the children listed in ③.
- ☐ Only the children listed here (names): _____

b. From the following (check all that apply):

- ☐ Medical, dental, and mental health providers
- ☐ School and daycare providers
- ☐ Extracurricular activity providers, including summer camps and sports teams
- ☐ Child's employers (including volunteer and unpaid positions)
- ☐ Other (describe): _____

! If you are a provider listed above, you must not release information or records regarding the children listed in ⑤a to the person in ②.

This is a Court Order.



6 ☐ **Judge's Decision on Request for Orders to Prevent Child Abduction** *(attach form DV-145)***7** ☐ **Child Custody**a. Legal Custody *(The person that makes decisions about the child's health, education, and welfare.)*☐ Sole to Person in **1**☐ Jointly (shared) by persons in **1** and **2**.☐ Sole to Person in **2**☐ Other (name): _____b. Physical Custody *(The person that the child regularly lives with.)*☐ Sole to Person in **1**☐ Jointly (shared) by persons in **1** and **2**.☐ Sole to Person in **2**☐ Other (name): _____c. If the judge granted sole or joint custody to the person in **2**, the judge must explain why.*(For judge to complete. Check all that apply):*☐ Judge's reasons given at the hearing *(See minute order or ask for the transcript.)*☐ Judge's reasons listed here: _____

8 ☐ **Person in 2 must have no visitation with children until further order of the court.***(If this form is attached to form DV-110, Temporary Restraining Order, this means that the judge has stopped your right to visit with your children temporarily. If you do not agree with this order, attend your court hearing.)***9** ☐ **Supervised (Monitored) Visitation with Children**a. Person to be supervised: ☐ Person in **1** ☐ Person in **2** by:☐ Nonprofessional *(name and relationship to child, if known):* _____☐ Professional *(name, if known):* _____(1) Fees paid by: Person in **1** _____ % Person in **2** _____ % Other: _____ %(2) Person in **1** contact provider by (date): _____Person in **2** contact provider by (date): _____

b. Provider's contact information, if known

Address: _____ Telephone: _____

c. Schedule of supervised visits

(1) ☐ Once a week, for (number of hours): _____(2) ☐ Twice a week, for (number of hours): _____ each visit.(3) ☐ Follow the Visitation Schedule listed in **12**.(4) ☐ Other schedule (describe): _____**This is a Court Order.**

10 ☐ **Supervised (Monitored) Child Exchanges** (Use item 11 to describe visitation schedule.)a. Person to be supervised: ☐ Person in 1 ☐ Person in 2 by:☐ Nonprofessional (name and relationship to child): _____

Safe location for exchanges: _____

(For more information on safe locations, go to <https://selfhelp.courts.ca.gov/guide-supervised-visitation>.)☐ Professional (list name, if known): _____

(1) Fees paid by: Person in 1 _____ % Person in 2 _____ % Other: _____ %

(2) Person in 1 contact provider by (date): _____

Person in 2 contact provider by (date): _____

(3) Location of exchanges to be decided by provider.

b. Provider's contact information, if known:

Address: _____ Telephone: _____

11 ☐ **Visits With No Supervision (Unmonitored)**

a. If the judge granted unsupervised visits to the person in 2, the judge must explain why.

(For judge to complete. Check all that apply):

☐ Judge's reasons given at the hearing (See minute order or ask for the transcript.)☐ Judge's reasons listed here: __________

_____b. ☐ Person in 1 ☐ Person in 2 will visit with the children as follows:(1) ☐ Visitation schedule described below:_____

_____(2) ☐ Follow the Visitation Schedule listed in 12.**This is a Court Order.**

12 ☐ **Visitation Schedule for Person in 2**

	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start: End, if applies:		
Tuesday	Start: End, if applies:		
Wednesday	Start: End, if applies:		
Thursday	Start: End, if applies:		
Friday	Start: End, if applies:		
Saturday	Start: End, if applies:		
Sunday	Start: End, if applies:		

Follow the schedule listed above:

☐ Every week ☐ 1st and 3rd week of every month ☐ 2nd and 4th week of every month
☐ Other _____

Start date for visits (month, day, year) _____

13 ☐ **Other Orders**

(Describe additional orders or refer to an attachment (e.g., [FL-341\(C\)](#), Children's Holiday Schedule Attachment)):

14 **Country of Habitual Residence**

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

15 **Jurisdiction and Notice**

This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code starting with section 3400). The responding party was given notice consistent with the laws of the State of California.

16 **Penalties for Violating This Order**

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

This is a Court Order.

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

Draft-Not approved by Judicial Council

1 Name of Protected Person:

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

2 Name of Restrained Person:

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

3 Court's Decision

Based on the information given, the judge finds that:

a. ☐ **There is not a risk** that the person in (2) might take the children without proper permission. The judge has not granted any of the orders in (4)–(12).

b. ☐ **There is a risk** that the person in (2) might take the children without permission because person in (2):

(Check all that apply):

(1) ☐ Has violated or threatened to violate a custody or visitation order.

(2) ☐ Does not have strong ties to California.

(3) ☐ Has done things recently that make it easy to take the children (check all that apply):

☐ Quit a job

☐ Sold a home or ended a lease

☐ Closed a bank account

☐ Hidden or destroyed documents

☐ Sold or gotten rid of property

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

(4) ☐ Has a history of (check all that apply):

☐ Abusing person in (1)

☐ Taking the children without permission

☐ Abusing other partners

☐ Not cooperating with person (1) in parenting

☐ Child abuse

(5) ☐ Has a criminal record

(6) ☐ Has strong ties in:

☐ Another county in California (list county): _____

☐ Another state (list states): _____

☐ Another country (list country): _____

(7) ☐ Is a citizen of another country (list country): _____

(8) ☐ Other reasons: _____

The Orders are Granted as Follows:

4 ☐ Do Not Move Without Written Permission of the Other Parent or Court Order

The person in (2) must **not** move with the children outside

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

without written permission from the other parent or a court order.

This is a Court Order.

5 ☐ **Turn In and Do Not Apply for Passports or Other Important Documents**

Person in **(2)** must not apply for passports or other documents that can be used for travel, like visas and birth certificates, and must turn in the following documents:

by (date): _____ to (name): _____

6 ☐ **Provide Travel Plan and Documents**

Person in **(2)** must give the person in **(1)** the following before traveling with the children (check all that apply):

- ☐ Children's travel schedule
- ☐ Copies of round-trip airline tickets
- ☐ Addresses and telephone numbers where children can be reached
- ☐ An open airline ticket for the person in **(1)** in case the children are not returned
- ☐ Other (describe): _____

7 ☐ **Notify Other State of Travel Restrictions**

Person in **(2)** must register this order with (list county and state): _____ before the children can travel to that state for visits.

8 ☐ **Notify Foreign Embassy or Consulate of Passport Restrictions**

Person in **(2)** must notify (name of embassy or consulate): _____ of this order and provide the court with proof of the notice by (date): _____

9 ☐ **Foreign Custody and Visitation Order**

Person in **(2)** must get a custody and visitation order equal to the most recent U.S. order before the children can travel to (list country): _____ for visits.

The court recognizes that foreign orders may be changed or enforced depending on the laws of that country.

10 ☐ **Post a Bond**

The person in **(2)** must post a bond for \$ _____.

11 ☐ **Enforcing Order**

The court authorizes any law enforcement officer to enforce this order. In this county, contact the Child Abduction Unit of the Office of the District Attorney at: _____

12 ☐ **Other** (list other orders or jurisdictional factors): _____

Notice to Authorities in Other States and Countries: This court has jurisdiction to make child custody orders under California's Uniform Child Custody Jurisdiction and Enforcement Act (California Family Code, part 3, section 3400 et seq.) and The Hague Convention on the Civil Aspects of International Child Abduction (22 U.S.C. section 9001 et seq.). If jurisdiction is based on other factors, they will be listed above in **(12)**.

This is a Court Order.

This form is attached to ☐ DV-110, *Temporary Restraining Order* ☐ DV-130, *Restraining Order After Hearing*
☐ DV-140, *Child Custody and Visitation Order*

① **Name of Protected Person:** _____ ☐ Mom ☐ Dad ☐ Other*

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

*If Other, specify relationship to child: _____

The Court Orders:

③ **Mediation, Visitation and Exchange**

- a. ☐ Parties must go to mediation at: _____
- b. ☐ Visitation of children is supervised.
 Parent to be supervised is: ☐ Mom ☐ Dad ☐ Other (name): _____
- c. ☐ Exchanges of children are supervised.

④ **Schedule of Supervised Visits**

- a. ☐ All visits as provided in the schedule on Form DV-140, item ④(d) are to be supervised.
- b. ☐ Supervised visits shall be _____ visit(s) per week of _____ hour(s) each, to be arranged with the provider.
- c. ☐ Other schedule of supervised visits is attached. (Check here and attach a sheet of paper with "DV-150, Other Schedule" for a title.)

⑤ **Type of Provider**

- a. ☐ Professional (individual or supervised visitation center)
- b. ☐ Nonprofessional

⑥ **Provider's Information**

Name: _____

Telephone number: _____

Address: _____

⑦ **Costs Will Be Paid As Follows:**

- ☐ Mom to pay: _____ %
- ☐ Dad to pay: _____ %
- ☐ Other: _____

⑧ **Contact With Provider**

- ☐ Mom to contact provider before (date): _____
- ☐ Dad to contact provider before (date): _____
- ☐ Other: _____

⑨ **The court also orders (specify):** _____

This is a Court Order.

Clerk stamps date here when form is filed.

Draft-7.20.22

Not approved by Judicial Council

1 Name of Party Asking for Protection:

2 Name of Party to Be Restrained:

3 Notice to Server

The server must:

- Be 18 years of age or older.
- Not be listed in items 1 or 8 of form DV-100, *Request for Domestic Violence Restraining Order*.
- Give a copy of all documents checked in 4 to the restrained party in 2 (you cannot send them by mail). Then complete and sign this form, and give or mail it to the party in 1.



Fill in court name and street address:

Superior Court of California, County of

Court clerk fills in case number when form is filed.

Case Number:

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

- ☐ DV-109 with DV-100 and a blank [DV-120](#) (*Notice of Court Hearing; Request for Domestic Violence Restraining Order; blank Response to Request for Domestic Violence Restraining Order*)
- ☐ DV-110 (*Temporary Restraining Order*)
- ☐ DV-105 and DV-140 (*Request for Child Custody and Visitation Orders, Child Custody and Visitation Order*)
- ☐ FL-150 with a blank [FL-150](#) (*Income and Expense Declaration*)
- ☐ FL-155 with a blank [FL-155](#) (*Financial Statement (Simplified)*)
- ☐ DV-115 (*Request to Continue Hearing*)
- ☐ DV-116 (*Order on Request to Continue Hearing*)
- ☐ DV-130 (*Restraining Order After Hearing*)
- ☐ Other (specify):

5 I personally gave copies of the documents checked above to the party in 2 on:

- Date: _____ Time: _____ ☐ a.m. ☐ p.m.
- At this address: _____
City: _____ State: _____ Zip: _____

6 Server's Information

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____

(If you are a registered process server):

County of registration: _____ Registration number: _____

7 Server's 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 server's name

Server to sign here

DV-500-INFO

Can a Domestic Violence Restraining Order Help Me?

What is a “domestic violence restraining order”?

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

How can a restraining order help me?

A judge can order the restrained person to:

- Not contact you, your children or relatives, or people you live with;
- Stay away from you, your children or relatives, or people you live with, your home, your job, etc.;
- Not have any firearms (guns, including "ghost guns"), firearm parts, or ammunition;
- Move out of a home that you live in;
- Obey child custody and visitation orders;
- Pay child support;
- Pay spousal support;
- Pay debt for property; and
- Give you control of property (examples: cell phone, car, home).

Does this request cost money to file?

No, filing this request with the court is free.

How long can a restraining order last?

If the judge makes a temporary order, it will last until your hearing date (court date). Your hearing is usually three weeks after you turn in your court papers. At your hearing, the judge will decide whether to grant you a long-term restraining order that can last up to five years.

How soon can I get the order?

If you decide to ask for a restraining order, you will need to complete court papers. Once you turn in your court papers, a judge will decide the same day or next business day on whether to grant you a temporary restraining order.

How old must I be to ask for one?

To ask for a restraining order on your own, you must be 12 years old or older. In some cases, the judge may ask that an adult (someone 18 years old or older), like a trusted relative, help you in your case.

What if I don't have a green card?

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

Can a restraining order protect my children?

Yes, you can ask the judge to protect your children. If you are asking for a restraining order against someone you have children with, you can also ask the judge to make child custody and visitation orders. And if you think that the other parent might abduct (kidnap) your children, you can ask for orders to prevent kidnapping.

Can I use a restraining order to get divorced or terminate a registered domestic partnership?

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



Am I eligible?

To qualify for a domestic violence restraining order, you must have a (1) required relationship and (2) show that the person you want a restraining order against has been abusive.

Required relationship

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

Abuse

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

What does disturbing the peace mean?

It means to destroy someone's mental or emotional calm. 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. Examples include:

- Isolating someone from their friends, relatives, or other support;
- Keeping them from food or basic needs;
- Controlling or keeping track of them, including their movements, contacts, actions, money, or access to services;
- Threats to immigration status;
- Making them do something that they don't want to do; and
- Controlling or interfering with someone's contraception (birth control, condoms); pregnancy or ability to become a parent; or access to health information.

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

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

- Civil harassment order (can be used for neighbors, roommates, cousins, uncles, and aunts).
- Dependent adult or elder abuse restraining order (if you are at least 65 or a dependent adult).
- Gun violence restraining order (to prevent someone from hurting themselves or others with a firearm).

Note that all restraining orders include a firearms and ammunition restriction. A gun violence restraining order gives limited protection because it only restrains the person from having firearms and ammunition. To learn more about other kinds of restraining orders, go to: <https://selfhelp.courts.ca.gov/restraining-orders>.

How do I ask for a domestic violence restraining order?

See [form DV-505-INFO](#), *How to Ask for a Domestic Violence Restraining Order*. The forms are available online at www.courts.ca.gov/forms. If you want a paper copy, go to any California courthouse. You can also check with your county's law library.

Will I have a court hearing (court date)?

Yes. The court will give you a day and time to attend court. If you want to attend court remotely (by phone or videoconference), go to the court's website to find out how to attend remotely. To learn more about what to expect at your hearing, read [form DV-520-INFO](#), *Get Ready for Your Restraining Order Court Hearing*, or go to: <https://selfhelp.courts.ca.gov/prepare-your-restraining-order-court-date>.



Do I need a lawyer to make this request?

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

Where can I find a self-help center?

Find your local court's self-help center at www.courts.ca.gov/selfhelp. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case, and help you with the forms.

What if I need an interpreter?

If you decide to ask for a restraining order, you will need to talk to a judge. If you need an interpreter, use [form INT-300](#) to request an interpreter or ask the court clerk how you can request one.

I have a disability. How can I get help?

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

Request for Accommodations

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

Confidential Address Program

If you are a victim of domestic violence or live with a victim of domestic violence, there is a special program called Safe At Home that you can apply for. It is a free program that would help you keep your address private. To learn more about the program, go to:

<https://www.sos.ca.gov/registries/safe-home/>.

Note that it may take several weeks to be approved.

For more information on other steps of the process

- [Form DV-505-INFO](#), *How to Ask for a Domestic Violence Restraining Order*
- [Form DV-200-INFO](#), *What Is "Proof of Personal Service"?*
- [Form DV-520-INFO](#), *Get Ready For Your Restraining Order Court Hearing*
- [Form DV-530-INFO](#), *How to Enforce Your Restraining Order*

Information about the court process is also available online

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

Where can I find other help?

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

DV-505-INFO

How to Ask for a Domestic Violence Restraining Order

Part 1: Complete court forms

You will need to complete at least three forms to ask for a domestic violence restraining order:

Required forms:

- [Form DV-100](#);
- [Form DV-109](#); and
- [Form DV-110](#).

Optional forms:

If you have a child or children with the other side, you can ask for additional protection, like child custody orders. To make these requests, you must complete two more forms:

- [Form DV-105](#); and
- [Form DV-140](#).

If you want to ask for child support or spousal support, make the request on form DV-100 (see item (24) or (25)) and complete one more form:

- [Form FL-150](#).

Most court forms are public documents. What does "public" mean?

When you file papers with the court, those papers become "public." This means that anyone may ask the court to see the information you put on your papers. Also, the person you are asking for protection from will see all the information on your court papers, because you will have to have these papers personally delivered to the them. This is called "personal service," and more information is available on [form DV-200-INFO](#), *What Is "Proof of Personal Service"?*

How old must I be to ask for my own restraining order against someone?

To ask for a restraining order, you must be 12 years old or older. In some cases, the judge may ask that an adult (someone 18 years old or older), like a trusted relative, help you in your case.

Tips for completing form DV-100

Required relationship

At item (3), you must have one of the listed relationships between you and the person you want protection from. If none apply, go to <https://selfhelp.courts.ca.gov/restraining-orders> for information on other types of restraining orders you might qualify for.

Describe the abuse

At items (5)–(7), you must describe the abuse that happened. This part is important, because a judge will decide whether to give you a restraining order based on the information you give. For more information of what abuse means under the law, see form [DV-500-INFO](#), *Can A Domestic Violence Restraining Order Help Me?*

I don't want people to see my address

You may not want someone to be able to see certain information, like your address. You do not have to give the address to where you live on form DV-100, item (1). You can use a different address, like a friend's address or P.O. box. Just be sure to get the person's permission to use their address first, because any papers the court or other side mails to you will go to the address you list in item (1). And make sure that person will tell you right away if you get mail from the court.

I don't want people to see information I provide about a child (minor)

You can ask the court to make some of the information you provide about a child private (confidential). If the court makes information about a child private, the public will not be able to see this information on your court papers. See [form DV-160-INFO](#) for help with asking the court to make a child's information private.



What if the other side has firearms (guns) or ammunition?

In item (9), list information you have about any firearms (guns), firearm parts, or ammunition that the other side might own or have access to. This information is important to the judge. The judge can notify law enforcement about any firearms, including illegal or untraceable firearms called "ghost guns." Once notified, law enforcement must do what they can to get the firearms if there is a restraining order in place.

What does "Other orders" (item (14)) mean?

This section allows you to make any special requests that you need to prevent more abuse by the other side.

What is the difference between "Pay Debts Owed for Property (item (22)) and "Pay Expenses Caused by the Abuse (item (23))?"

If you want the other side to pay a debt owed for property, like a car or mortgage, you can make this request at item (22). If you want the other person to pay you back for damage that happened because of their abuse, like breaking your cellphone or for medical bills, you can make this request at item (23).

What is "Spousal Support" (item (25))?

If you are married to the person you want protection from or in a registered domestic partnership, you can ask a judge to order them to pay you spousal support. The amount of spousal support depends on different factors, including how much you make versus how much the other side makes. It is important to know that in California, you cannot get spousal support for "common law" marriages, where parties have lived like a married couple but never legally married. California does not recognize "common law" marriage.

What is a "Batterer Intervention Program" (item (27))?

In most cases, it is a year-long program that helps a person recognize abusive behavior so that they will stop the abuse. Unlike anger management programs, the goal of batterer intervention programs is to stop a person from using power and control in their relationships. If ordered to complete the program by a judge, the restrained person will have to pay program fees. The program will keep track of progress and attendance.

Part 2: File your court papers

Filing is when you turn in your completed court papers to the court. To file your court papers, you can call the court clerk to see find out which courthouse to go to. If you want to file online (e-file), check your local court's website for more information. To find your local court or their website, go to:

www.courts.ca.gov/find-my-court.htm.

Part 3: Get your papers from court

After you turn in your court papers, you will need to get them back from the court. Your papers will be ready the same day or the next business day. Ask the court clerk when your court papers will be ready. You may have to return to the courthouse to pick up your papers if the court cannot return them to you electronically. Look at your papers to see if the judge granted you a temporary restraining order, on form DV-110.

- ▶ If the judge **granted** you temporary protection and you want it to last longer, make sure you attend your court hearing (listed on form DV-109).
- ▶ If the judge **did not** grant you a temporary restraining order, the judge can grant you a restraining order at your court hearing (listed on form DV-109).



Part 4: Have someone serve your papers

You must have an adult personally give a copy of all your court papers to the person you want a restraining order against. It cannot be you or anyone listed on the restraining order. Serving papers can be a dangerous situation. If you want the sheriff to serve your papers, they will do so for free. For more information on service, read [form DV-200-INFO](#), *What Is "Proof of Personal Service"?*

Part 5: Get ready for and go to your court hearing

At your court hearing, the judge will decide whether to grant you a long-term restraining order that can last up to five years. 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 for a new court date. Read form [DV-115-INFO](#), *How to Ask For a New Hearing Date*, for more information.

Information about the process is also available online

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

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.courts.ca.gov/selfhelp. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case, and help you with the forms. Staff may also refer you to other agencies who may be able to help you.

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).

DV-520-INFO

Get Ready for Your Restraining Order Court Hearing

Make arrangements before your court hearing

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

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

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

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.)

Bring evidence or witnesses to your court hearing

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

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



DV-520-INFO

Get Ready for Your Restraining Order Court Hearing

Tips for your court hearing

Plan what you want to say to the judge

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

Attend early and safely

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

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

Follow courtroom rules

Here are some common rules:

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

What will happen during my case?

The judge will give both sides time to speak

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

The judge will reschedule your court hearing or make a decision

- ▶ There are a few reasons why the judge may have rescheduled your court date. This is called a continuance. Here are some examples:
 - Person asking for the restraining order did not serve the other side in time (by the deadline).
 - The judge needs to set aside more time to hear your case.
 - If the restrained person has not filed a response (form DV-120) and asks for more time to prepare for the case, the judge must grant their request if they ask for one at the first court date.

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

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



DV-520-INFO**Get Ready For Your Restraining Order Court Hearing****What do I do after a restraining order is granted?**

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

Protected person:

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

Restrained person:

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



DV-520-INFO

Get Ready For Your Restraining Order Court Hearing

What if I have a child with the other side?

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

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

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

Information about the court process is also available online

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

Where can I find a self-help center?

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

Where can I find other help?

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

DV-530-INFO**How to Enforce Your Restraining Order****Report a violation to the police**

Now that you have a domestic violence restraining order, you may need to enforce it if the restrained person violates the order. Enforce usually means to call the police to report a violation. To have the police enforce your order, call 911. If the restrained person has firearms (guns), “ghost guns” (a homemade or unregistered gun), or other weapons, make sure to tell the police.

What can the police do?

The police can arrest the restrained person for violating the restraining order. Based on your report of the violation, the district attorney or prosecutor can charge the restrained person with a crime. If you have questions about a case or whether a criminal case was filed, you can call the District Attorney's Office in your county, or the county where the violation happened. The restrained person can go to jail or pay a fine if convicted of violating your restraining order.

Ask the judge to act on the violation

Violating the restraining order means that the restrained person did not obey the judge's order. This could have consequences for the restrained person. For example, if you have a child with the restrained person, a violation could affect the restrained person's parenting time with your child. You can ask the judge to change custody or visitation orders because of the violation. You can also ask the judge to order the restrained person to pay you or the court money as “sanctions” or to hold the restrained person “in contempt of court,” and the restrained person can be ordered to pay money to the court, do community service, and/or spend up to five days in jail per violation. For more information about what a judge can do, contact your local self-help center or talk to a lawyer. For more information about self-help centers, see page 2.

What form is my restraining order on?

Here are some examples:

- DV-130
- DV-110
- DV-730
- DV-116
- CR-160
- EPO-001

Keep a copy of your restraining order with you

You should have a copy of your restraining order with you at all times. Make sure it is the **most recent** restraining order and still in effect (not expired). If you have more than one, have a copy of each one. If you have a cellphone, use your cellphone to take a picture of all the pages so you always have proof of it. If the restrained person was not at the court hearing, make sure you have a copy of the proof of service form too. The proof of service proves that the restrained person knows about the restraining order and must follow the order.

What if the judge granted orders to protect my children?

You can give a copy of the restraining order to any place that your child will be. If the restrained person is not allowed to have access to your child's medical records, school records, or other information, make sure to let your child's providers know right away. It may be a good idea to change your passwords to any shared online accounts, and update your contact information with those providers.



Give copies of the order to other people

If you want other people to know about your restraining order and help you enforce it, give them a copy. This is optional and should only be done if it is safe to do so. Here are some examples:

- Your child's school or childcare, if your restraining order protects your child.
- Other people protected by your restraining order, when appropriate.
- Your employer, if you are worried about being harassed or abused at work.
- Local police department: Giving a copy to your local police department is optional because all law enforcement agencies have access to restraining orders through a law enforcement database.

Where can I find other help?

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

What if I have more than one restraining order against the same person?

Keep a copy of all active restraining orders with you. If you call the police to enforce the order, the police will need to follow the rules of enforcement (see "Priority of Enforcement" listed on the back of forms DV-110, DV-130, and CR-160). If you have questions about any of the orders, contact your local self-help center or talk to a lawyer.

Where can I find a self-help center?

Find your local court's self-help center at www.courts.ca.gov/selfhelp. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case, and help you with the forms.

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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:**

Name: _____

2 Your Information (Restrained Person)

a. Your Name: _____

b. Your Address

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

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

3 To the Restrained Person:

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

4 To Law Enforcement

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

Name of Law Enforcement Agency: _____

Name of Law Enforcement Agent: _____

Address: _____

Telephone number: _____ Email address: _____

Items Surrendered

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

Date: _____ Time: _____ ☐ a.m. ☐ p.m.

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

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

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

► Signature of law enforcement agent _____



5

To Licensed Gun Dealer

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

Name of Licensed Gun Dealer: _____

License number: _____

Address: _____

Telephone number: _____ Email address: _____

Items Stored or Sold

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

Date: _____ Time: _____ ☐ a.m. ☐ p.m.

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

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

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



Signature of licensed gun dealer _____

6

☐ **List of Items Surrendered**

a. Firearms and firearm parts

	Make	Model	Serial Number, if there is one	Sold	Stored	To be destroyed
(1)	_____	_____	_____	☐	☐	☐
(2)	_____	_____	_____	☐	☐	☐
(3)	_____	_____	_____	☐	☐	☐
(4)	_____	_____	_____	☐	☐	☐
(5)	_____	_____	_____	☐	☐	☐
(6)	_____	_____	_____	☐	☐	☐

b. Ammunition

	Brand	Type	Amount	Sold	Stored	To be destroyed
(1)	_____	_____	_____	☐	☐	☐
(2)	_____	_____	_____	☐	☐	☐
(3)	_____	_____	_____	☐	☐	☐
(4)	_____	_____	_____	☐	☐	☐
(5)	_____	_____	_____	☐	☐	☐
(6)	_____	_____	_____	☐	☐	☐

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

7 To the Restrained Person:

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

☐ No

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

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

Your signature

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

Date: _____

Type or print your name



Sign your name

Your Next Steps

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

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

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 any receiver, frame, unfinished receiver, or unfinished 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.courts.ca.gov/selfhelp. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case, 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-820**Prohibited Items Finding and Orders**

Case Number: _____

This form is attached to (check one): ☐ DV-110 ☐ DV-116 ☐ Other: _____**1 Restrained Person Has Prohibited Items**

The court finds that the restrained person has prohibited items as follows:

a. ☐ Listed on form DV-110, *Temporary Restraining Order*b. ☐ Listed below:**Firearms (guns) or firearm parts**

Description (include serial number, if known)	Location, if known	Proof of compliance received by the court
(1) _____	_____	☐ (date): _____
(2) _____	_____	☐ (date): _____
(3) _____	_____	☐ (date): _____
(4) _____	_____	☐ (date): _____

Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	☐ (date): _____
(2) _____	_____	_____	☐ (date): _____
(3) _____	_____	_____	☐ (date): _____
(4) _____	_____	_____	☐ (date): _____

☐ Check here to list additional items. List them on a separate piece of paper, write "DV-820, Restrained Person Has Prohibited Items" at the top, and attach it to this form.**2 ☐ Court Hearing to Review Firearms (Guns), Firearm Parts, and Ammunition Compliance**

The restrained person must attend the court hearing listed below to prove that all prohibited items have been properly turned in, sold, or stored. If the restrained person does not attend the court hearing listed below, a judge may find that the restrained person has 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 the front of this order

This is a Court Order.

3 ☐ Restrained Person Has Not Complied With Surrendering Prohibited Items

a. The court finds that the restrained person has 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 ①.

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*): _____.

This is a Court Order.

Clerk stamps date here when form is filed.

This notice is provided to the agency or agencies listed below, as required by the Family Code.

**Draft-Not approved by
Judicial Council**

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 Protected Person

Name: _____

2 Restrained Person

Name: _____

**3 ☐ Restrained Person Has Not Complied with Surrendering
Firearms (Guns), Firearm Parts, and Ammunition**

The court has found that the person listed in **2** has firearms (guns), firearm parts, or ammunition in violation of a restraining order. The restraining order granted by the court is attached to this form.

(Check all that apply):

- a. ☐ Notice to Law Enforcement Agency (name of agency or agencies):

(Notice is provided pursuant to Family Code section 6306(f). The agency must take all actions necessary to obtain firearms and ammunition.)

- b. ☐ Notice to Prosecuting Agency (name of agency): _____

(Notice is provided pursuant to Family Code section 6389(c)(4).)

4 ☐ Outstanding Warrant(s)

The court has found that the person listed in **2** has one or more outstanding warrants. The restraining order granted by the court is attached to this form. Notice of the warrant is provided to the agency listed below, as required by Family Code section 6306(e). The agency must take all actions necessary to execute the warrant(s).

Notice to Law Enforcement Agency (name of agency): _____

5 ☐ Additional Information

The court has conducted a background search pursuant to Family Code section 6306. In addition to the information provided above, the court is attaching the following information found in the background search.

(briefly describe information): _____

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

Judge's Signature

Date: _____

Judge or Judicial Officer



—Clerk's Certificate—

[seal]

I certify that I am not a party to this case and that a true copy of the *Noncompliance with Firearms and Ammunition Order, or Warrant* (form DV-830), was sent to the agency or agencies listed on page 1:

a. ☐ **Law enforcement agency listed in 3a**(1) ☐ by fax, email, or other electronic means ☐ by personal delivery(2) (Phone number, email address, or address): _____

(3) Date of transmission or delivery: _____

b. ☐ **Prosecuting agency listed in 3b**(1) ☐ by fax, email, or other electronic means ☐ by personal delivery(2) (Phone number, email address, or address): _____

(3) Date of transmission or delivery: _____

c. ☐ **Law enforcement agency listed in 4, if different than 3a**(1) ☐ by fax, email, or other electronic means ☐ by personal delivery(2) (Phone number, email address, or address): _____

(3) Date of transmission or delivery: _____

Date: _____ Clerk, by _____, Deputy

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

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 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.



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 (receiver, frame, or unfinished receiver or frame as defined in 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.



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) _____	_____	☐ (date): _____
(2) _____	_____	☐ (date): _____
(3) _____	_____	☐ (date): _____
(4) _____	_____	☐ (date): _____

b. Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	☐ (date): _____
(2) _____	_____	_____	☐ (date): _____
(3) _____	_____	_____	☐ (date): _____
(4) _____	_____	_____	☐ (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

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 names 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 (sexually or otherwise), hit, follow, stalk, molest, destroy personal property of, keep under surveillance, impersonate, block movements of, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace of (including coercive control), any person named in item 1.
- b. ☐ **YOU MUST NOT** contact, either directly or indirectly, by any means, including but not limited to by telephone, mail, e-mail or other electronic means, any person named in item 1.
- c. ☐ **YOU MUST** ☐ stay away at least: _____ yards from each person named in item 1.
☐ stay away at least: _____ yards from ☐ move out immediately from:
(address): _____
- d. **YOU MUST NOT** take any action, directly or through others, to obtain the addresses or locations of any person named in item 1.
- e. **YOU MUST NOT** own, possess, purchase, receive, or attempt to purchase or receive any firearm (gun), firearm parts (receiver, frame, or unfinished receiver or frame (Penal Code section 16531)), or ammunition. You must immediately surrender these items if asked by law enforcement. If not asked by law enforcement to surrender immediately, you must turn them in to a law enforcement agency or sell them to, or store them with, a licensed gun dealer within 24 hours of receiving this order.

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: VIOLATION OF THIS ORDER IS A MISDEMEANOR PUNISHABLE BY A \$1,000 FINE, ONE YEAR IN JAIL, OR BOTH, OR IT MAY BE PUNISHABLE AS A FELONY. THIS PROTECTIVE ORDER **MUST BE ENFORCED** BY ALL LAW ENFORCEMENT OFFICERS IN THE STATE OF CALIFORNIA WHO ARE AWARE OF OR SHOWN A COPY OF THE ORDER. THE TERMS AND CONDITIONS OF THIS ORDER REMAIN ENFORCEABLE REGARDLESS OF THE ACTS OF THE PARTIES; IT MAY BE CHANGED ONLY BY ORDER OF THE COURT (PENAL CODE SECTION 13710(b)).

YOU ARE PROHIBITED FROM OWNING, POSSESSING, PURCHASING, RECEIVING, OR ATTEMPTING TO PURCHASE OR RECEIVE ANY ITEM LISTED IN 3e. (PENAL CODE SECTIONS 29825(a), 30305(a).) A VIOLATION IS SUBJECT TO A \$1,000 FINE AND IMPRISONMENT OR BOTH. YOU MUST IMMEDIATELY SURRENDER THE ITEMS IN 3e IF ASKED BY LAW ENFORCEMENT. IF NOT ASKED BY LAW ENFORCEMENT TO SURRENDER, YOU MUST TURN IN THE ITEMS IN 3e TO LAW ENFORCEMENT, OR SELL THEM TO, OR STORE THEM WITH, A LICENSED GUN DEALER WITHIN 24 HOURS OF RECEIVING THIS ORDER. PROOF OF SURRENDER, SALE, OR STORAGE MUST BE FILED WITH THE COURT WITHIN 48 HOURS OF RECEIPT OF THIS ORDER.

To the restrained person: This order will last until the date and time in item 5 on the reverse. The protected person may, however, obtain a more permanent restraining order from the court. You may seek the advice of an attorney on any matter connected with this order. The attorney should be consulted promptly so that the attorney may assist you in responding to the order.

A la persona bajo restricción judicial: Esta orden durará hasta la fecha y hora indicada en el punto 5 al dorso. La persona protegida puede, sin embargo, obtener una orden de entredicho (restricción judicial) más permanente de la corte. Usted puede consultar a un abogado en conexión con cualquier asunto relacionado con esta orden. Debe consultar al abogado inmediatamente para que él o ella le pueda ayudar a responder a la orden.

To the protected person: This order will last only until the date and time noted in item 5 on the reverse. If you wish to seek continuing protection, you will have to apply for an order from the court at the address in item 6. You may apply for a protective order free of charge. In the case of an endangered child, you may also apply for a more permanent order at the address in item 6, or if there is a juvenile dependency action pending, you may apply for a more permanent order under section 213.5 of the Welfare and Institutions Code. In the case of a child being abducted, you may apply for a *Child Custody and Visitation Order* from the court. You may seek the advice of an attorney on any matter connected with your application for any future court orders. The attorney should be consulted promptly so that the attorney may assist you in making your application. You do not have to have an attorney to get the protective order.

A la persona protegida: Esta orden durará sólo hasta la fecha y hora indicada en el punto 5 al dorso. Si usted desea que la protección continúe, tendrá que solicitar una orden de la corte en la dirección indicada en el punto 6. La solicitud de la orden de protección es gratis. En el caso de que un niño o una niña se encuentre en peligro, puede solicitar una orden más permanente en la dirección indicada en el punto 6, o si hay una acción legal pendiente de tutela juvenil, puede solicitar una orden más permanente conforme a la sección 213.5 del código titulado en inglés **Welfare and Institutions Code**. En el caso del secuestro de un niño o una niña, usted puede solicitar de la corte una orden para la guarda del niño o de la niña (*Child Custody and Visitation Order*). Puede consultar a un abogado en conexión con cualquier asunto relacionado con las solicitudes de órdenes de la corte que usted presente en el futuro. Debe consultar un abogado inmediatamente para que él o ella le pueda ayudar a presentar su solicitud. Para obtener la orden de protección no es necesario que un abogado le represente.

If a child is in danger of being abducted: This order will last only until the date and time noted in item 5 on the reverse. You may apply for a child custody order from the court.

En el caso de peligro de secuestro de un niño o de una niña: Esta orden será válida sólo hasta la hora y fecha indicada en el punto 5 al dorso. Usted puede solicitar de la corte una orden para la guarda del niño o de la niña (*Child Custody and Visitation Order*).

To law enforcement: The emergency protective order shall be served upon the restrained person by the officer, if the restrained person can reasonably be located, and a copy shall be given to the protected person. A copy shall be filed with the court as soon as practicable after issuance. Also, the officer shall have the order entered into CLETS (CARPOS). The availability of an emergency protective order shall not be affected by the fact that the endangered person has vacated the household to avoid abuse. A law enforcement officer shall use every reasonable means to enforce an emergency protective order. A law enforcement officer who acts in good faith to enforce an emergency protective order shall not be held civilly or criminally liable.

This emergency protective order is effective when made. This order shall expire on the date and time specified in item 5 on the reverse. 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 to the extent the provisions of this order are more restrictive. In other words, the provisions in this emergency protective order take precedence over the provisions in any other protective order, including a criminal protective order, if (1) the person to be protected is already protected by the other protective order, (2) the person to be restrained is subject to that other order, and (3) the provisions in this emergency order are more restrictive than the provisions in that other order. 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.

SPR 22-170

Domestic Violence: Rule and Form Changes to Implement New Laws

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

	Commenter	Position	Comment	Committee Response
1.	California Partnership to End Domestic Violence by Christine Smith, Public Policy Coordinator	AM	Does the proposal appropriately address the stated purpose? Yes, this proposal appropriately addresses the stated purpose.	Thank you for reviewing and submitting comments for this proposal.
			Would it be helpful or relevant for courts to know whether a specific firearm or other prohibited item was stored or seized by law enforcement (see page 4 of form DV-800/JV-270)? We are in alignment with the comments submitted by Giffords Law Center.	See responses to the Giffords Law Center to Prevent Gun Violence.
			Is the new layout for the child custody section (form DV-105, item 6) easier for self-represented litigants to understand and complete? Yes, this is a significant improvement from the previous version. We appreciate this change to make it easier for self-represented litigants, many of whom are domestic violence survivors.	Thank you for your response. The committee agrees that the new layouts for custody and visitation are more user-friendly and recommends using the new format on form DV-105.
			Is the new layout for the visitation section (form DV-105, items 7 and 8) easier for self-represented litigants to understand and complete? DV-105: The name of this form has been changed, but it was not highlighted on the draft forms as was other new language. This new title could be very confusing to SRLs because this new name does not specify “custody” and “visitation” in the title.	In the proposal circulated with the Invitation to Comment the committee recommended combining forms DV-105 and DV-108, and to change the title to encompass those additional orders. Based on user-testing and comments received, the committee recommends keeping the child abduction orders on a separate form. As a result, the committee recommends reverting back to the existing title of form DV-105, “Request for Child Custody and Visitation Orders.” Additionally, at item 15 of form DV-100, the committee has added examples of orders that may be requested on form DV-105, including no visitation, supervised visitation, and orders to stop access to children’s information and records.

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

SPR 22-170

Domestic Violence: Rule and Form Changes to Implement New Laws

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

	Commenter	Position	Comment	Committee Response
			DV-105A: At the top where the petitioner would check the box identifying that the form is attached to the DV-105, to be clearer the language should specifically state that the form should only be used if the address information cannot fit on the DV-105. When included as part of the very thick standard forms packet given to SRL, they will think they have to use this form in every case unless it is very clear this form is only to be used in certain limited circumstances. Something like, “Only use this form if the DV-105 does not have enough space for you to list the residence history for all your children.”	The committee agrees and has changed the instruction to make it more clear when form DV-105(A) should be used.
			DV-105	
			The draft language is vague and unclear as to how “safe” is determined. This may lead a self-represented petitioner to understand that they could be the one to determine the child’s safety. To be clear, this option should say: “No visitation, until the Court decides it is safe for the children to visit with the person in 2.”	This section has been reorganized and no longer includes the language identified by commenter.
			DV-105 Item 7.b. The link to the website is only limitedly useful because very few self-represented petitioners complete the forms on the web. Also, the website does not appear to be available in languages other than English. An INFO page with this information in a variety of languages would be more useful than this link.	The committee agrees that having an information form to address supervised visitation and to explain other issues related to the content on form DV-105 would be helpful. The committee will consider creating a new information form for this purpose in a future cycle. In the meantime, information will be made available online on the statewide website, which will also be available in Spanish.

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SPR 22-170

Domestic Violence: Rule and Form Changes to Implement New Laws

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

	Commenter	Position	Comment	Committee Response
			Re the Prevent Child Abduction (Kidnapping) instruction box: “If you do not want to ask for these orders, do not complete the rest of this form.” Does not seem clear enough for a self-represented litigant, who often receives these forms as part of a thick packet and does/can not differentiate one form from another. It would be clearer to say in bold something like, “If you do not want to ask for these orders, do not complete the following Sections 11 through 16.”	Based on comments and user-testing, the committee recommends keeping the child abduction request (on form DV-108) and orders separate from the child custody and visitation orders. The top of form DV-108 also includes an instruction for when the litigant should complete the form.
			Are there other examples of reproductive coercion that should be listed in item 5 of form DV-100, instead of the proposed example? No, the examples are appropriate and comprehensive.	The committee agrees that the examples are appropriate. One change was made to the example, in response to a comment received. The committee changed the example to include trying to interfere or control “access to health information,” and not just access to “related health information.”
			Should language to implement Senate Bill 654 be included on the domestic violence restraining order forms? The proposal can be found at www.courts.ca.gov/policyadmin-invitationstocomment.htm It would be confusing to have this on judicial council forms, since these would be handled by Family Court Services.	The committee believes that having a space on the form for the judicial officer to state their reasons for granting unsupervised visit would be helpful. This new item is at 11a on form DV-140. The committee also recommends adding at item 7c of form DV-140, space for the judge to state its reasons for granting custody to the person in 2 (restrained person).
2.	Hon. Christine Donovan, Judge of the Superior Court of Solano County	NI	My comment concerns the DV-110 form. The DV-130 form has a section for “original order” and “_____ amended order” at the top of page 1. However, the DV-110 does not have this same option, even though courts can (and often do) issue amended TROs, a situation contemplated by the DV-116 in Item 5(b) on page 1. This means that courts are forced to doctor the DV-110 to note	The committee has made this addition.

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

SPR 22-170

Domestic Violence: Rule and Form Changes to Implement New Laws

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

	Commenter	Position	Comment	Committee Response
			that it is an amended order. I propose that the section for “original order” and “_____ amended order” on the DV-130 also be added to the DV-110 form.	
3.	Family Violence Appellate Project By Cory Hernandez, Staff Attorney Oakland	NI	On behalf of Family Violence Appellate Project (FVAP), I write to offer comments on ITC SPR22-20. FVAP is a legal service support center and the only nonprofit organization in California dedicated to representing domestic violence survivors in civil appeals for free. FVAP is devoted to ensuring domestic violence survivors can live in healthy safe environments, free from abuse. This includes a commitment to improving how survivors—and all litigants—are treated in family and civil court.	Thank you for reviewing and submitting comments for this proposal.
			Implementing New Firearms Laws (SB 320, AB 1057) We join in the comments from Giffords Law Center to Prevent Gun Violence, as well as the California Partnership to End Domestic Violence.	See responses to comments submitted by Giffords Law Center to Prevent Gun Violence and the California Partnership to End Domestic Violence
			Would it be helpful or relevant for courts to know whether a specific firearm or other prohibited item was stored or seized by law enforcement (see page 4 of form DV-800/JV-270)? Yes, helpful on the firearms seizure question.	The goal of indicating the actions “stored” or “seized” is to communicate to the court whether an item could be returned to the restrained person after the restraining order terminates. After speaking with law enforcement, the committee recommends using, “stored,” or “to be destroyed.”
			Is the new layout for the child custody section (form DV-105, item 6) easier for self-represented litigants to understand and complete?	Thank you for your response. The committee agrees that the new layouts for custody and visitation are more user-friendly and recommends using the new format on form DV-105.

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

SPR 22-170

Domestic Violence: Rule and Form Changes to Implement New Laws

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

	Commenter	Position	Comment	Committee Response
			Yes, helpful new layout for DV-105, items 6, 7, and 8 (responding to two questions here).	
			Are there other examples of reproductive coercion that should be listed in item 5 of form DV-100, instead of the proposed example? No, no other examples of reproductive coercion needed.	The committee agrees that the examples are sufficient. One change was made to the example, in response to a comment received. The committee changed the example to include trying to interfere or control “access to health information,” and not just access to “related health information.”
			Should language to implement Senate Bill 654 be included on the domestic violence restraining order forms? The proposal can be found at www.courts.ca.gov/policyadmin-invitationstocomment.htm Yes, SB 654 language should be included on the DVRO forms.	The committee believes that having a space on the form for the judicial officer to state their reasons for granting unsupervised visit would be helpful. This new item is at 11a on form DV-140. The committee also recommends adding at item 7c of form DV-140, space for the judge to state its reasons for granting custody to the person in 2 (restrained person).
			DV-100, Request for DVO	
			On page 12, Heading section is “Automatic Orders That a Judge Can Make Right Away.” The use of the word “can” suggests that the firearm restriction is discretionary instead of mandatory.	The committee has changed the section heading to “Automatic Orders if the Judge Grants Restraining Order”.
			Also on page 12, to track language of the statute and to make all forms consistent, it might be helpful to state “firearms, firearms parts, including unfinished receivers and handgun frames, and ammunition” or to use the language describing prohibited items in form DV-110: firearms, including any handgun, rifle, shotgun, assault weapon); firearms parts (any receiver, frame or unfinished receiver/frame as defined in Penal	The committee has added the examples of firearms and ammunition, and the meaning of firearm parts to item 9, but does not recommend including the examples and meaning of firearm parts to item 29, as suggested by commenter. At item 29, the committee prefers using the simplified list of “firearms (guns), firearm parts, and ammunition” as it is easier to read and understand. The full definition (recently expanded by AB 1621

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Domestic Violence: Rule and Form Changes to Implement New Laws

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	Commenter	Position	Comment	Committee Response
			Code section 16531) and ammunition. Suggest that all forms are consistent in how they refer to firearms and firearms parts.	although still encompassed by the phrases in the form above) is being added to the California Courts Self Help website.
			DV-109, Notice of Court Hearing On page 3, section titled “To the Person in 2,” suggest changing the last sentence so that all forms are consistent and that they track the language of the statute. Suggested to state, “firearms, firearms parts, including unfinished receivers and handgun frame, and ammunition,” or to use the language describing prohibited items in form DV-110, to wit, “firearms, including any handgun, rifle, shotgun, assault weapon); firearms parts (any receiver, frame or unfinished receiver/frame as defined in Penal Code section 16531) and ammunition.”	Same comment as above.
			DV-110, Temporary Restraining Order On page 2, item 5(e), some language in this item is not reader-accessible. The second sentence is also potentially confusing because it is unclear what law enforcement agency the restrained person must surrender the firearms, firearms parts, or ammunition to. Potential language could be: “If law enforcement served you with a restraining order, you must immediately surrender (or give) any of the prohibited items listed in 5b to the officer, if the officer asks for them. Within 48 hours, you must also file a receipt that proves you have turned in or sold all of the prohibited items with the law enforcement agency that served you with the restraining order.”	This item has been revised. At 5(d), it now states that the restrained person must surrender items, if asked by law enforcement. The committee has also accepted commenter’s suggestion to specify that the law enforcement agency that must be provided a receipt is the agency that served the respondent with a copy of the restraining order.

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

SPR 22-170

Domestic Violence: Rule and Form Changes to Implement New Laws

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	Commenter	Position	Comment	Committee Response
			DV-120, Response to Request for DVRO On page 6, item 26(b) lists prohibited items as “(guns, firearms, prohibited firearm parts, or ammunition).” Prohibited items in other forms are referenced/defined differently. As examples: • DV-100 states “Guns, firearms, firearms parts, or ammunition” • DV-109 states “firearms, firearms parts, and ammunition.” • DV-110 states “firearms, including any handgun, rifle, shotgun, assault weapon); firearms parts (any receiver, frame or unfinished receiver/frame as defined in Penal Code section 16531) and ammunition.” It is suggested that consistent language is used throughout all of the forms when referencing prohibited items. DV-110 has the most comprehensive definition of prohibited items. If this full definition is not used in each form, suggested that “guns, firearms, firearms parts, including unfinished receivers and frames, or ammunition” is used.	In deciding on the level of detail needed in each section of every form, the committee considers several factors, including whether content is easy to read and understand. While the examples of firearms and ammunition are helpful, including them in every section in which prohibited items are referenced would make those sections harder to read and understand. The committee has decided to list these examples on information forms, and the request (form DV-100), at item 9. For the order forms, the examples of firearms and ammunition are not listed, but the meaning of firearm parts (i.e. any receiver, frame or unfinished receiver/frame as defined in Penal Code section 16531) is provided. In some sections, the committee prefers to use a simplified list of prohibited items (firearms (guns), firearm parts, and ammunition) which it will use consistently when the simplified list is appropriate.
			DV-120-INFO	
			Page 1, item titled “What does the order do?” In this item “ghost guns” is included. Agree with the use of ghost guns here as it is the instruction sheet, again suggest using language that is used on the other forms to reference prohibited items so that all of the forms/information sheets are consistent.	The committee agrees to use the term “ghost guns” on the INFO form as this may help identify unserialized or homemade guns and parts. Examples of firearms and ammunition are not provided on page 1 but are provided at the top of page 2.
			Page 2, item 1, states that restrained person must turn in any “guns, firearms, firearms parts, or ammunition.” Suggest that consistent language is	As stated above, the level of detail needed will depend on the purpose of the form or section. For this section, the committee recommends including

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Domestic Violence: Rule and Form Changes to Implement New Laws

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	Commenter	Position	Comment	Committee Response
			used to reference what prohibited items must be relinquished. (See comments above)	as much detail as possible so the respondent understands what they should not have or own.
			DV-130	
			Page 2, item 7(e), some language in this item is not reader accessible. The second sentence is also potentially confusing because it is unclear what law enforcement agency the restrained person must surrender the firearms, firearms parts, or ammunition to. Potential language could be: "If law enforcement served you with a restraining order, you must immediately surrender (or give) any of the prohibited items listed in 5b to the officer, if the officer asks for them. Within 48 hours, you must also file a receipt that proves you have turned in or sold all of the prohibited items with the law enforcement agency that served you with the restraining order."	This item has been revised. At 5(d), it now states that the restrained person must surrender items, if asked by law enforcement. The committee has also accepted commenter's suggestion to specify that the law enforcement agency that must be provided a receipt is the agency that served the respondent with a copy of the restraining order.
			Page 3, item 9(a). It might be helpful to have the court list out which prohibited items the restrained person has not relinquished.	The committee did not accept this suggestion as doing so would make this item more complex and potentially harder to understand by self-represented litigants. However, the committee did include a statement that all prohibited items, including any prohibited items in item 8 (prohibited items that court has determined that the restrained person has) must be surrendered.
			DV-500-INFO Page 1, Section titled "How can the restraining order help me?" states that the court can order the restrained person to not have any "firearms (including "ghost guns") firearms parts, or ammunition." In this section "ghost guns" is	The committee agrees to use the term "ghost guns" on the INFO form as this may help identify unserialized or homemade guns or gun parts. As stated above, the level of detail needed will depend on the purpose of the form or section. Since the request form itself contains examples of

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SPR 22-170

Domestic Violence: Rule and Form Changes to Implement New Laws

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	Commenter	Position	Comment	Committee Response
			included. Though, agree with the use of ghost guns here as it is the instruction sheet, again suggest using language that is used on the other forms to reference prohibited items so that all of the forms are consistent/informational sheets are consistent. (See comments above.)	firearms, firearm parts, and ammunition, that level of detail is not needed on the information form.
			DV-800-INFO Page 1, Heading section “How do I prove to the judge that I have complied with the order?” Some forms (such as DV-800/JV-720) use the word “obey” while other sections the language “complied with” is used. Obey might be more reader-accessible. It may be beneficial to state “How do I prove to the judge that I have complied with (obeyed) the order?”	The committee has made this change.
			DV-820	
			Page 1, item 1, states that “the court finds you have firearms, firearm parts, or ammunition.” Again, suggest that language describing prohibited items is consistent on all forms. (See comments above.)	For this section, the committee recommends using “firearms (guns), firearm parts, or ammunition.” This is a simplified list that is used on other forms to capture the general categories of prohibited items.
			Page 2, item 3. Both the heading and section A use the term “complied with.” As stated before, some sections in the various forms state “obey” whereas others state “complied with.” It might be helpful to have in parenthetical the word obey when using “complied with” for the first time on any give form to ensure reader accessibility.	The committee has made this change on form DV-820.
			DV-830	

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Domestic Violence: Rule and Form Changes to Implement New Laws

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	Commenter	Position	Comment	Committee Response
			Page 1, item 3, states “guns, firearms, firearms parts, or ammunition.” (See comments above regarding using consistent language in all forms to describe prohibited items.)	This has been changed to “firearms (guns), firearm parts, or ammunition.”
			Page 2, there is an option for the court to mail a copy of the non-compliance with firearms order to law enforcement. If the goal of the firearms statute is to have immediate relinquishment of firearms, firearms parts, and ammunition to protect survivors and prevent serious injury or death in domestic violence cases, mailing an order of non-compliance, which could unnecessarily delay law-enforcement obtaining knowledge of this information defeats this goal. Suggest that notification must be by telephone, fax, or email so that it is the notification to law enforcement of non-compliance immediate.	The committee agrees and has changed the option for mail to personal delivery.
			DV-840/FL-840	
			Page 1, item 4(e). Some language in this section is not reader-accessible. The second sentence is also potentially confusing because it is unclear what law enforcement agency the restrained person must surrender the firearms, firearms parts, or ammunition to. Potential language could be: “If law enforcement served you with a restraining order, you must immediately surrender (or give) any of the prohibited items listed in 5b to the officer, if the officer asks for them. Within 48 hours, you must also file a receipt that proves you have turned in or sold all of the prohibited items with the law enforcement agency that served you with the restraining order.”	This item has been revised. At 5(d), it now states that the restrained person must surrender items, if asked by law enforcement. The committee has also accepted commenter’s suggestion to specify that the law enforcement agency that must be provided a receipt is the agency that served the respondent with a copy of the restraining order.

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	Commenter	Position	Comment	Committee Response
			Page 2, item 6(a). Some forms (such as DV-800/JV-720) the word “obey” is used and other section “complied with” is used. Obey might be more reader accessible. It may be beneficial to state: “The court finds that you have not fully complied with (obeyed) the orders” It might also be beneficial to have the court list out what prohibited items the court has not received proof of compliance.	The committee has made the change to “complied with (obeyed).” The committee did not accept the suggestion to list out what prohibited items the court has not received proof of compliance for, as this information will be reflected in item 5 (i.e. any item that is listed for which proof of compliance has not be received by the court).
			EPO-001 Page 2, under section titled “Warnings and Information,” it states that person is prohibited from owning, possessing, purchasing, receiving, attempting to purchase or receive any item listed in 3d. It should reference 3e not 3d.	The committee has made this correction.
			General Question Asked by ITC Seeking comment on whether it would be helpful or relevant for courts to know whether a firearm or other prohibited item was stored or seized by law enforcement. We think that this information would be relevant and beneficial for the courts to know. It provides oversight by the court, adding a layer of accountability for the restrained party and proof that prohibited items were relinquished. There is some evidence to suggest that judicial oversight in criminal cases through “compliance hearings” in domestic violence courts can help deter abuse. Courts having this information might add to courts doing further inquiries into firearms and more oversight which may result in more safety for survivors.	The goal of indicating the actions “stored” or “seized” is to communicate to the court whether an item could be returned to the restrained person after the restraining order terminates. After speaking with law enforcement, the committee recommends using, “stored,” or “to be destroyed.”

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			Implementing SB 24 The bill language was added to DV-105 (item 9), DV-140 (item 11) and is included in the new DV-125 (item 9). In general, the language mirrors the law. The term “access” to records can be vague outside the context of the full bill. The idea of the bill is that a third party will know not to give a restrained parent access to records once they have been notified of this order. However, access is much more than that. It could mean opening a file folder on a computer with that information. It could mean seeing something in a child’s backpack. For unrepresented litigants, it is important to be clear that this order is referencing access via third party. There is no language in the proposed changes that makes it clear that the places where these records are kept need to be given a copy of the order including the form DV-110, any proof of extensions and a long-term order if issued. While the language says the restraining party shall not have access, there is does not seem to be a proactive requirement for the restrained party to remove themselves from records they already have access to such as a school or activities list-serv.	The committee has added a notice to third-party entities at item 5 on form DV-140 that information or records for the children listed must not be provided to the restrained person. It also states at item 5 that the restrained person “must not access or have access to records or information” for the children. The committee believes that this makes it clear to the restrained person that they must not access the information or records protected by the order.
			A separate consideration may be whether there would be a context where this order was made separate from the context of overall orders for the minor children. Children can be protected parties on a restraining order which are in effect orders about the minor children without filing a form DV-105 or getting DV-140 orders. Accessing records when prohibited can be a form of abuse	The committee has added a reference to this order at item 15 on form DV-100. The committee does not recommend including a reference to this specific order on the DV-110 and DV-130 but has moved the order to page 1 of form DV-140. Because this order can only be made for children that the parties have in common and would likely accompany a request for child custody, the

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			depending on the circumstances, and could fall under a violation of the order to seek out the location of the protected parties. It also falls under the issue of information that could allow the restrained party to locate and jeopardize the safety of the protected parties. Given all that, it may make sense to either reference the availability of this request in the form DV-100 itself, and include a reference to an attached order in the form DV-110, as well as the form DV-130, which would make it easier to find the order from its current location on page 4 of the form DV-140. This bill reflects the fact that all it takes is one informational slip-up to put people's lives in jeopardy, so in that vein, the request and the order should be highlighted as conspicuously as possible, i.e., earlier in the document, or at least referenced as being available in the form DV-100, and again referenced in the forms DV-110 and DV-130.	committee recommends including the request on form DV-105, and not DV-100.
			While a slightly different matter, this issue also relates to the options for petitioners to request confidentiality for their minor children and the information and option for that request should also be elevated even if it is not necessarily easy to get. (See also later comments.)	Information regarding requests to keep minor's information confidential has been added to the instruction at the top of form DV-100.
			Implementing SB 538	
			Language about remote hearings has been added to the DV-109 (item 3), DV-116 (item 4), DV-120-INFO (item 3), DV 500-INFO, and DV-520-INFO. Just to note, on the DV-120, item 3 uses the	On form DV-120, item 3, "go to" has been changed to "attend."

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			term “go to” your hearing in the first sentence instead of the new word “attend.”	
			In general, the language is good. For unrepresented litigants, though it is important to be clear that arrangements must be made in advance. As written, people are asked to go to a website to find their court’s website which they then have to go to in order to find out more information, but it is not clear that they have to or why. Based on what we see happen all the time, litigants may not be allowed to appear remotely if they do not follow the court’s local procedure, which at a minimum involves advance request and may require a form to be served. Adding language that folks need to check with their court in advance is important. It would also be helpful to clarify that both parties can appear remotely. The DV-120 info is clearer in that it says, “[i]f you want to attend remotely, go to the court’s website.” It would also be clearer to say, “to find out how to request to appear remotely” rather than “for more information.” The DV-520-INFO could include remote appearance as an item under the “Make arrangements” heading. Since witnesses may also appear remotely that should be added to the item on witnesses on the DV-520-INFO.	The committee has made these changes. The committee notes that form DV-520-INFO form is written for both the protected person and restrained person.
			For e-filing, since it is not available everywhere it would be clearer to say check your court’s website to see if it currently available.	The committee believes that the language on form DV-505-INFO is accurate as it directs people to check with their court about e-filing. And by July 1, 2023, e-filing must be made available for these matters.

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			In general, where there is a reference to calling the courthouse there should also be a reference to checking the court's website as calling the courthouse is simply not effective depending on the courthouse and their system and their hours.	The committee did not make this change as more information would be needed. Litigants are directed to call when a matter is time-sensitive, like if they are running late to their court hearing.
			Implementing SB 374	
			Describe Abuse Under the Describe Abuse section, the description as listed is sufficient and effective. The language about access to health care information should be folded in elsewhere as it goes beyond health information related to pregnancy. Preventing someone from seeking health care or health information (e.g., a survivor with a dangerous or deadly disease or illness, such as HIV/AIDS), or from using condoms, or other barriers for STDs, any of which can in itself be a form of coercive control or otherwise be DVPA definition of abuse—and it important to recognize these behaviors outside of the context of reproduction. I would also recommend switching the columns so that the clear language from the statute appears first. While the Describe Abuse section is not intended to be comprehensive or in order of priority, from the perspective of someone filling this out on their own, it is clearer for them to see those forms of abuse first and determine whether or not they apply.	The committee agrees and has changed “access to related health information” to “access to health information.” The committee did not accept the suggestion to switch the columns. When form DV-100 was last revised, the committee decided to list the examples of physical abuse in the second column so as to not imply that physical abuse was preferred over non-physical abuse. This was in response to a commenter's suggestion to list non-physical examples first.
			In general, the language added to the forms DV-100, DV-110, DV-130 and even the DV-500 is too much, and the focus put on the description detracts from all the other examples and language on	The committee has simplified the language on DV-100. Instead of listing out the examples of coercive control under the “Orders to Not Abuse” section, the reader is directed to form DV-500-

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			disturbing the peace and coercive control. It is sufficient in the DV-110 to say “and reproductive coercion, including controlling someone’s reproductive choices” or “including controlling someone’s choices around pregnancy and birth control.” The lengthy explanation of the ways in which reproductive coercion can appear make it more difficult to read the other forms of coercive control which in and of themselves could also have many forms.	INFO, which includes the examples of coercive control. The committee also notes that many of the examples of coercive control provided by statute are listed at item 5. The committee believes it is important to retain the examples on the order forms so that the restrained person has notice of what coercive control includes.
			For the DV-100, item 10 seems to separate coercive control behaviors from destroying mental and emotional wellbeing, whereas elsewhere it is clearer that disturbing the peace is the destroying the mental and emotional wellbeing, and coercive control is a type of disturbing the peace. By saying destroying mental and emotional wellbeing is included in disturbing the peace, and is an example like coercive control, seems to confuse and conflate them. Coercive control is only one example, not the only example, of disturbing the peace, and disturbing the peace is only one type of abuse.	The committee has simplified this item. Instead of listing out examples of disturbing the peace, the form refers to the information form that provides all the statutory examples of disturbing the peace and the definition of disturbing the peace. The committee also notes that many of the examples of coercive control provided by statute are listed at item 5.
			For the form DV-500-INFO, it is not clear that the statute requires more than listing it as an example under the forms of coercive control rather than singling it out above the examples and then including it in the examples. It also is listed as two of the examples when there are only six in total, which again is disproportionate to the other forms of coercive control, thus unduly raising reproductive coercion in comparison to other	The section describing abuse has been reorganized to clarify the relationship between disturbing the peace and coercive control.

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			forms of coercive control, and in comparison to disturbing the peace in general and other types of abuse.	
			Implementing AB 277 The inclusion on the form DV-500-INFO is fine. However, given that there is a discussion of address privacy on the DV-100 I think it would be useful to add something there in item 1(c). I understand given the length of time it can take, the forms do not want to mislead survivors into thinking they can get a Safe At Home address right away. At the same time, maybe even adding the words Safe At Home to the description 1(c) would help since it is designed specifically to help the survivors. So, for example, “you can use a post office box, a Safe at Home address, or another person’s address . . .” This will actually help with the purpose of the bill since not everyone reads the DV-500-INFO, or INFO forms in general.	The committee agrees and has made this addition at item 1(c) on DV-100.
			DV-105, DV-108, DV-140, DV-145	
			In general, these forms and the revisions are a welcome change and will absolutely help unrepresented litigants to better understand what they can request in a DVRO and what kind of orders have been made. The change in title is helpful because it takes out the legal terms custody and visitation and makes it clear that the orders and requests can go beyond just those two issues. The new layouts for requesting custody and visitation and making those orders is clearer and more user-friendly than before.	The committee agrees that the new layouts for custody and visitation are more user-friendly and have incorporated those new layouts on form DV-105 and DV-140. However, the committee no longer recommends combining forms DV-105 and DV-108 Based on user-testing and comments received, the committee recommends keeping the child abduction orders on a separate form. As a result, the committee recommends reverting back to the existing title of form DV-105, “Request for Child

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				Custody and Visitation Orders.” To help litigants understand what types of orders they can request on form DV-105, at item 15 of form DV-100, the committee has added examples of orders that may be requested including no visitation, supervised visitation, and orders to stop access to children’s information and records.
			Child Abuse For the specific issue of Child Abduction which was to be addressed as part of the request through the DV-108 and through orders as part of the DV-108 the change helps to clarify that the issue of child abduction goes beyond no-travel orders and requests. It also will allow for greater consideration of those issues at the same time the other requests are being made. It will be important that those orders are crossed out or there is another way to indicate which orders were not granted or if there was no finding made.	User-testing was conducted on the proposed form DV-105. Results showed that litigants were confused by the abduction orders being included on the proposed form, as a “no travel with children order” seemed sufficient. Based on these results, the committee does not recommend combining form DV-105 with DV-108.
			A particular concern, though, is the way in which the request at item 11 and the orders seem to imply that one only needs to have one of the items checked off to have a basis for a child abduction request and finding. Simply being a non-US citizen or having a criminal record regardless of the crime does not allow a court to make an abduction order. It is not uncommon for courts to make orders about abduction simply on these bases even though the law is clear that the threshold is not that low. For survivors who have restraining orders file against them in retaliation, they may have already been told that their	It is unclear whether the issue raised by commenter can be addressed by changing the form but the committee has revised the instruction in DV-108 to read as follows, “In this section, explain to the judge why you believe there is a risk that the person in 2 will take your children without your permission and hide them from you. The judge will use the information below to decide whether to grant any orders you request on page 2.”

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			immigration status will be used to take custody. As presented in the forms, it appears that any one of the items checked off will be enough to issue an order when that is not the case. In general, it is a positive change that the Respondent will have to independently ask for abduction orders rather than being able to do so easily through their response, for survivors who have restraining orders. Having seen abduction orders be filed against survivors simply because they were not U.S. citizens it will hopefully make a difference. However, neither petitioners who are actually abusive nor survivors should believe or get the idea that some of the factors absent other factors will be enough for an abduction order and frankly neither should the court.	
			For the custody box on the DV-105, the explanation and definitions are helpful and make it clearer. But the sentence that if a judge makes a custody order the person with custody cannot take the child out of California without permission from the court is confusing. First the parties can stipulate without court order that the child may leave California, even though that is not likely, it is still possible. Second by specifically mentioning the person with custody, it makes it seem as if the person without custody would be able to take the child out of California, which is of course not the case. Both parties in fact may be under ATROs to not remove the child if they are already part of a larger case. While I understand the issue of making sure survivors know they may not be able to legally flee the state with the kids, as phrased it	The committee agrees and has removed the advisement.

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			seems somewhat inaccurate, one-sided, and misleading.	
			The confusion also carries over to item 10, where one can request that they or the other party not be able to travel without permission because it includes California. First why would a petitioner request an order that they not be allowed to travel with the children. Second, if as noted in the Custody box, the person with custody already cannot take the child out of California what is the purpose of this order unless the other party can in spite of not having custody or having joint custody which is generally not true.	The committee agrees and has modified this item to remove the request regarding restricting travel for petitioners.
			It may also be unclear why someone has to complete the rest of the form on child kidnapping when they have already requested not taking the children out of California in Item 10. Would it make sense to ask for orders under Item 10 if you did not believe there was a risk? It may make more sense to add a parenthetical that makes it clear that this is about travel within and without the state. The box on Prevent Child Abduction could have more emphasis on stopping and not completing the rest of the form there if the orders will not be requested.	The committee agrees, as indicated above, and recommends keeping the child abduction orders on a separate form.
			I think the issue of costs for supervised visitation should be clarified to make it clear that they may not always be costs or that there may be reduced costs. Judges routinely use cost as a reason not to order supervised visitation, and a survivor may not request supervised visitation because they are concerned that the other side can't pay, will not	This requested change is outside the scope of this proposal but will be considered in the future as time and resources allow.

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			pay, or will be more angry as a result. I don't know why we have to put it on the survivor to request who should pay when the court should be ordering the person who needs to be supervised to pay, if required. If the court wants to order the parties to split it, the court can still do that, but why does the survivor have to request not to have to pay those costs? While it is possible that, if a survivor can afford it and the other party cannot, a survivor might be willing to absorb the costs just so that the visits can be supervised, that is a discussion that does not need to be clarified in the DV-100 or 105.	
			Separately, Family Code 3011 now requires that a court that has received allegations of DV give its reasons for ordering unsupervised visitation. In theory this should mean no visitation until the hearing absent reasons in writing or on a record. These mandatory steps could be reflected in the DV-140 to remind the judge or put them on notice or in the DV-105 to give information to the survivor. For example, the DV-105 could note at item 7 that if 7b is requested, the court must give its reasons on the record for denying the request. This might make it a little easier for an unrepresented survivor to ask for a court's reasons if they do not give it or make it more likely the court will actually follow through with the requirements. The FL forms are being amended to implement SB 654. Why not the DV forms? By definition, all DV cases will trigger the requirements in subdivision (a)(5)(A) of Family Code section 3011.	The committee agrees that this information should be on the order form (DV-140). The new item to implement SB 654 is at 11a on form DV-140. The committee also recommends adding at item 7c of form DV-140, space for the judge to state its reasons for granting custody to the person in 2 (restrained person).

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			Finally, supervised exchange should be an option to request. Professional supervisors may offer this, and non-professional supervisors could also be used. This is an in-between option that could be easier for a survivor to navigate rather than all of nothing. Given that the exchange itself is often the time when abuse happens (particularly since courts allow “brief and peaceful contact for visitation” and almost no one can agree on what brief and peaceful means), supervised exchange would give survivors additional options even if they do not feel strongly about supervised visitation or the court is not interested. It could be framed as checking more than one option so if the court denies the request for supervised visitation supervised exchange is still on the table.	The committee agrees that form DV-105 should include the option of having exchanges supervised and has added it at item 13a. The committee does not recommend allowing the requester to ask for supervised exchanges, as an alternative in the event that a request for supervised visits are denied by the court. This would make the form more complicated and harder to understand, especially for self-represented litigants.
			DV-105	
			For item 3, the DV-105 form should make it clear at item 3 that a parent can ask for an order keeping the information of the minor confidential, even though they would be directed to another form. This is not a request that is well-known or widely used, and whether or not it is likely to succeed, survivors need to know they have that option at this stage, if not earlier. While information is included in the DV-505-INFO, few people read those informational forms, few clerks offer informational forms, and some courts simply do not have those informational forms available. Given the way it is specifically noted as Item 5 on the DV-109, it should be something a survivor is informed about as early as Item 8 on the DV-100	This has been added to the instruction at the top of form DV-100.

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			Request form, rather than waiting, since the request is not dependent on filing a DV-105. But at a minimum it should be noted by Item 3 on the DV-105.	
			For item 5, I reiterate my suggestion that child welfare or dependency be an option as that is a more common term than “juvenile court” to describe non-criminal cases. I also reiterate that including child support and parentage as options since they are the actual names of overarching actions would be helpful. The purpose of the box is to let someone else know what cases may already exist. Depending on the case, the docket and information may be confidential. The risk of confusion or misunderstanding seems low relative to the value of the information that it will give the court.	The committee has changed the case type to “Juvenile (child welfare and juvenile justice).” “Child support” has been added as an example of a court case under “other.” Parentage was not added as laypeople typically refer to those cases as “custody cases” which is already included at item 5.
			For item 6, the description should be changed to “Joint (shared together or held together)” rather than “Shared,” because Joint is the actual term that will be used in the order and going forward. While the word “shared” helps conceptually to a degree, it is still just an explanation, and not an actual right in the way that joint legal or joint physical would be, as those are defined terms. The term “Sole” is used, but that could use a parenthetical explanation as well.	The committee has changed the language to “jointly (shared).”
			I am also not clear why a DV-100 form would give the option for the protected person to request sole custody to the restrained party, especially when they may not know about Family Code 3044. We are trying to make it clear that courts	The committee did not make this change. The court’s obligations under section 3044 are separate from whether a party can make a request for sole or joint custody to the other side. The committee

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			cannot do that, where there are allegations or findings without reasons. We still see courts fail to raise or apply Family Code section 3044, even with clear findings in the record of abuse. If the restrained party asks for sole custody in their response, so be it, but why is it in the DV-100 when the survivor may not yet know their rights.	believes it is important to provide all options to both parties.
			DV-125 This form does a great job of keeping the issues clear and distinct where needed, and as part of the improvement that come with DV-105 and DV-140. Since those two forms are mandatory, and the DV-120 is mandatory, the DV-125 should be a mandatory form where a DV-105 is filed. The form gives information to restrained parties that will be useful both in protecting and clarifying their rights while having them consider the full range of orders that can be requested in a DV-105. Since three forms are being eliminated, I am assuming it is not a cost issue. It is unclear to me why filing a DV-120 would be enough where a DV-105 is filed. Item 13 on the DV-120 allows for the option of “I do not agree to the order requested because” The DV-125 is suggested as an option only if they have a different custody order in mind. Was that really the intent? Since there are orders beyond just custody and visitation in the DV-105, shouldn’t the DV-120 lead them to filing the DV-125 regardless, particularly if there are abduction orders? The DV-125 at Item 6(b) also says “I do not agree the requested order because” The form also makes it easier for an unrepresented person to explain what alternate	The committee agrees that form DV-125 should be a required response form, if there is a request on form DV-105.

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			order they would agree to compared to the lines on the DV-120.	
			DV-105(A) I am not sure if it has been an issue that there is not enough space on the form to list all the residences, or that it would be impractical to include it in the DV-120 or DV-125, but to the extent it is then the DV-105(A) is helpful. I think it is confusing to say name of child or children without further explanation, though. Someone will only need the second box on the form if one of their children has a different residence history, so putting a line and a parenthetical reflecting that would be helpful.	The committee has added instructions to form DV-105(A) to address commenter's concern.
			DV-120-INFO	
			Overall, the changes to all INFO forms are helpful and continue the Committee's excellent efforts to make the process of requesting and responding to a DVRO and going to hearing. The format of answering questions commonly asked by unrepresented litigants continues to be useful, and the answers continue to improve.	Thank you for your response.
			For DV-120-INFO, as a general point, the list under "What Does the Order Do?" should be more expansive and include require payment of debt and costs, give up control of property, limit travel with the children, etc.	The committee has added additional examples, including paying debt and control of property. Not all examples suggested by commenter were included as the list is meant to be illustrative but not exhaustive.
			Under the "What if I have children" heading, there should be a reference to the earlier statement about children being protected parties since it is not separated out. Under this section, someone should	The committee has added this information.

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			know that if they have children with the person, the children may be listed as protected parties. Even if they are not, there may be other court orders requested and ordered.	
			What is the difference in information between “I was served with form DV-100” section and “What are my next steps” section? Maybe change the title on the second page or alter the first on to make it more distinguishable	Thank you for the comment. The committee has reorganized the form to make the content and headings more intuitive.
			For “What if I was Arrested”, the information should be both ways. Anything a person says in their criminal case can be used against them in the restraining order case, and any compelled testimony from the DVRO case may be used in the criminal case (which means the abuser can still submit other evidence in the DVRO matter). Otherwise, it reads a bit too much like people have a broad, plenary 5th Amendment right in a DVRO case, which is not really the case.	The committee has revised the language to indicate that anything that is said by the person could be used in this case or in any criminal case.
			Under Item 2 of “What are my next steps?”, the right to a continuance has to be mentioned. If a person files a response prior to the hearing, they may lose their right to a continuance unless they can argue that they need a lawyer.	The form now directs people to talk to a lawyer or self-help center staff if they need more time to prepare for their case.
			DV-500-INFO	
			For “How can the restraining order help me?”, the stay-away is not separate in the way it is in the DV-120-INFO, and since they are listed as separate requests/orders, they should be listed separately here, rather than combined. Since the	The committee has made this change.

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	Commenter	Position	Comment	Committee Response
			stay-away can include more than persons but also places it should be separate and clearer.	
			I would also like to see the addition of pay credit card or other debts, transfer cell phone account. Obey orders about property is vague because people tend to think of real estate and the statement does not make it clear that the order can keep people from destroying or selling property or give up control of the property to the survivor	The committee has added some of the examples suggested by commenter. The same examples provided to the petitioner on form DV-500-INFO are the same examples listed on form DV-120-INFO.
			For “How soon can I get the order”, it more accurate to say the court is supposed to give it to you no later than the next business day since courts routinely do not or make it difficult for you to actually get the order the next day even if it is granted.	The committee has changed the language to “The judge must decide same day or the next business day (next day court is open).” This information is consistent with what the Family Code requires.
			For “Am I eligible” see comments in other sections about clarifying qualified relationships and the reproductive coercion language.	See responses to those comments.
			For “Can the order stop the other parent . . .” see comments in other sections about travel orders. The language should also match to say if the just grants orders they will be listed in DV-140, as the rest of the INFO sheet on this point is not written as if someone already has an order.	The committee has removed this section in the form. It may cause confusion, as described by other commenters above.
			While the confidential address program is important, the needing an interpreter and requesting accommodations should be on page 2, and other help and the program, spill over on page 3. The information about the court process being online should be included in the self-help center	The committee has reorganized the content so that the request for interpreters and accommodations comes before the information at the Safe at Home program. However, this information is still on page 3. The committee finds it preferable to keep the information about online content in a separate section, consistent with the other INFO forms.

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			section, because there simply may not be one available to them.	
			DV-505-INFO	
			For Part 1, Which forms do I complete, it lists the DV-140 as a form the survivor has to complete, when the form itself does not say that. The form should be completed by the court, or if the expectation is that they have to fill out part of it like the DV-110, then that should be clear.	Courts have different practices on this issue. The committee will make note of this and consider adding an instruction on form DV-140 in the future when comment on this can be sought.
			For Part 2, Tips for completing the form, the issue of qualifying relationship is already covered in several other spots including the DV-100 and DV-500-INFO. This space could be used for another tip.	The committee agrees and has removed the list of qualifying relationships and, instead, refers to the list of qualifying relationships provided on form DV-100.
			In the Describe the abuse section, it may help to reference DV-500-INFO, which explains what is abuse. Also, “describe” could be explained and have examples such as what a person said, how they looked, what they actually did and how they did it, dates and times, etc.	A reference to form DV-500-INFO has been added. The committee did not add examples of how to describe the abuse as form DV-100 itself contains those examples at items 5 through 7.
			The “How old must I be” section seems more appropriate for DV-500-INFO. The DV 505-INFO form is theoretically for those who already know they can ask for a DVRO at this point.	The committee believes that the information should be included on both information forms as not all restraining order packets will include all INFO forms.
			The “What if the other side has a gun or firearm” section should include the information about ammunition and firearm parts.	This information has been added.

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			For “What is a Batterer Intervention Program”, there is enough space to add a line that explains a BIP it is not the same thing as anger management. This is important because we still see courts often ordering anger management instead of BIPs. While courts can arguably order anger management and any other reasonable program because of their broad authority under Family Code section 6322, anger management programs should not be viewed as substitutes for BIPs.¹ Indeed, they could work well together for some abusers. The statute setting the standards for BIPs does not use the term “anger” (Pen. Code, § 1203.097, subd. (c)), and BIPs, not anger management programs, are a proven useful measurement for an abuser’s progress (e.g., Fam. Code, § 3044, subd. (b)(2)(A)). Some BIPs may include anger management as a component of their curricula, but the desire to control an intimate partner, not anger, is the root of domestic abuse. In fact, the Legislature in 1999 added the reference to the Penal Code statute, into the DVPA (Fam. Code, § 6343), precisely because courts were sending abusers to inadequate counseling and treatment programs, such as anger management, (Stats. 1999, ch. 662, § 3; Sen. Com. on Judiciary, com. on Sen. Bill No. 218 (1999-2000 Reg. Sess.) [“[M]any counseling programs to which courts [were] send[ing] restrained parties do not rise to the level of the treatment program[s] for convicted batterers approved by the probation department, and [so] the result of sending people to those counseling programs is much the same as if they never went to counseling at all. On the other hand,	The committee has added language to distinguish batterer intervention programs from anger management programs.

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			[the bill’s proponents] say, the diversion programs designed for batterers and approved by the probation department tend to be more effective in changing the behavior of convicted batterers.”].) 1 “There is a common belief that domestic violence is a result of poor impulse control or anger management problems. Abusers routinely claim that they ‘just lost it,’ suggesting that the violence was an impulsive and rare event beyond control. Domestic violence is not typically a singular incident nor does it simply involve physical attacks. It is a deliberate set of tactics where physical violence is used to solidify the abuser’s power in the relationship. In reality, only an estimated 5 to 10 percent of perpetrators have difficulty with controlling their aggression. Most abusers do not assault others outside the family, such as police officers, coworkers, or neighbors, but direct their abuse toward the victim or children. This distinction challenges claims that they cannot manage their anger.” (Bragg, Child Protection in Families Experiencing Domestic Violence, (2003) p. 18; Gondolf & Russell, The Case Against Anger Control for Batterers (1986) 9 Response 1, 3 “[W]ife abuse is not necessarily anger-driven,” but more the consequence of a socially imposed “need to control women”; as a result men who “frequently cited anger control techniques as their means for reducing abuse” were less successful in reducing abuse or reforming; “[B]atterers readily reduce anger control to a set of gimmicks that enables them to get their way less violently while continuing their abuse”; “[a]nger control fails to account for the	

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			premeditated controlling behaviors associated with abuse.”]; Yorke, Avoiding Collusion with Batterers through Recognition of Covert Behavior for Better Outcomes In Family Court (2016) 28 J. of Am. Academy of Matrimonial Lawyers 563, 578 [“[T]he hallmark of many batterers is [not anger all the time]. They are able to maintain their composure under seemingly difficult circumstances and only express their anger at loved ones behind closed doors.”].)	
			For Parts 3 and 4, suggesting that someone will be able to get information by calling the courthouse, when that, in our experience, isn’t happening always, can be frustrating and disheartening for folks. From what we have gathered, court personnel do not want people to call them with these questions, and between complex phone trees, severe hour restrictions, and answering machines, they can make it very difficult to get any question answered—and certainly not as easily and readily as all these forms make it seem. Also it is not always true that it will be ready the same day or next business day.	For part 3, the committee has added an instruction to check the court’s website. The information form reflects what is statutorily required. If there are delays, this should be addressed with the local court.
			DV-520-INFO	
			This is an incredibly difficult form to create and manage, and it is clear that the Committee continues to prioritize putting as much information as it can in the hands of unrepresented litigants. In particular the difficulty of trying to write it for both sides. There is always more that can be done, but this certainly is a tremendous ongoing effort that is greatly appreciated. With that in mind, there	Thank you for your response.

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			is simply not enough time to lay out all the suggestions for improvement. Here are a few but not all suggestions below.	
			The first item is bring evidence or witnesses. We can be a voice in helping survivors know that their own testimony is itself sufficient evidence, and has already been submitted through their declarations on the DV-100 and other forms. (Fam. Code, § 6300, subd. (a).) If they have additional evidence in the form of any type of written or oral communication or witnesses, then they can add that, but it is not required. (Ibid.; In re Marriage of F.M. & M.M. (2021) 65 Cal.App.5th 106.)	The committee has added language to indicate that bringing witnesses and evidence, aside from one's own statements, is optional.
			At the same time, it should be clear the petitioner has the burden of proof. And specifically mentioned should be that their burden is to prove the matter by a preponderance of the evidence (Evid. Code, § 115; In re Marriage of Davila & Mejia (2018) 29 Cal.App.5th 220), which means more likely than not at least one past act of abuse has occurred (Fam. Code, § 6300, subd. (a)) and a DVRO is warranted under the totality of the circumstances (id., § 6301, subd. (c)).	The committee agrees that this information should be added, and has done so in plain language.
			The section on Evidence also talks about making evidence available, and then separately if they have already filed and served. They will have to have copies, not just make it available, and they have to be given to the other side before the hearing, or at least before a judge can look at them. Also do the self-help centers know that they are supposed to help people with this information,	The committee has added that the party must have three copies if they are attending in person and to contact the local self-help center regarding evidence for a remote hearing, as the practice will vary across counties, and departments. If self-help centers are not equipped to provide the information, they will likely be able to refer litigants to other resources that may be available.

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			what does someone do if there really is no accessible SHC, where do they go?	
			Witnesses can appear remotely even if the survivor appears in person. A court may require notice to the other side regardless of the number of witnesses, and since the respondent has the option of a continuance in some circumstances, survivors and witnesses need to be prepared to possibly have to come back.	The committee has changed the language to “you or a witness” may attend remotely.
			The “Plan what you want to say” section needs more accessible terms than “weigh in” and arguing in their case “allegations”. I would prefer to see something that acknowledges that not everyone can write it down, and that this does not help everyone. Especially since this will be in different languages.	The language has been changed to, “If you do not agree, tell the judge.” All forms in this form set do assume that the reader has a certain literacy level and ability to write. The committee will make note of the fact that the forms are not designed for someone who may not be able to write or read in English, in the event that alternatives are created, such as audio versions of the content.
			As noted, the issue of whether and how to arrange remote appearance should be part of the arrangements before the court hearing. Also “What to expect at your hearing” is written as if people have choices about how they show up. If they show up too early, they may not even be allowed in the court building, or they may not be allowed to sit in the hallway, or may have to do so with the abusive party in the same hall. If they are having a video appearance, they may get stuck in a waiting room and in some cases never get out.	The section on remote appearances has been moved to the “Make arrangements...” section on page 1. The committee did not change the advisement on arriving early as the goal is to ensure that they do not miss their hearing.

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			The issue of the continuance should clearly state that the other side has a right to an automatic continuance if they haven't filed a response. (Fam. Code, § 245, subd. (a) ["The respondent shall be entitled, as a matter of course, to one continuance for a reasonable period, to respond to the petition."], italics added.)	This information is listed on page 2.
			Also, it is important for those who are appearing remotely to know how they will get a copy of their order. They may or may not be expected to complete it and file it themselves.	Step-by-step instructions are now provided on page 3 and apply to in person and remote appearances.
			DV-530-INFO When discussing options for survivors, it should be clear there may be risks for doing certain things. For instance, calling the police can be dangerous or risky (e.g., arrest of abuser or survivor or both; immigration consequences; eviction or other tenant issues), or it may not be safe, and there is no information about how a survivor can let the court know about any of this. Plus, it gives suggestions about people to whom to give copies of the restraining order, without describing that there may be safety and other risks involved in doing so.	The committee has added information about actions that a judge could take if the restraining order is violated. This can be viewed as an alternative to calling the police for those who would not call the police for help. In the section on providing copies to others, the committee has added language to explain that this "should only be done if it is safe to do so."
			Additional Comments Qualified Relationships for a DVRO It is clearer and easier to read if the "step" relatives are included before the "in-law" relatives. So: "Brother, sister, step-sibling or sibling in law." While it is great that there is more clarity now for survivors that in-law abuse can be qualifying for a	"Step" relatives is now listed before "in law" relatives, as suggested by commenter. The committee did not adopt the suggestion to make clear whether "former" in-law relatives would qualify as there are different interpretations on the issue.

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			DVRO, it is not clear whether or not it applies to “former” in-law relatives. It should be made clear whether people who are no longer someone’s relatives by marriage can be included, which they arguably should be. (Fam. Code, § 6211, subd. (f).)	
			Priority of Enforcement The additions to the CPO section are helpful but the more consistency and clarity with the terms would be helpful. While I appreciate that this may be more for law enforcement or others, the parties are often in the dark about what orders they have, and how they relate to one another because there are different court systems and actors involved. Therefore, for the parties it would be helpful to have more clarity with the numbered items. For Number 1, I think EPO should be spelled out. It is not an acronym that is immediately understood, and the information given by the name is itself helpful.	This change, to spell out Emergency Protective Order, has been made.
			Number 2, No-Contact order is not clear. If it is a No-Contact Order in a TRO, then what does that mean if there is also a CPO? The TRO should control if the CPO doesn’t have a no-contact order, right? It should be clearer either what a No-Contact order might look like, or otherwise be called, or where exactly it might be found, for example, item 10 on the TRO; and clarify whether it can be civil or criminal, or both.	The committee has changed the language to make it clear that a no-contact order in any restraining or protective order must be enforced. This section now references the item number for the no-contact order.
			Number 3, it would be clearer to separate out Criminal Protective Order from Criminal Order, so that it is clearer for a survivor if they actually have	As this section deals with conflicting restraining orders, the committee has changed this item to specifically address criminal protective orders.

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			that type of order. Depending on how Number 2 is clarified, it could also be split into Criminal Protective Order and Other Criminal Orders.	
			Number 4 is unclear because unlike the other numbers, it does not reference how it specifically relates to the other numbers. What might be an example of having multiple civil orders and how would that relate to what was said in the earlier numbers? If someone has a DVRO no-contact order in an earlier order, does that take priority over a later order that do not have no-contact orders? It seems yes, but as written, it is not clear.	The committee believes that the new proposed language makes it clear that a no-contact order must be enforced, and if there is more than one civil restraining order, the most recent order is enforced. The committee is interested in simplifying this section and hopes to gather feedback from law enforcement in the future.
4.	Giffords Law Center to Prevent Gun Violence By Julia Weber, Implementation Director San Francisco	NI	On behalf of Giffords Law Center to Prevent Gun Violence, we appreciate the opportunity to comment on these important proposals. Thank you to Judicial Council staff and committee members for your work to make these proposals as responsive as possible. Re: proposed repeal of Rule 5.495, we agree that SB 320 codified this rule of court, however, it should be noted that the Advisory Committee Comment was not part of SB 320. If the rule is repealed, we recommended ensuring that the information contained in the Advisory Committee Comment be documented and included in training for judicial officers and court staff going forward as it reflects Family and Juvenile Law Advisory Committee and Judicial Council thinking and policy in this area. For example, to support relinquishment and reduce risk, courts need to recognize that use immunity under Family Code section 6389 is possible as current rule 5.495 indicates in the Comment.	Thank you for reviewing and submitting comments for this proposal. The committee agrees that continued training on the requirements of Family Code section 6389 is key to reducing risk and supporting the court's efforts to ensure relinquishment. Through its subcommittee, the Violence Against Women Education Project, the committee will support education on this topic.

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			DV-100	
			On page 21, #9, "Does person in 2 have firearms (guns), firearm parts, or ammunition?" as a phrase (firearms (guns), firearm parts, ammunition) that should be used consistently as opposed to the more confusing "firearms, guns, etc." It appears to be redundant when both guns and firearms are used below rather than putting "guns" in parenthesis.	The committee agrees to reference firearms as "firearms (guns)."
			Page 26, #27 should reference PC 1203.097 to ensure the program is approved and not another type of program that may not help reduce risk.	The committee recommends including the citation to Penal Code section 1203.097 to the order form, instead of the request, as it is unlikely that the citation would be useful to petitioner at the time of the request.
			Page 27, "Automatic Orders That a Judge Can Make Right Away," makes it sound as though these particular orders are discretionary which conflicts with "automatic." Propose removing that heading or stating, "If your request for this order is granted, these orders will automatically be included."	The committee has changed the title to "Automatic Orders if Judge Grants Restraining Order."
			DV-105	
			DV-105, there should be reference to FC 6323(e) which requires that when a court is determining whether visitation should be suspended, denied, or limited to situations in which a third person is present, the court must consider whether there is violation of the firearm prohibition. For example, a question on this form asking whether the petitioner believes the person has violated the firearm prohibition may be helpful in obtaining that critical information.	The committee did not adopt this suggestion. At the time of the request, there would be no firearms prohibition for the restrained person to violate. Therefore, including a question as to whether the petitioner believes that the person has violated the firearms prohibition would be unanswerable. However, this information could be included on an information form on custody issues, which the committee will consider proposing in the future.

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			In #7 and #8, virtual visitation should be included as an option given the availability of relevant technology and the possibility that virtual visitation may provide a way to reduce risk as opposed to in person visitation.	The committee believes that virtual visitation is appropriate in some, and not all, situations, and depends on a number of factors, including whether a professional provider has policies in place to safely conduct virtual visitation. The committee believes that orders for virtual visitation are currently being made on a case-by-case basis, and does not recommend include it as an option on the forms before considering various policy issues.
			DV-109	
			DV-109: may be useful to state more clearly that party has a right to attend court remotely.	The committee did not make this change as the language included on the form is consistent with the statutory language.
			On page 37, consider where the restrained/prohibited person will get the information directly about relinquishing now that they are prohibited until the court hearing and how to find out about local protocols for relinquishment since the court is required to provide that information under FC 6304.	The committee agrees that referencing local protocols for relinquishment would helpful. However, the committee believes that this information should be on order form DV-110, rather than form DV-109, which is the notice of court hearing form.
			Here or DV-110 (and/or on other relevant forms) there should be reference to receiving info from the court about how to comply locally per FC 6304.	Same response as above.
			DV-110	
			On DV-110, page 39, #5, heading should be consistent ("No Firearms (Guns), Firearm Parts, Ammunition" to avoid confusion and increase consistency throughout DVRO forms (and all firearm prohibiting civil orders).	The committee agrees and has made this change.

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			In 5d, add "properly" turned in or sold"; note that receipt is to be provided to the court and law enforcement.	The committee has changed the language to specify that the items must be “properly turned in, sold, or sold.” The requirement to provide a receipt to the court and law enforcement that served the restraining order is provided at 5e.
			In 5e, consider "turn in any firearms, firearm parts, or ammunition you have," to avoid confusion. and note that you still have to turn in the receipt to the court (d and e appear to be separate requirements but could be combined for clarity).	The committee prefers to use the term “prohibited items” to refer to all items listed in item 5(b). The order to provide a receipt to law enforcement and the court have been combined and provided in item 5(e).
			In #6, add date the court received proof of compliance.	The committee has made this change.
			In #7 on page 40, consider including additional consequences for non-compliance which may include being held in civil contempt, monetary sanctions, and limiting or denying visitation.	The committee did not adopt this suggestion and prefers to keep the language as simple as possible. The goal of this section is to communicate clearly to the restrained person that there is a hearing that they must attend.
			Appreciate the addition of #7 providing for review hearing.	Thank you for your comment.
			P. 48, #8, re: No Fee to Serve: please clarify by adding "upon request" so it doesn't suggest this will be happening automatically.	The committee did not make this change as the second sentence makes it clear that petitioner must bring a copy to law enforcement.
			Page 54, #26, use consistent heading "Firearms (Guns), Firearm Parts, or Ammunition." Confusing in a. to list guns and firearms separately (this is a universal comment for all forms where "guns and firearms" are used as if they are two separate items).	This change has been made.

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			"Prohibited items" in b. is vague: consider, "I have turned in all my firearms, firearm parts, and ammunition..."	The committee did not make this change as the order clearly states what a prohibited item includes.
			DV-120-INFO	
			On DV-120-INFO, "ghost guns" may not be a familiar term and this is one of the only places it is mentioned. Consider "Not have any firearms (guns), firearm parts, or ammunition."	The committee believes that it would be helpful to use the term "ghost guns" on the INFO form for people who are familiar with the term, to help identify unserialized or homemade guns.
			Consider adding, "Ask the court for more information on how you can comply locally with an order to turn over or store these items if the court issues the order."	The committee has added language to refer people to the court for local information on how to obey these orders.
			Consider adding what relinquishment is NOT (not a transfer to a family member, for example).	The committee agrees that this information would be helpful but that the information should be on form DV-800/JV-270-INFO, <i>How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, or Ammunition?</i> This information has been added to page 1 on form DV-800/JV-270-INFO.
			Consider noting that if you do not comply with the firearm and ammunition prohibition, visitation may be restricted or denied.	This information has been added to form DV-800/JV-270-INFO, <i>How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, or Ammunition?</i>
			Next Steps on pg. 57 could include reference to seeking local info on how to comply.	This information has been added to Part 1 on page 2.
			DV-125 should include option for virtual visitation.	The committee believes that virtual visitation is appropriate in some, and not all, situations, and depends on a number of factors, including whether a professional provider has policies in place to safely conduct virtual visitation. Many policy

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				issues need to be considered before this can be added to the forms.
			DV-130	
			DV-130 should be consistent with comments and wording suggested above for TRO.	See responses above for DV-110.
			#8 on p. 63 should be "Restrained Person has Firearms, Firearm Parts, and/or Ammunition." "Prohibited Items" is too vague and it could be easily missed by law enforcement or another court.	The committee does not agree that "prohibited items" is too vague as the order explains what "prohibited items" covers. The committee believes that using a shorter phrase to capture firearms (guns), firearm parts, and ammunition makes the content easier to read and understand. In order to address the comment that "prohibited items" could be easily missed by law enforcement or another court, the committee has (bolded) the item and increased the white space, to make in more visible and less likely to be missed.
			Date for compliance should be included.	This has been added.
			#9 pg. 63 should be changed to "...Not Complied With Firearm and Ammunition Prohibition." Too vague and no close reference to "prohibited items" which can reduce the perception of the seriousness of the matter and the risk involved for protected parties, law enforcement, and the public.	The committee does not agree that "prohibited items" is too vague as the order explains what "prohibited items" covers. The committee believes that using a shorter phrase to capture firearms (guns), firearm parts, and ammunition makes the content easier to read and understand. In order to address the comment that "prohibited items" could be easily missed by law enforcement or another court, the committee has (bolded) the item and increased the white space, to make in more visible and less likely to be missed.
			#9 here and elsewhere should not require specifying the law enforcement agency because	The committee does not agree with this suggested revision. Identifying the law enforcement agency,

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			some courts are submitting this information electronically to all county law enforcement agencies given jurisdictional issues and risks. Consider, "The court will immediately notify law enforcement and within two days, the appropriate prosecuting agency unless proof of relinquishment is provided prior to the court notifying the prosecuting agency," since notice could happen before a full two days.	when possible, is key to improving enforcement. If a court determines that notification through an electronic system is appropriate in a situation, the court could indicate so on the form (e.g. all law enforcement agencies in [name of county] notified via [means of notification]).
			Under 9(c), there is an implication that the law allows for another two days for the person to comply. However, the court has found them to be in violation and FC 6389(c)(2)(B)(4) says the court has two days to notify the prosecuting agency.	The committee has changed the language to "immediately notify" as the order is intended to communicate to the restrained person that notification will happen quickly. The committee has also included an instruction on form DV-800-INFO that the restrained person may provide a receipt of surrender to the prosecuting agency.
			Because the OAH may be the first time the person becomes prohibited, it may be helpful to provide information in 10 to distinguish between 9 and 10 to avoid confusion and clarify that the person has 48 hours to provide a receipt, such as, "You must attend the court hearing in 6 or submit a receipt to the court and law enforcement within 48 hours of receiving this order to prove you have properly turned in all firearms, firearm parts, or ammunition."	The committee did not accept this change. Courts may still want to conduct a review hearing even if a receipt is filed.
			On pg. 68 #30, please clarify if the service options [are] either/or.	The committee has added an instruction to "check a, b, or c."
			Pg. 69, Instructions for Law Enforcement, please include informing restrained party of firearm prohibition, requesting firearms, parts, and ammo,	The committee has added a new section under the <i>Instructions for Law Enforcement</i> called, "Duties of Officer Serving This Order" to order forms DV-

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	Commenter	Position	Comment	Committee Response
			and removing firearms in plain sight or discovered through a consensual/legal search. Note that "disobeyed order" includes refusal to turn in firearms upon request. All comments here are suggested as universal comments for all forms in this ITC so that consistent headings, terminology, and phrases will appear on all DVRO forms.	110 and DV-130. This same information is currently on the gun violence restraining order forms (GV-110 and GV-130) and provides step-by-step instructions for law enforcement.
			On EPO-001, the reference to firearms being "searched for" has caused some confusion: does this mean searched for electronically in the Automated Firearms System (AFS) or physically searched for at the scene? It would be clarifying for both the officer requesting the EPO, and the court, and for anyone enforcing or protected by the order to know which occurred. Suggesting a clarifying checkbox with language indicated what is meant be added.	This change has been made at item 10 on the form.
			Re: the request for comment on the specific question "Would it be helpful or relevant for courts to know whether a specific firearm or other prohibited item was stored or seized by law enforcement?," we believe that yes, it would [be] very helpful in reducing risk and ensuring a fair process for more specific information about firearms, parts, and ammunition that have been stored or seized to be provided given that there may be a combination of compliance and non-compliance that must be sorted out by the court and law enforcement.	The goal of indicating the actions "stored" or "seized" is to communicate to the court whether an item could be returned to the restrained person after the restraining order terminates. After speaking with law enforcement, the committee recommends using, "stored," or "to be destroyed."
5.	Harriett Buhai Center for Family Law	AM	Does the proposal appropriately address the stated process? Yes	Thank you for reviewing and submitting comments for this proposal.

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	Commenter	Position	Comment	Committee Response
	by Rebecca L. Fischer, Senior Staff Attorney Los Angeles		Would it be helpful or relevant for courts to know whether a specific firearm or other prohibited item was stored or seized by law enforcement? N/A	No response required.
			Is the new layout for the child custody section (form DV-105, item 6) easier for self-represented litigants to understand and complete? Item 6 may still be confusing for pro per litigants. We suggest the following changes: • The sentence in the information section that says “If a judge makes a custody order, the parent with custody cannot take the children out of California without permission from the court” is incorrect and attempts to simplify a very complex issue. We recommend removing it. • We ask Judicial Council to consider whether the custody information section (or the restraining order general information sheet) should mention the effect of a restraining order on custody.	The committee agrees and has removed the advisement. The committee agrees that information about custody, visitation, and other related issues would be helpful. The committee will consider creating an information form for this purpose in the future.
			Is the new layout for the visitation section (form DV-105, items 7 and 8) easier for self-represented litigants to understand and complete? Items 7 and 8 may still be confusing for pro per litigants. We suggest the following changes: • Remove the “once a week”/ “twice a week” options in item 7(b)(2) to prevent litigants from filling in both a once a week box and the visitation schedule; • Move the visitation chart to the first available option under 7(b)(2);	The committee has added the instruction “check one” to address the commenter’s concern. The form has been reorganized so that the visitation chart is on the same page as the

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			- Change “Other” to “visitation schedule” as the second option under 7(b)(2); - Move the chart in item 8 to under 7. Having them as separate options increases the number of boxes a pro per litigant needs to mark. If item 8 is not marked, there may be arguments about whether notice was proper. - On item 8 visitation schedule, remove every week/ every other week and replace with 1st, 2nd, 3rd, 4th, 5th weekend language. A restraining order request/ order that lists “every other week” is next to impossible to enforce especially several months after the order was made.	visitation item. It would follow that the option to use the chart be the last option so it is right above the chart itself. The committee did not accept this change. While the committee agrees that the order (form DV-140) should indicate whether the order applies to the 1st, 2nd, 3rd, 4th or 5th week, the committee believes that “weekly” and “every other week” is easier to understand for self-represented litigants.
			Are there other examples of reproductive coercion that should be listed in item 5 of form DV-100 instead of the proposed example? N/A	No response required.
			Should language to implement Senate Bill 654 be included on the domestic violence restraining order forms? We would recommend including language on the DV-105 in the custody box that specifies “If the court issues this restraining order after hearing, the court must state on the record reasons for granting sole or joint custody or unsupervised visitation to the restrained person.” Similar language could be placed on the DV-125. We would also suggest putting a box on DV-140	The committee believes that including the information on the order form (DV-140) is sufficient to put the court and litigants on notice that the judge is required to state its reasons on the record or in writing. On form DV-140, the committee believes that having a space on the form for the judicial officer to state their reasons for granting unsupervised visit would be helpful. This new item is at 10a on form DV-140. The committee also recommends adding at item 6c of form DV-140, space for the judge to state its reasons for granting custody to the person in 2 (restrained person).

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6.	Orange County Bar Association by Daniel S. Robinson, President	A	Does the proposal appropriately address the stated purpose? The Proposal addresses the stated purpose.	Thank you for reviewing and commenting on this proposal.
			Would it be helpful or relevant for courts to know whether a specific firearm or other prohibited item was stored or seized by law enforcement (see page 4 of form DV-800/JV-270)? Yes, type of seized firearm(s) listed in the form DV-800 is important for the court & protected party to know, especially if it does not comport with their recollection of firearms in the Restrained Party's possession.	The goal of indicating the actions "stored" or "seized" is to communicate to the court whether an item could be returned to the restrained person after the restraining order terminates. After speaking with law enforcement, the committee recommends using, "stored," or "to be destroyed."
			Is the new layout for the child custody section (form DV-105, item 6) easier for self-represented litigants to understand and complete? Is the new layout for the visitation section (form DV-105, items 7 and 8) easier for self-represented litigants to understand and complete? Yes, the layout of the form DV-105 is even easier for attorneys!	Thank you for your response. The committee agrees that the new layouts for custody and visitation are more user-friendly and recommends using them on form DV-105.
			Are there other examples of reproductive coercion that should be listed in item 5 of form DV-100, instead of the proposed example? The listed examples of reproductive coercion are sufficient.	The committee agrees that the examples are sufficient. One change was made to the example, in response to a comment received. The committee changed the example to include trying to interfere or control "access to health information," and not just access to "access to related health information."
			Should language to implement Senate Bill 654 be included on the domestic violence restraining order forms? The proposal can be found at can be	The committee believes that having a space on the form for the judicial officer to state their reasons for granting unsupervised visit would be helpful.

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			found at www.courts.ca.gov/policyadmin-invitationstocomment.htm . Yes, supervised visitation is the statutory option for someone found to be a perpetrator of Domestic Violence and it is appropriate to incorporate the language from the forms in SPR22-09 into the DV form numbers.	This new item is at 10a on form DV-140. The committee also recommends adding at item 6c of form DV-140, space for the judge to state its reasons for granting custody to the person in 2 (restrained person).
7.	Superior Court of Orange, Family Law and Juvenile divisions by Vivian Tran, Operations Analyst	NI	Recommend form DV-110 at item 3 (<i>Other Protected People</i>) be revised to list orders in number 8-11 rather than 6-9. Items 6 and 7 do not pertain to <i>Other Protected People</i> . Item 13 on form DV-110 can possibly pertain to <i>Other Protected People</i> .	The committee has changed the reference to items 8 through 11. If the court issues “other orders” that protect the people in item 3, the court should indicate this as part of the order.
			Recommend adding a line at item 9b of DV-130 and item 3b of DV-820 to list the name of agency.	Lines have been added.
			Form DV-140 (Order for Minor Children), item 6e(3) incorrectly references item 8 instead of 9.	The numbering has been corrected.
			Form DV-800/JV-270, page 2 reflects the incorrect page number on the bottom right.	The page number has been corrected.
			Recommend form DV-820 (Prohibited Items Findings and Orders) to be an optional form instead of mandatory as page 9 of the proposal states “it would be unlikely for the court to have information regarding noncompliance at the temporary order stage.”	Mandatory means that form DV-820 would need to be used if the court is 1) making a determination that the restrained person has a prohibited item; 2) setting a hearing to review compliance; or 3) notifying another agency of noncompliance. If none of the orders are applicable in a case, form DV-820 would not be required.
			Forms DV-130 (Restraining Order After Hearing), DV-820 (Prohibited Items Finding and Orders) DV-830 (Noncompliance with Firearms and	The committee understands that identifying the appropriate agency may be challenging in some situations. However, Family Code section 6306(e)

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			Ammunition Order, or Warrant), DV-840 (Notice of Compliance Hearing for Firearms and Ammunition) requires the court to specify the agency that notice is being sent to. Some of the challenges that the court may encounter regarding notifying specific law enforcement agencies include: ◦ Instances where the restrained person does not have a fixed residence ◦ Restrained person that lives out of state or county ◦ Jurisdictional - Cities that are “policed” by either a Police Department or Sheriff’s Department ◦ Addresses in unincorporated areas are difficult for court staff to determine agency jurisdiction	does require the court to notify appropriate law enforcement officials. The court will need to make this determination with whatever information it has and in the event that the court cannot identify one agency, the court could notify multiple agencies.
			Does the proposal appropriately address the stated purpose? Yes, the proposal appropriately addresses the stated purpose.	Thank you for your response.
			Would it be helpful or relevant for courts to know whether a specific firearm or other prohibited item was stored or seized by law enforcement (see page 4 of form DV-800/JV-270)? Yes, this information may be useful to the court.	Thank you for your response.
			Is the new layout for the child custody section (form DV-105, item 6) easier for self-represented litigants to understand and complete? ◦ Item 6 may not be easily understandable to self-represented litigants that are native English speakers. (e.g., mother/father vs.	The committee did not make this change. User-testing did not reveal issues with this construction and testers indicated that the language would translate well into some other languages like Hmong, and Tagalog.

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			indicating “sole to me, sole to person in #2, shared held jointly, etc.) Recommend “sole to me” be changed “parent/legal guardian.” Include individual checkboxes next to “parent/legal guardian:” with a line to indicate parent or legal guardian’s name.	
			Is the new layout for the visitation section (form DV-105, items 7 and 8) easier for self-represented litigants to understand and complete? Yes, the new layout on form DV-105, items 7 and 8 is easier for self-represented litigants to understand and complete.	Thank you for your response. The committee agrees that the new layouts for custody and visitation are more user-friendly and recommends using them on form DV-105.
			Recommend item 7 be retitled to include the word “children” to match the information section on top of page 3.	The committee has included “children” when referring to visits or visitation (i.e. visits with children).
			Are there other examples of reproductive coercion that should be listed in item 5 of form DV-100, instead of the proposed example? No	Thank you for your response.
			Should language to implement Senate Bill 654 be included on the domestic violence restraining order forms? The proposal can be found at www.courts.ca.gov/policyadmin-invitationstocomment.htm. Yes, language to implement Senate Bill 654 should be included on the domestic violence restraining order forms.	The committee agrees and has added space on the order form (DV-140) for the judicial officer to state their reasons for granting unsupervised visit would be helpful. This new item is at 11a on form DV-140. The committee also recommends adding at item 7c of form DV-140, space for the judge to state its reasons for granting custody to the person in 2 (restrained person).
			Would the proposal provide cost savings? If so, please quantify.	No response required.

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			No, the proposal does not appear to provide cost savings.	
			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? ◦ Training for case processing clerks and courtroom clerks (approximately 1-2 hours for each position), judicial officers (approximately 1 hour). ◦ Revising event codes in case management systems. ◦ Revising processes and procedures.	Thank you for your response.
			Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? No, six months will be needed for implementation of system updates, procedures, and training.	Thank you for your response. Many of the changes in this proposal are to implement new laws that became effective on January 1, 2022. Given the importance and safety issues associated with the new laws, specifically Senate Bill 320, the committee does not recommend delaying implementation of this proposal.
			How well would this proposal work in courts of different sizes? This proposal would work for Orange County.	Thank you for your response.
8.	Superior Court of Riverside County by Susan D. Ryan, Chief Deputy of Legal Services	NI	Does the proposal appropriately address the stated purpose? Yes	Thank you for reviewing and submitting comments for this proposal.

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			Would it be helpful or relevant for courts to know whether a specific firearm or other prohibited item was stored or seized by law enforcement (see page 4 of form DV-800/JV-270)? Yes, this would be helpful to see if items turn in match any items that may have been disclosed by the protected person. This would help establish a record of firearms know to be owned by the restrained person.	The committee agrees that having more information on what was done with the firearms would be helpful. The goal of indicating the actions “stored” or “seized” is to communicate to the court whether an item could be returned to the restrained person after the restraining order terminates. After speaking with law enforcement, the committee recommends using, “stored,” or “to be destroyed.”
			Is the new layout for the child custody section (form DV-105, item 6) easier for self-represented litigants to understand and complete? Yes, this does seem clear.	The committee agrees and recommends using the new layout.
			Is the new layout for the visitation section (form DV-105, items 7 and 8) easier for self-represented litigants to understand and complete? Yes, this does seem clear.	The committee agrees and recommends using the new layout.
			Are there other examples of reproductive coercion that should be listed in item 5 of the DV-100, instead of the proposed example? No	The committee agrees that the examples are sufficient. One change was made to the example, in response to a comment received. The committee changed the example to include trying to interfere or control “access to health information,” and not just access to “access to related health information.”
			Should language to implement Senate Bill 654 be included on the domestic violence restraining order forms? The proposal can be found at www.courts.ca.gov/policyadmin-invitationstocomment.htm?	In the context of domestic violence restraining order matters, Senate Bill 654 would require the court to indicate on the record or in writing, its reasons for granting unsupervised visits. The committee does recommend including space for this on the order form (DV-140, at item 11(a)).

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			It is not clear what language is referenced. Below is the implementation language for SB 654 [commenter included text from the bill which is not included here] from leginfo.legislature.ca.gov . This language may be too detailed or difficult for parties to understand, particularly children. Perhaps shorter simplified language would be better.	
			Would the proposal provide cost savings? If so, please quantify. None	Thank you for your response.
			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? These are significant changes. Clerk's office and courtroom staff would need to be trained on how to process these types of documents. Procedures would need to be created/modified. Codes would need to be created in the case management system for processing the new documents and hearings.	No response required.
			Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? No	Thank you for your response. The committee appreciates the amount of work involved in implementing new forms changes. Many of the changes in this proposal are to implement new laws that became effective on January 1, 2022. Given the importance and safety issues associated with the new laws, specifically Senate Bill 320,

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				the committee does not recommend delaying implementation of this proposal.
			How will would this proposal work in courts of different sizes? These are substantial changes. Smaller courts with less resources for training and IT may find these changes challenging.	Thank you for your response.
9.	Superior Court of San Diego County by Mike Roddy, Executive Officer	AM	Does the proposal appropriately address the stated purpose? Yes.	Thank you for reviewing and commenting on this proposal.
			Would it be helpful or relevant for courts to know whether a specific firearm or other prohibited item was stored or seized by law enforcement (see page 4 of form DV-800/JV-270)? Yes, it would be helpful.	The committee agrees. The goal of indicating the actions “stored” or “seized” is to communicate to the court whether an item could be returned to the restrained person after the restraining order terminates. After speaking with law enforcement, the committee now recommends using, “stored,” or “to be destroyed.”
			Is the new layout for the child custody section (form DV-105, item 6) easier for self-represented litigants to understand and complete? Yes.	The committee agrees and recommends using the new layout.
			Is the new layout for the visitation section (form DV-105, items 7 and 8) easier for self-represented litigants to understand and complete? Yes.	The committee agrees and recommends using the new layout.
			Are there other examples of reproductive coercion that should be listed in item 5 of form DV-100, instead of the proposed example? Propose adding “or interfere with” after “tried to control”, which would be beneficial and a key component of reproductive coercion.	The committee has made this change.

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			Would the proposal provide cost savings? If so, please quantify. No.	No response required.
			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? Updating internal procedures, local packets, case management entries, and training staff.	Thank you for your response.
			Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? Yes, if the final versions of the forms are provided to the court by that time. This will ensure that the court is able to update local packets and obtain printed stock.	The committee agrees that three months would be sufficient time to implement this proposal. The final programmed versions of the forms are usually available by November of 2022. However, training on how to use the new forms could start as soon as the council approves the proposal.
			How well would this proposal work in courts of different sizes? It appears that the proposal would work for courts of all sizes.	Thank you for your response.
			DV-100	
			Item 9: Propose a column or checkbox to indicate whether firearm is registered	The committee did not make this change but did include an instruction to indicate the serial number, when known.
			Item 15: Propose reverting to former section name. “Request for Orders for Minor Children” may be interpreted as orders by which the	The committee recommends reverting back to the existing heading for this item which is “Child Custody and Visitation.”

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			minor(s) must comply. Alternatively change to “Request for Orders Regarding Minor Children.”	
			DV-105	
			Propose reverting to former form name. “Request for Orders for Minor Children” can be interpreted as orders by which the minor(s) must comply. Alternatively change to “Request for Orders Regarding Minor Children.”	Because the committee no longer recommends combining form DV-108 with form DV-105, the committee recommends keeping the current title of form DV-105 as-is.
			Item 1: Propose changing “Your Information” to “Person Asking for Protection” to be consistent with other DV forms.	The committee recommends keeping the heading as proposed.
			Item 11: Propose moving language that the statements are made under penalty of perjury to the top of the section so that it is more visible.	This language is included at the end of the form so that it is clear that it applies to the entire form.
			DV-105(A) Child of children lived with: Propose changing “Parent in 2” column to “Person in 2” to be consistent with DV-105.	This change has been made.
			DV-109	
			Item 1: Propose changing “Name of Person Asking for Order” to “Person Asking for Protection” to be consistent with DV-100.	This change has been made.
			Item 2: Propose changing “Name of Person to be Restrained” to “Person You Want Protection From” to be consistent with DV-100.	The committee changed item 2 to “Person to Be Restrained” since this form is a notice for both parties.

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			DV-110	
			Item 6: Propose removing checkboxes for compliance because that is not possible prior to issuance of DV-110. If this is meant to reflect a finding when a DV-110 is continued, that should be done through a form attached on the DV-116 or perhaps the stand-alone DV-820 is preferable, which could then be attached to the DV-110 when applicable or DV-130. Inserting the checkboxes here will likely cause confusion for judicial officers. Another benefit of a stand-alone form is that it could be used to indicate that notification to law enforcement and/or the local prosecuting attorney was completed as required by Family Code sections 6306 and 6389. Having these findings and notifications made only on DV-130 does not seem efficient or sufficient to comply with the notifications, which could be made on a continued DV-110.	The committee did not remove the checkboxes for compliance. In the event that the court seeks to amend a previously issued form DV-110, including some information here regarding proof of compliance may be sufficient and avoid the need for the attachment (form DV-820). For example, the restrained person may have firearms and be fully compliant with the firearms relinquishment order.
			Item 7: Propose removing this section and including on a separate document or format for reasons provided above regarding item 6.	Some courts may have a practice of setting review hearings for all cases in which temporary orders were granted. Also, some courts consider the request for temporary orders at an ex parte hearing. Because of these situations, the committee recommends keeping the item on scheduling a compliance review hearing.
			Item 14: Propose reverting to former section name. "Request for Orders for Minor Children" can be interpreted as orders by which the minor(s) must comply. Alternatively, change to	The committee recommends reverting back to the existing heading for this item which is "Child Custody and Visitation."

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			“Request for Orders Regarding Minor Children.”	
			DV-120 Item 13: Propose reverting to former section name. “Request for Orders for Minor Children” can be interpreted as orders by which the minor(s) must comply. Alternatively, change to “Request for Orders Regarding Minor Children.”	The committee recommends reverting back to the existing heading for this item which is “Child Custody and Visitation.”
			DV-120-INFO Propose reverting reference to “Request for Orders for Minor Children” as indicated above.	This form no longer references form DV-105 or DV-140.
			DV-125 Propose renaming form “Response to Request for Orders Regarding Minor Children.” Existing title can be interpreted as orders by which the minor(s) must comply	The committee recommends reverting back to the existing title for forms DV-105 and DV-140.
			DV-130	
			Item 4: Propose editing the language to state: “Custody and visitation orders end when the child is 18” since that is always true, and the remainder could read “child support orders end by operation of law on or after the child is 18.”	The committee believes that the information provided is sufficient to give the person general information about when orders typically end. The current language is in plain language and easy to understand, while the language “by operation of law” would not be understood by laypeople.
			Item 8: Propose adding checkboxes to indicate whether the item is registered to assist with compliance and future orders. In addition,	The committee did not accept the suggestion to indicate whether an item is registered as some courts will not have access to the Automated Firearm System, and space is limited in this

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			recommend including serial numbers to assist with enforcement.	section. The committee did add an instruction to list the serial number if it is known.
			Item 17: Propose reverting to former section name. “Request for Orders for Minor Children” can be interpreted as orders by which the minor(s) must comply. Alternatively change to “Request for Orders Regarding Minor Children.”	The committee recommends reverting back to the existing heading, which is “Child Custody and Visitation Order.”
			Item 30: If the committee interprets a remote appearance at such a hearing to be sufficient such that no further service of the order is needed, it would be helpful to courts to have a CRC which expressly includes such language, since the emergency orders on this topic are set to sunset soon.	In order to address any uncertainty as to whether further service is required for enforcement purposes when the restrained person appeared remotely, the advisory committees dealing with protective orders will consider developing a rule of court to address this issue in a future cycle. Until such a rule is in place, the committee withdraws its recommendation to change the language in this item.
			Notice/Proof of Service: This section uses the language that has been updated elsewhere in the forms, “The restrained person was at the restraining order hearing” if a remote appearance by a Respondent will suffice for service purposes, this should also be reflected here.	In order to address any uncertainty as to whether further service is required for enforcement purposes when the restrained person appeared remotely, the advisory committees dealing with protective orders will consider developing a rule of court to address this issue in a future cycle. Until such a rule is in place, the committee withdraws its recommendation to change the language in this item.
			DV-140	
			Propose reverting to former form name. “Orders for Minor Children” can be interpreted as orders by which the minor(s) must comply.	The committee agrees to keep the current name for DV-140 “Child Custody and Visitation Order”

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	Commenter	Position	Comment	Committee Response
			Alternatively change to “Orders Regarding Minor Children.”	
			Item 8: The findings included in the proposed version of FL-341, item 9(b) should be added here so those mandatory findings are made as the issuance of DV-130 necessarily implicates Family Code sections 3011(a)(5)(A) and 3044.	The committee has added space for a judicial officer to state their reasons for granting unsupervised visits at item 11a on form DV-140. The committee also recommends adding at item 7c of form DV-140 to address the requirements related to granting sole or joint custody to the restrained person.
			DV-505-INFO	
			Propose the last paragraph on page one replace the word “parent” with “relative” because most courts would not find a parent a suitable guardian ad litem for a child bringing a restraining order against another parent, and this reference can cause confusion.	The committee has changed the language to “trusted relative” which could include a parent, as this determination will be made on a case-by-case basis.
			Propose adding that the judge will receive information regarding registered firearms through the Family Code section 6306 search, but information about firearms that have not been registered nor ammunition is generally unavailable to the court unless that information is provided by the party seeking a restraining order.	The committee did not add this information as some courts may not have access to the Automated Firearms System.
			DV-520-INFO	
			Propose adding “or child custody recommending counseling” to the process described in “What if I have a child with the	The committee believes that the current reference to a “court professional” is sufficient.

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

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	Commenter	Position	Comment	Committee Response
			other side?” to accurately describe the process in all counties.	
			Propose adding language to recommend logging into a remote appearance early in addition to “Show up to the hearing* early” in the event of technical difficulties.	The committee has added information about trying out remote technology.
			Propose editing the section regarding continuances because judges do not need to grant a restrained party’s request to continue the hearing if requested at the first hearing in the event they have already filed a response.	The committee has changed the language to indicate that a continuance must be granted if the restrained person has not filed a response.
			DV-530-INFO Propose adding, “or restricts access to your child’s information” to the first bullet point under the section regarding providing a copy of the order to other people and/or reference the next section below for additional orders regarding children.	The committee believes it is sufficient to have this information under the section, “What if the Judge Granted Orders to Protect My Children?”
			DV-800-INFO Propose adding “Ammunition includes:” section.	Examples of ammunition have been added.
			DV-820	
			Propose adding a section for serial numbers and check boxes to indicate whether registered to ensure compliance and enforcement.	The committee did not accept the suggestion to indicate whether an item is registered as some courts will not have access to the Automated Firearm System, and space is limited in this section. The committee did add an instruction to list the serial number if it is known.

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	Commenter	Position	Comment	Committee Response
			Propose using a separate form for this when attached to DV-110 because the column for proof of compliance may cause confusion.	The committee did not remove the checkboxes for compliance on form DV-110. In the event that the court seeks to amend a previously issued form DV-110, including information on whether the court has received proof of compliance on form DV-110 may be sufficient and avoid the need for form DV-820. For example, the restrained person may have firearms and be fully compliant with the firearms relinquishment order.
			DV-840: Propose adding a blank line for item 6(b) so it is clear information might need to be added.	The committee has made this change.
			EPO-001: Propose editing first and second highlighted sections on page 2 to accurately reflect “3e” which appears three times in that paragraph.	The committee has made these changes.
10.	Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee Joint Rules Subcommittee	AM	Due to the volume of changes to the current forms and the creation of new forms, some courts may need to modify their CMS systems as noted by the drafters. While normally, three months is sufficient to implement new forms, courts may require additional time to review internal processes due to the nature and sensitivity of domestic violence cases, hearings, and orders.	Thank you for your response. The committee appreciates the amount of work involved in implementing new forms changes. Many of the changes in this proposal are to implement new laws that became effective on January 1, 2022. Given the importance and safety issues associated with the new laws, specifically Senate Bill 320, the committee does not recommend delaying implementation of this proposal.
			No substantive comments on Form DV-100, other than a stylistic one. I would recommend that the newly added bullet point starting with “tried” is reformatted to fit in the first column.	The committee has made this change.
			No comments on Form DV-109	No response required.

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	Commenter	Position	Comment	Committee Response
			DV-110 - consider changing the phrase “CLETS-TRO” to “California Law Enforcement Telecommunications – TRO.” Many people outside of the judiciary and law enforcement may not understand the term “CLETS.”	This identifier is an agreed upon identifier with the California Department of Justice. It provides the three alpha characters (identifier) needed to enter the order into the CLETS. In the example provided by commenter, “TRO” is the CLETS identifier. Because the intended audience of the identifier is the person entering the restraining order into the CLETS, the committee does not recommend this change. The committee also notes that there are space limitations in the footer that would make it impractical to use the “California Law Enforcement Telecommunications System.”
			DV-116	
			DV-116 – Same recommendation to DV-110 regarding the abbreviation “CLETS.”	Same comment as above.
			On page 3, recommend striking the word “judicial officer” and leave “judge.”	This change would require coordination with other advisory committees. The committee will make note of this suggestion and consider it in the future.
			No comments on DV-120 and DV-120-INFO	No response required.
			No comments on DV-125	No response required.
			DV-130 - On page 8, recommend striking the word “judge” and leave “judicial officer” similar to other statewide forms.	Same response as above.
			No comments on DV-140	No response required.
			No comments on DV 500-INFO	No response required.
			DV 505-INFO seems to have formatting issues on page 2	Thank you. The formatting has been fixed.
			No comments on DV-520-INFO	No response required.
			No comments on DV-530-INFO	No response required.
			No comments on DV-800/JV-270	No response required.
			No comments on DV-800-INFO/JV-270-INFO	No response required.
			No comments on DV-820	No response required.

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	Commenter	Position	Comment	Committee Response
			DV-830 - On page 1, recommend striking the word “judge” and leave “judicial officer” similar to other statewide forms.	Same response as above.
			No comments DV-840/FL-840	No response required.
			EPO-001 - consider changing the phrase “CLETS-EPO” to “California Law Enforcement Telecommunications – EPO.” Many people outside of the judiciary and law enforcement may not understand the term “CLETS.”	Same response as above.

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