



Judicial Council of California

455 Golden Gate Avenue · San Francisco, California 94102-3688

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

Item No.: 24-159

For business meeting on September 20, 2024

Title

Juvenile Law: Restraining Orders

Agenda Item Type

Action Required

Rules, Forms, Standards, or Statutes Affected

Adopt Cal. Rules of Court, rule 5.632; amend rules 5.620, 5.625, and 5.630; adopt form JV-249; revise forms JV-245, JV-247, JV-250, JV-255, JV-257, JV-258, JV-259, JV-260, JV-265, JV-268, and JV-272

Effective Date

January 1, 2025

Date of Report

August 26, 2024

Recommended by

Family and Juvenile Law Advisory
Committee
Hon. Stephanie E. Hulseley, Chair

Contact

Kerry Doyle, 415-865-8791
kerry.doyle@jud.ca.gov

Executive Summary

The Family and Juvenile Law Advisory Committee recommends amending several California Rules of Court, and revising several forms to conform to recent statutory changes that impact juvenile restraining orders. Assembly Bill 1621 (Gipson; Stats. 2022, ch. 76) redefines “firearm precursor parts” and Assembly Bill 92 (Connolly; Stats. 2023, ch. 232) specifies that a person who is prohibited from possessing firearms is also prohibited from possessing, owning, or buying body armor. The committee also proposes a new notice of hearing form that is separate from the temporary restraining order forms and a new rule clarifying the requirement that the juvenile court that has jurisdiction of a child or youth must hear requests for restraining orders initiated by or brought against the child or youth.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2025:

1. Adopt rule 5.632 to clarify the requirement that the juvenile court that has jurisdiction of a child must hear requests for civil harassment, work violence prevention, and domestic violence protective orders;
2. Amend rules 5.620, 5.625, and 5.630 to remove “Notice of Court Hearing and” from the titles of forms JV-250 and JV-260 referenced in those rules, and add a reference to recommended new *Notice of Court Hearing* (form JV-249) in rules 5.625 and 5.630;
3. Amend rule 5.630 to clarify that a restraining order may be terminated by using *Order to Change or End Restraining Order After Hearing—Juvenile* (form JV-257) and to add that when a juvenile dependency case is closed, *Juvenile Restraining Order After Hearing* (form JV-255) may be modified under rule 5.92;
4. Adopt *Notice of Court Hearing* (form JV-249) as a mandatory form to provide notice of a court hearing on a restraining order request;
5. Revise *Request for Juvenile Restraining Order* (form JV-245) with the new definition of firearm precursor part and with information on a potential order prohibiting the possession of body armor;
6. Revise *Response to Request for Juvenile Restraining Order* (form JV-247) to include a reference to the recommended new *Notice of Court Hearing* (form JV-249) and to add an item on the prohibition on body armor;
7. Revise *Notice of Court Hearing and Temporary Restraining Order—Juvenile* (form JV-250) with a new title, *Temporary Restraining Order—Juvenile*. The form would also be revised to include the new definition of firearm precursor part and an order prohibiting the possession of body armor. It would also be revised to remove the notice portion of the form;
8. Revise *Juvenile Restraining Order After Hearing* (form JV-255) to include the new definition of firearm precursor part and to include an order prohibiting the possession of body armor;
9. Revise *Change to Restraining Order After Hearing—Juvenile* (form JV-257) with a new title, *Order to End or Change Restraining Order After Hearing*, and convert the form into a plain language form;
10. Revise *Request for Juvenile Restraining Order Against a Child* (form JV-258) to include the new definition of firearm precursor part, add information on a potential order prohibiting body armor, and remove “Notice of Court Hearing and” from the title of form JV-260 in the instructional box at the end of the form;
11. Revise *Response to Request for Juvenile Restraining Order Against a Child* (form JV-259) at item 9 to remove “Notice of Court Hearing and” from the title of form JV-260 and to add a new item on the prohibition on body armor;

12. Revise *Notice of Court Hearing and Temporary Restraining Order Against a Child* (form JV-260) with a new title, *Temporary Restraining Order Against a Child*, revise the form to include the new definition of firearm precursor part and an order prohibiting the possession of body armor, and remove the notice portion of the form;
13. Revise *Juvenile Restraining Order After Hearing—Against a Child* (form JV-265) with a new title, *Juvenile Restraining Order Against a Child—Order After Hearing*, and include in the form the new definition of firearm precursor part and an order prohibiting the possession of body armor;
14. Revise *Proof of Personal Service* (form JV-268) to include recommended new *Notice of Court Hearing* (form JV-249), to remove “Notice of Court Hearing and” from the titles of forms JV-250 and JV-260, and to remove the CLETS identifier on the footer of the form; and
15. Revise *Prohibited Items Finding and Orders* (form JV-272) to remove “Notice of Court Hearing and” from the titles of forms JV-250 and JV-260.

The proposed new and amended rules and new and revised forms are attached at pages 9–67.

Relevant Previous Council Action

The Judicial Council provides forms and instructions for use in juvenile protective order matters. The forms have been revised when changes to the law required revisions and to respond to suggestions made by the public, judicial officers, and court professionals. The juvenile restraining order forms (JV-250 and JV-255) were last revised in 2023. The request form (JV-245) was last revised in 2023. The request to continue form (JV-251) was last revised in 2023. The response form (JV-247) was last revised in 2024.

The Judicial Council adopted what are now rules 5.620, 5.625, and 5.630, effective January 1, 2000, as rules 1429.1, 1429.3, and 1429.5, respectively. The three rules were renumbered effective January 1, 2007. To reflect statutory changes, rule 5.620 has been amended four times, rule 5.625 has been amended three times, and rule 5.630 has been amended five times.¹

The council previously acted to implement AB 1621 by approving revisions reflecting the new statutes to Domestic Violence forms and forms for various other civil restraining orders, effective January 1, 2023, and criminal law restraining order forms, effective March 1, 2023.²

¹ All further rule references are to the California Rules of Court unless indicated otherwise.

² Judicial Council of Cal., Advisory Com. Rep., *Domestic Violence: Rule and Form Changes to Implement New Laws* (Sept. 2, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11229751&GUID=A9339929-3ABD-4F35-BE6D-672A0C40FAD0>; Judicial Council of Cal., *Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms* (Aug. 10, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11205465&GUID=ACE8A41E-6217-4FC9-9B8A-E3ED80D7145F>; Judicial Council of Cal., Advisory Com. Rep., *Protective Orders: Civil Protective Order Forms Implementing*

Analysis/Rationale

This proposal is needed to implement two new laws, AB 1621 and AB 92. Additionally, the committee recommends creating a new notice of court hearing form and removing the notice portions of the current temporary restraining orders and adopting a new rule of court.

Recommended changes to the California Rules of Court

The committee recommends that a new rule of court be added to the chapter containing rules regarding juvenile restraining orders. Rule 5.632 would clarify the requirement that the juvenile court that has jurisdiction of a child or youth must hear requests for civil harassment, work violence prevention, and domestic violence protective orders. Although the committee has been moving away from repeating statutory requirements in the rules of court, the committee believes it is important to include the requirements that are enumerated in the Code of Civil Procedure³ because they may go unnoticed by juvenile court judges and lawyers who primarily refer to the Welfare and Institutions Code.

The committee recommends that three rules of court—rules 5.620, 5.625, and 5.630—be amended to remove “Notice of Court Hearing and” from the titles of forms JV-250 and JV-260 referenced in those rules, and adding “Notice of Court Hearing” as a separate form title, in light of the committee’s proposed new notice form. The discussion of those forms is contained below.

The committee also recommends that the option to terminate a restraining order using *Change to Restraining Order After Hearing—Juvenile* (form JV-257) be added to rule 5.630. The requirement to create a new restraining order after a modification would remain in the rule, which would continue to ensure that the new restraining order information is entered into the California Law Enforcement Telecommunications System (CLETS) database.

The committee also recommends amending rule 5.630 to contain a cross-reference to the new recommended rule 5.92, which governs which forms must be filed in family court to terminate or modify a juvenile court restraining order after the juvenile court case is dismissed.

AB 1621

AB 1621 went into effect immediately upon approval on June 30, 2022. It expanded the prohibition on persons subject to a restraining order from possessing or owning certain firearm

Assembly Bill 1621 (Nov. 2, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11461123&GUID=89F39689-D073-494C-9390-2A55F4C5AEC0>; Judicial Council of Cal., Advisory Com. Rep., *Criminal Procedure: Criminal Protective Orders and Firearm Relinquishment Order* (Nov. 8, 2022), <https://jcc.legistar.com/View.ashx?M=F&ID=11460928&GUID=058F0EC3-4C6A-47B7-BF10-DFCA23C91E70>.

³ Code Civ. Proc., § 374.5.

parts to include a “firearm precursor part,” which it redefined.⁴ Changes are needed to a number of forms to implement the new definition of firearm precursor part.⁵

The new definition of firearm precursor part has been added to form JV-245 at items 6 and 13, form JV-250 at item 5, form JV-255 at item 7, form JV-258 at item 6, form JV-260 at item 5, and form JV-265 at item 7.

AB 92

Effective January 1, 2024, under AB 92 a person prohibited from possessing firearms under state law is also prohibited from possessing, owning, or buying body armor.⁶ When advising a person of the firearm prohibition, courts must also advise them of the prohibition from possessing, owning, or buying body armor.⁷ The new law also requires the prohibited person to relinquish body armor that they possess.⁸

The body armor prohibitions or information about them has been added to form JV-245 at item 14, form JV-247 at item 14, form JV-250 at item 8, form JV-255 at item 11, form JV-258 at item 11, form JV-259 at item 10, form JV-260 at item 8, and form JV-265 at item 11.⁹

Notice of Court Hearing (form JV-249)

Currently, the notice of hearing is combined with the temporary restraining order forms. This creates confusion and makes the temporary orders difficult to read and enforce because there are several items to which the order applies only if the temporary orders are granted. For example, on the current *Notice of Court Hearing and Temporary Restraining Order—Juvenile* (form JV-250) the warnings to the restrained person are titled “To the Person in 2, if 5b is checked.” Similarly, the instructions to law enforcement are titled “Instructions for Law Enforcement, if 5b is checked.” Having these caveats on the forms make the forms difficult to understand and follow. Separating out the notice of hearing, and any order denying the temporary restraining order, from the temporary restraining orders themselves would make the orders easier to issue, understand, and enforce. Separate notice and order forms would also make the juvenile forms consistent with other civil restraining order types, and the content of the proposed form mirrors the content of those other Judicial Council forms.

⁴ Pen. Code, § 16531(a).

⁵ The definition of firearm precursor part recommended for forms in the JV series is the same definition used in the current domestic violence, criminal, and civil restraining orders.

⁶ Pen. Code, § 31360(b)(1), (2).

⁷ Pen. Code, § 31360(b)(2).

⁸ *Ibid.*

⁹ The committee recommends adding a stand-alone item for body armor prohibitions that reads: “You cannot own, possess, or buy body armor (defined in Penal Code section 16288). You must relinquish any body armor you have in your possession.” This same language is being recommended on all domestic violence, civil, and criminal protective order forms by this and other Judicial Council advisory committees.

Order to Change or End Restraining Order After Hearing—Juvenile (form JV-257)

The committee recommends changing this form to a plain language form so that it is consistent with the other juvenile restraining order forms. The changes to this form are therefore substantial and are not highlighted on the form.

The committee recommends changing the name of this form from *Change to Restraining Order After Hearing—Juvenile* to *Order to Change or End Restraining Order After Hearing—Juvenile* to indicate that it is an order form and can also be used to terminate a restraining order.

Juvenile Restraining Order Against a Child—Order After Hearing (form JV-265)

In addition to the addition of the body armor prohibition item discussed above, the committee recommends revising *Juvenile Restraining Order After Hearing—Against a Child* (form JV-265) with a new title, *Juvenile Restraining Order Against a Child—Order After Hearing*. This title change would make the title of this form consistent with the request and response form titles¹⁰ and with the civil and domestic violence restraining order forms that use “Order After Hearing” at the end of the form titles.

Policy implications

The recommended amended rules and revised forms will include the definition of firearm precursor part that is used on other protective order form types, as well as implement the new statutory prohibitions on body armor. As discussed above, at the same time, the committee is recommending making the notice of a court hearing a stand-alone form, which will make it easier to complete, understand, and enforce.

Comments

This proposal circulated for comment as part of the spring 2024 invitation-to-comment cycle from March 29 through May 3, 2024, to the standard mailing list for family and juvenile law proposals. Included on the list were appellate presiding justices, appellate court administrators, trial court presiding judges, trial court executive officers, judges, trial court administrators and clerks, attorneys, family law facilitators and self-help center staff, legal services attorneys, social workers, probation officers, Court Appointed Special Advocates (CASA) programs, and other juvenile and family law professionals. One individual and six organizations, including two superior courts, provided comment: two agreed with the proposal, four agreed with the proposal if modified, and one did not indicate a position.

The committee received comments from three commenters that the prohibited items on the order forms should include body armor. The committee chose not to make this change because the prohibited items section on the forms relate solely to the findings that the court must make under

¹⁰ The request form is *Request for Juvenile Restraining Order Against a Child* (form JV-258) and the response form is *Response to Request for Juvenile Restraining Order Against a Child* (form JV-259).

Family Code section 6322.5, which refers to firearms and ammunition and does not include body armor.¹¹

One youth advocacy organization disagreed with the proposed new rule 5.632. As circulated for public comment, the rule applied to children and youth. The organization stated that Code of Civil Procedure section 374.5, which is the basis for the proposed rule, only applies to minors, not all children or youth under the jurisdiction of the juvenile court. California law defines “minor” as a person under 18 years of age.¹² Rule 5.502(46) defines “youth” as a person who is at least 14 years of age but not yet 21 years of age. Rule 5.502(5) defines “child” as a person under 18 years of age. Rule 5.502 does not define “minor.” The committee agrees with the comment that the rule should not reference youth and recommends replacing “child or youth” with “child” in rule 5.632, since its definition in the rules aligns with the definition of “minor” in statute.

The committee received several comments suggesting minor edits for clarity, such as clarifying applicable code sections and minor changes to improve readability and grammar. The committee agreed with most of those suggestions and has incorporated them into the revisions that it is recommending for adoption by the council.

A chart with the full text of the comments received and the committee’s responses is attached at pages 68–86.

Alternatives considered

The committee considered recommending a rule that specified how notice of hearing must be provided. The committee sought specific comment on whether the California Rules of Court should be amended to require notice in a specified way. Only one commentator thought the rules should be amended to govern notice. Because there was not a large amount of support for a statewide rule in this area, the committee decided not to recommend amending the rules to proscribe notice but to let notice continue to be controlled by provisions of the Family Code for requests based on domestic violence and the Code of Civil Procedure for requests not based on domestic violence.¹³

The committee considered not creating a new separate notice of hearing form. However, the committee concluded that the new form would be of assistance to parties, the courts, and law enforcement by making the temporary order forms easier to complete and understand. Separate notice and order forms would also make the juvenile forms consistent with other civil restraining order types, and the content of the proposed form mirrors the content of those other forms.

¹¹ That section applies to these forms because application for a juvenile restraining order is made in the manner provided in Family Code section 6300, which applies all of Part 4 to the issuance of restraining orders, and Part 4 includes section 6322.5.

¹² See Fam. Code, § 6500; Lab. Code, § 1286.

¹³ See Fam. Code, § 6383; Code Civ. Proc., § 527; Cal. Rules of Court, rule 5.630(c).

All other amendments and revisions were necessary for the forms to correctly reflect recent statutory changes, and so the option of taking no action was not considered for them.

Fiscal and Operational Impacts

The committee anticipates that this proposal will require courts to train court staff and judicial officers on the newly approved forms. Courts will also incur costs to incorporate the forms into their paper or electronic processes.

Attachments and Links

1. Cal. Rules of Court, rules 5.620, 5.625, 5.630 and 5.632, at pages 9–11
2. Forms JV-245, JV-247, JV-249, JV-250, JV-255, JV-257, JV-258, JV-259, JV-260, JV-265, JV-268, and JV-272, at pages 12–67
3. Chart of comments, at pages 68–86
4. Link A: Assembly Bill 1621,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220AB1621
5. Link B: Assembly Bill 92,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB92

Rule 5.632 of the California Rules of Court is adopted and rules 5.620, 5.625, and 5.630 are amended, effective January 1, 2025, to read:

1 **Rule 5.620. Orders after filing under section 300**

2
3 (a) * * *

4
5 (b) **Restraining orders (§ 213.5)**

6
7 After a petition has been filed under section 300, and until the petition is dismissed
8 or dependency is terminated, the court may issue restraining orders as provided in
9 rule 5.630. A temporary restraining order must be prepared on ~~Notice of Court~~
10 ~~Hearing and Temporary Restraining Order—Juvenile~~ (form JV-250). An order
11 after hearing must be prepared on ~~Juvenile Restraining Order After Hearing~~ (form
12 JV-255).

13
14 (c)–(e) * * *

15
16
17 **Rule 5.625. Orders after filing of petition under section 601 or 602**

18
19 (a) **Restraining orders (§ 213.5)**

20
21 After a petition has been filed under section 601 or 602, and until the petition is
22 dismissed or wardship is terminated, the court may issue restraining orders as
23 provided in rule 5.630. A temporary restraining order must be prepared on ~~Notice~~
24 ~~of Court Hearing and Temporary Restraining Order—Juvenile~~ (form JV-250) or, if
25 the restrained person is the subject of a petition under section 601 or 602, on ~~Notice~~
26 ~~of Court Hearing and Temporary Restraining Order Against a Child~~ (form JV-
27 260). An order after hearing must be prepared on ~~Juvenile Restraining Order After~~
28 ~~Hearing~~ (form JV-255) or, if the restrained person is the subject of a petition under
29 section 601 or 602, on ~~Juvenile Restraining Order After Hearing—Against a Child~~
30 ~~Juvenile Restraining Order Against a Child—Order After Hearing~~ (form JV-265).

31
32 (b)–(c) * * *

33
34
35 **Rule 5.630. Restraining orders**

36
37 (a)–(b) * * *

38
39 (c) **Application for restraining orders**

40
41 (1)–(7) * * *

Rule 5.632 of the California Rules of Court is adopted and rules 5.620, 5.625, and 5.630 are amended, effective January 1, 2025, to read:

1 (8) The temporary restraining order must be prepared on ~~Notice of Court~~
2 ~~Hearing and Temporary Restraining Order—Juvenile~~ (form JV-250) or, if
3 the restrained person is the subject of a petition under section 601 or 602, on
4 ~~Notice of Court Hearing and Temporary Restraining Order Against a Child~~
5 (form JV-260), and must state on its face the date of expiration of the order.
6

7 **(d) Continuance**

8

9

(1)–(3) * * *

10

11

(4) Either *Order on Request to Reschedule Restraining Order Hearing* (form JV-
12 253) or a new *Notice of Court Hearing and* (form JV-249) may be used to
13 grant or deny a request for a continuance and, if granted, a Temporary
14 Restraining Order—Juvenile (form JV-250) ~~must be used to grant or deny a~~
15 ~~request for continuance~~ may be issued. If the restrained person is the subject
16 of a petition under section 601 or 602, either form JV-253 or a new *Notice of*
17 *Court Hearing and* (form JV-249) may be used and, if granted, Temporary
18 Restraining Order Against a Child (form JV-260) ~~must be used~~ may be
19 issued.
20

21

~~(f)~~(e) **Hearing on application for restraining order**

22

23

(1)–(4) * * *

24

25

(f) Service of ~~restraining order~~ firearms prohibition forms

26

27

When service of ~~Notice of Court Hearing and Temporary Restraining Order—~~
28 ~~Juvenile~~ (form JV-250), ~~Notice of Court Hearing and Temporary Restraining~~
29 ~~Order Against a Child~~ (form JV-260), ~~Juvenile Restraining Order After Hearing~~
30 ~~(form JV-255), or Juvenile Restraining Order After Hearing—Against a Child~~
31 ~~Juvenile Restraining Order Against a Child—Order After Hearing~~ (form JV-265)
32 is made, it must be served with a blank *Receipt for Firearms, Firearm Parts, and*
33 *Ammunition* (form DV-800/JV-270) and *How Do I Turn In, Sell, or Store*
34 *Firearms, Firearm Parts, and Ammunition?* (form DV-800-INFO/JV-270-INFO).
35 Failure to serve form JV-270 or JV-270-INFO does not make service of form JV-
36 250, form JV-255, form JV-260, or form JV-265 invalid.
37

38

(g)–(i) * * *

39

40

41

Rule 5.632 of the California Rules of Court is adopted and rules 5.620, 5.625, and 5.630 are amended, effective January 1, 2025, to read:

1 **(j) Modification of restraining order**

2
3 (1) When a juvenile court case is open a restraining order may be terminated or
4 modified as follows:

5
6 ~~(1)~~ (A) A restraining order may be terminated or modified on the court’s own
7 motion or in the manner provided for in section 388 or 778, as
8 appropriate, and rule 5.570.

9
10 ~~(2)~~ (B) A termination or modification order must be made on *Change to*
11 *Restraining Order After Hearing* *Order to Change or End Restraining Order*
12 *After Hearing* (form JV-257).

13
14 ~~(3)~~ (C) A modification order must also be made on a new *Restraining Order*
15 *After Hearing* (form JV-255) or, if the restrained person is the subject
16 of a petition under section 601 or 602, a new *Juvenile Restraining*
17 *Order After Hearing—Against a Child* *Juvenile Restraining Order*
18 *Against a Child—Order After Hearing* (form JV-265), ~~may be~~
19 prepared in addition to form JV-257.

20
21 (2) When a juvenile court case is closed *Restraining Order After Hearing* (form JV-
22 255) may be terminated or modified under rule 5.92.

23
24 **Rule 5.632. Civil harassment, workplace violence prevention, and domestic violence**
25 **prevention orders**

26
27 A proceeding for the following orders initiated by or brought against a child who has
28 previously been adjudged a dependent child or a ward of the juvenile court and who
29 remains under juvenile court jurisdiction must be heard in the juvenile court that has
30 jurisdiction of the child as required by Code of Civil Procedure section 374.5:

31
32 (1) An order prohibiting harassment under Code of Civil Procedure section 527.6;

33
34 (2) An order prohibiting violence in the workplace under Code of Civil Procedure
35 section 527.8;

36
37 (3) A protective order under division 10 (beginning with section 6200) of the Family
38 Code; and

39
40 (4) A protective order under Family Code sections 7710 and 7720.

Clerk stamps date here when form is filed.

DRAFT
Not approved by
the Judicial Council
JV-245.v9.070124.jh

When to use this form

Use this form to ask for a restraining order if a child in juvenile court needs protection, or you want a restraining order and you have a relationship to the child as listed in item 1b below. If you have a lawyer in this case, the lawyer should fill out this form. **Do not** use this form if you want a restraining order against a child in a juvenile justice (delinquency) case; instead use form JV-258, *Request for Juvenile Restraining Order Against a Child*.

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

1 Person in Need of Protection

a. **Name:** _____

(If additional people need to be protected, list them in ④.)

Age: _____

b. **Relationship to child:**

- person in ① is the child
- parent
- guardian
- social worker
- probation officer
- child who lives in same household
- present caregiver of child
- court-appointed special advocate
- representative of Indian child's tribe
- other: _____

c. **Lawyer's information** (skip if you do not have a lawyer)

Name: _____ State Bar No.: _____

Firm name: _____

d. **⚠ Address where you or your lawyer can receive court papers**

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

Address: _____

City: _____ State: _____ Zip: _____

e. **Your contact information** (optional) or **your lawyer's contact information**

(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. If you don't have a lawyer, you may give your information but doing so is optional.)

Telephone: _____ Email Address: _____ Fax: _____

2 Person to Be Restrained

a. **Name:** _____

b. **Date of birth** (if known): _____ **Age** (give estimate if age unknown): _____

c. **Gender:** Male Female Nonbinary

d. **Race:** _____

e. **Relationship to person in ① a:** _____

This is not a Court Order.



3 Describe Why You Need a Restraining Order

a. **Did the person in ② do any of these things to the person in ①?**

Check all that apply
(Note: These are only some examples of why someone might need a restraining order.)

- Physically hurt or tried to physically hurt
- Sexually abused or tried to sexually abuse
- Used or threatened to use gun or weapon
- Stalked
- Harassed by phone, online, or by any other means
- Isolated the person in ① from friends or family
- Kept the person in ① from eating or getting other basic needs
- Destroyed property (examples: breaking phone, door, window)
- Other (please explain): _____

b. **Give details about what the person in ② did that was abusive or harassing.** Start with the most recent incident, then write about any other incidents. Be sure to include details like dates and any emotional or physical harm. Details can also include how often something happened, what was said, or whether weapons were used, etc.

Check here if you need more space to describe abuse or harassment. Attach a sheet of paper and write “JV-245, Item 3” at the top.

c. Check here if you know there is a report that supports your request that has been filed with the court, and complete the section below.

Who wrote the report and when was the report filed? (Check all that apply.)

- Social worker (date report was filed): _____
- Probation officer (date report was filed): _____
- Other (name): _____ (date report was filed): _____

This is not a Court Order.



4 Do other people need protection from the person in 2 ?

- No
- Yes (*If yes, list them.*)

a. <u>Full name</u>	<u>Age</u>	<u>Relationship to the child</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

b. Why do these people need protection?

Check here if you need more space to list additional people or to describe why these people need protection. Attach a sheet of paper and write "JV-245, Item 4" at the top.

5 Did you provide notice to the person in 2 of this request for a restraining order?

(Skip this item if your request is based on domestic violence. To know what domestic violence is, see form DV-500-INFO, page 2, "Am I Eligible?")

a. **No** (*If no, complete the section below.*)

(1) I did not notify the person in 2 or their attorney because I am afraid that the person in 2 will threaten or harm the person in 1a if they receive notice of this request before protection can be granted (*explain*):

(2) Other (*describe*):

b. **Yes** (*If yes, complete the section below.*)

(1) Who did you notify? Person in 2 Lawyer of person in 2

(2) When did you provide notice? (*date*): _____ (*time*): _____ a.m. p.m.

(3) How did you provide notice? (*Check all that apply.*)

Telephone (*area code and number*): _____

Fax (*area code and number*): _____

Email (*email address*): _____

Other (*describe*): _____

This is not a Court Order.



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

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

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

	Describe firearms (guns), firearm parts, or ammunition	How many or what amount?	Location, if known
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____
(6)	_____	_____	_____

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).

7 Order to Not Abuse

I ask the judge to order the person in 2 to not do the following things to any person listed in 1 or 4: Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeated contact), or disturb the peace.

If this restraining order is needed to prevent domestic violence, "disturbing the peace" includes coercive control. For more information on what domestic violence, disturbing the peace, and coercive control mean, read form DV-500-INFO, page 2, "Am I Eligible?"

8 No-Contact Order

I ask the judge to order the person in 2 to not contact any person listed in 1 or 4.

This is not a Court Order.



9 **Stay-Away Order**

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

(Check all that apply)

- Person listed in **(1)**
- Each person listed in **(4)**
- The home of any protected person
- The workplace of any protected person
- The vehicle of any protected person
- The school or child care of any protected person
- Other *(please explain)*: _____

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 (10).)*
 - 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)*: _____

10 **Order to Move Out**

(You can make this request if the person in (2) lives with the child who is in juvenile court, and the person in (1) is the child in juvenile court, or has care, custody, and control of the child in juvenile court. Complete the section below if you want to ask for this order.)

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

Address: _____

b. What right does person in **(1)** have to live at the address listed above?

(Check all that apply.)

The person in **(1)**:

- owns the home.
- is on the lease.
- lives at the address with a child in this case
- has lived at the address for _____ years, _____ months.
- pays for some or all of the rent or mortgage.
- other *(please explain)*: _____

This is not a Court Order.



11 **Visitation with Children**

Check this box if you have a child or children with the person in **(2)** and want the judge to make orders to protect your children.

a. The requested orders are:

b. The requested orders are in the attached form JV-205, *Visitation (Parenting Time) Order—Juvenile*.

c. The requested orders are in the attached document (*specify form or document*): _____

12 **Protect Animals**

a. (You may ask the judge to protect any animals that belong to the person in **(1)** or anyone who lives with that person.)

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

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

(Check all that apply)

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

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

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

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

(Check all that apply)

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

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

This is not a Court Order.



Automatic Orders if the Judge Grants Restraining Order

In this section are orders that the person in ② would have to follow if the judge grants a restraining order.

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

- Turn in, sell, or store any firearms (guns), firearm parts, or ammunition that they have or control.
- Prohibited from buying firearms (guns), firearm parts, and ammunition.

14 No Body Armor

- Not own, possess, or buy body armor.
- Relinquish any body armor in their possession.

15 Cannot Look for Protected People and Others

Not allowed to look for the address or location of any person protected by the restraining order or the location or the address of family members, caretakers, or guardians of the protected people unless the court finds good cause to not make this order.

16 Additional Pages

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

17 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

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

Date: _____

Lawyer's name

Lawyer's signature

Your Next Steps

1 You must complete at least two additional forms:

- [Form JV-250, Temporary Restraining Order—Juvenile \(only items 1, 2, and 3\)](#)
- [Form CLETS-001, Confidential Information for Law Enforcement](#)
- **If you are asking for child visitation orders and did not write the request on this form,** you must complete for JV-205, *Visitation (Parenting Time) Order—Juvenile*, or attach another document with the requested visitation plan.

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

Clerk stamps date here when form is filed.

DRAFT
Not approved by
the Judicial Council
JV-247.v8.070124.jh

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

1 Name of Person Asking for Protection:

(See form JV-245, item 1 a):

2 Your Name:

! Address where you can receive court papers

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

Address: _____

City: _____ State: _____ Zip: _____

! Your contact information (optional)

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

Email Address: _____ Telephone: _____ Fax: _____

Your lawyer’s information (if you have one)

Name: _____ State Bar No.: _____

Firm Name: _____

3 Your Hearing Date (Court Date)



Your hearing date is listed on form JV-249, *Notice of Court Hearing*. If you do not agree to having a restraining order against you, attend your hearing. If you do not attend your hearing, the judge could grant a restraining order that could last up to three years.

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Fill in case number:

Case Number:

This is not a Court Order.



How to complete this form: To answer the questions below, look at the form JV-245 filled out by the person in ①. Tip: When the restraining order forms say “the person in ②,” that means you, and “the person in ①” means the person who is asking for a restraining order against you.

4 Information About You (see ② on form JV-245)

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

5 Your Relationship to the Person in ①

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

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

6 Other Protected People

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

- 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: _____

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

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

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

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

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

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

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

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

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

This is not a Court Order.



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

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

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

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

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

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

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

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

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

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

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

If you were served with form JV-250, *Temporary Restraining Order—Juvenile*, you must follow the orders in **5** on form JV-250. You must file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received form JV-250. You may use [form DV-800/JV-270](#), *Receipt for Firearms, Firearm Parts, and Ammunition*.

Check all that apply

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

This is not a Court Order.



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

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

(Check all that apply)

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

15 Cannot Look for Protected People (see 15 on form JV-245)

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

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

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

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

Check here if you need more space. Attach a sheet of paper and write “JV-247, Additional Reasons I Do Not Agree” at the top.

17 Additional Pages

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

18 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

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

Date: _____

Lawyer's name

▶ _____
Lawyer's signature

This is not a Court Order.

Clerk stamps date here when form is filed.

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

DRAFT
Not approved by
the Judicial Council
JV-249.v7.070124.jh

① Person Asking for Protection

Name: _____

Your lawyer (if you have one for this case)

Name: _____ State Bar No.: _____

Firm Name: _____

Fill in court name and street address:

Superior Court of California, County of

② Person to Be Restrained

Name: _____

③ Notice of Hearing

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

Court fills in case number when form is filed.

Case Number:



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

Name and address of court, if different from above: _____

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

To the person in ②:

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

④ Temporary Restraining Orders (Any orders granted are attached on form JV-250 form JV-260)

a. Temporary Restraining Orders (*any order requested under Welfare and Institutions Code section 213.5*)
(Check one)

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



- 4 b. (1) The request is based on domestic violence and the reasons for denial of some or all of the orders requested are:
- (a) The facts given in the request do not show reasonable proof of a past act or acts of abuse. (Family Code sections 6300, 6320, and 6320.5.)
 - (b) 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.
 - (c) Other reasons for denial:

- (2) The request is not based on domestic violence and the reasons for denial of some or all of the personal conduct and stay-away orders as requested are:
- (a) The facts as stated do not sufficiently show acts of violence, threats of violence, or a course of conduct that seriously alarmed, annoyed, or harassed the person in ① and caused substantial emotional distress.
 - (b) Other reasons for denial: As stated on Attachment 4b.

5 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 (JV-249, Notice of Court Hearing) to the person in ② along with a copy of all the forms indicated below:

- a. JV-245, Request for Juvenile Restraining Order (file-stamped)
- b. JV-250, Temporary Restraining Order (file-stamped), **if granted**
- c. JV-247, Response to Request for Juvenile Restraining Order (blank form)
- d. JV-258, Request for Juvenile Restraining Order Against a Child
- e. JV-259, Response to Request for Juvenile Restraining Order Against a Child
- f. JV-260, Temporary Restraining Order Against a Child (file-stamped), **if granted**
- g. Other (specify): _____
- h. Other (specify): _____

Date: _____

 _____
Judicial Officer



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 as been served, the person who served the forms must fill out form JV-268, *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.

To the Person in ② :

- If you want to respond in writing, mail a copy of your completed form JV-247, *Response to Request for Juvenile Restraining Order*, or form JV-259, *Response to Request for Juvenile Restraining Order Against a Child*, to the person in ① and file it with the court. You cannot mail form JV-247 or JV-259 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 JV-510, *Proof of Personal Service—Juvenile*, may be used. File the completed form with the court before the hearing and bring a copy with you to the hearing.
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask the judge to reschedule your court date.
- 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 and tell the judge why you agree or disagree with the orders requested. Bring any evidence or witnesses you have.
- **At the hearing, the judge may make restraining orders against you that could last up to three years.**
- **The judge may also make other orders about your children, and may again 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
[seal]

—Clerk’s Certificate—

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

Date: _____ Clerk, by _____, Deputy

Clerk stamps date here when form is filed.

DRAFT
Not approved by
the Judicial Council
JV-250.v10.070124.jh

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.

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: _____

Type, number, and location of firearms, firearm parts, or ammunition that restrained person may have: _____

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

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

③ Other Protected People

In addition to the person named in **①**, the people listed below are protected by the orders listed in **⑧** through **⑫**.

<u>Full name</u>	<u>Age</u>	<u>Relationship to child</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

Check here if you need to list more people. List them on a separate piece of paper, write “JV-250, Other Protected People” at the top, and attach it to 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 6.

This is a Court Order.



To the Person in ②

The judge has granted temporary orders. See items ⑤ through ⑮. 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.

If the judge makes a restraining order at the hearing that has the same orders as in this form, you will get a copy of that order by mail at the address in ②. If this address is not correct, or to find out if the orders were made permanent, contact the court.

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

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

⑥ Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. Firearms and firearm parts

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

This is a Court Order.



6 b. Ammunition


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

Check here to list additional items. List them on a separate piece of paper, write “JV-250, Restrained Person Has Prohibited Items” at the top, and attach it to this form.

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

In addition to the hearing listed in item 4, you must attend the court hearing listed below to prove that you have properly turned in, sold, or stored all prohibited items (described in 5b) 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 a prosecuting attorney of the violation.

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

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

8 No Body Armor

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

9 Cannot Look for Protected People and Others

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

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

10 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 repeated contact), or disturb the peace.

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

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

This is a Court Order.



10 •“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.

11 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 11a:
 - (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.

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

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

<input type="checkbox"/> Person in 1 .	<input type="checkbox"/> School of person in 1 .
<input type="checkbox"/> Home of person in 1 .	<input type="checkbox"/> Persons in 3 .
<input type="checkbox"/> Job or workplace of person in 1 .	<input type="checkbox"/> Children’s school or childcare.
<input type="checkbox"/> Vehicle of person in 1 .	<input type="checkbox"/> Other (<i>explain</i>): _____
- b. Exception to 12a:
The stay-away orders do not apply:
 - (1) For you to exchange your children for court-ordered visits. You must do so briefly and peacefully.
 - (2) For you to contact or visit with your children for court-ordered contact or visits.
 - (3) Other (*explain*): _____

13 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*): _____

This is a Court Order.



14 **Visitation With Children** **Not requested** **Denied until the hearing** **Granted as follows:**

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

- a. The visitation orders are (*specify*):

- b. The orders are in the attached form JV-205, *Visitation (Parenting Time) Order—Juvenile*.
- c. The orders are in an attached document (*specify*): _____

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

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

16 **Service**

- a. **No other service is needed.** The person in **2** attended the juvenile court hearing on (*date*): _____ when these orders were made.
- b. **The person in **2** must be personally served** with a copy of this order, a blank copy of *Response to Request for Juvenile Restraining Order* (form JV-247), and *Request for Juvenile Restraining Order* (form JV-245), if form JV-245 was filed, by (*date*): _____

17 **Enter Restraining Order Into Database**

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

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

18 **Attached Pages**

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

Date: _____

Judicial Officer

This is a Court Order.



Certificate of Compliance With Violence Against Women Act for Temporary Orders

This temporary protective order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994), upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in all jurisdictions throughout the 50 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

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 (5), 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).)

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 (11) 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—

*Clerk's Certificate
[seal]*

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

Original Order Amended Order

DRAFT
Not approved by
the Judicial Council
JV-255.v7.070124.jh

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

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

③ **Other Protected People**

In addition to the person in ①, the following persons are protected by orders as indicated in items ⑪ through ⑮.

<u>Full name</u>	<u>Relationship to person in ①</u>	<u>Age</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

④ **Expiration Date**

This restraining order, except the orders noted below,* end on:

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

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

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

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

This is a Court Order.



5 Hearing

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

6 Future Court Hearing

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

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

Department: _____ to review *(list issues)*: _____

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

To the Person in **2**

The court has granted a long-term restraining order. See **7 through **18**. If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine. It is a felony to take or hide a child in violation of this order.**

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

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

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

b. Ammunition

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

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

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

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

b. Notify Prosecutor

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

(prosecuting agency): _____

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

You must attend the court hearing in **6** to prove that you have properly turned in, sold, or stored all prohibited items (described in **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 a prosecuting attorney of the violation.

This is a Court Order.



11 No Body Armor

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

12 Cannot Look for Protected People and Others

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

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

13 Order to Not Abuse

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

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

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

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

14 No-Contact Order

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

b. Exception to 14a:

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

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

(3) Other (explain): _____

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

This is a Court Order.



15 **Stay-Away Order**

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

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

b. Exception to 15a:

The stay-away orders do not apply:

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

16 **Order to Move Out**

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

17 **Visitation With Children**

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

a. The orders are:

b. The orders are in the attached form JV-205, *Visitation (Parenting Time) Order—Juvenile*.

c. The orders are in an attached document (*specify other form or document*):

18 **Protect Animals**

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

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

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

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

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

This is a Court Order.



19 Service*(Check a or b)*

- a. **No other proof of service is needed.** The person in ② attended the hearing on *(date)*: _____.
- b. **The person in ② did not attend the hearing.** Proof of service of form JV-245 and form JV-250 was presented to the court. *(Check all that apply):*
- (1) This order can be served by mail. The judge's orders in this form are the same as the orders in form JV-250 except for the expiration date. The person in ② must be served (given) a copy of this order, either by mail or in person.
- (2) This order must be personally served. The judge's orders in this form are different from the orders in form JV-250. The person in ② must be personally served (given) a copy of this order.
- (3) The court has scheduled a firearms and ammunition compliance hearing. The person in ① must have a copy of this order served on the person in ② by:
- (A) Personal service by *(date)*: _____
- (B) Mail at the person in ②'s last known address by *(date)*: _____

20 Enter Restraining Order Into Database

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

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

Date: _____

*Judicial Officer***Certificate of Compliance With Violence Against Women Act**

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

This is a Court Order.

JV-255, Page 6 of 8



Instructions for Law Enforcement

Start Date and End Date of Orders

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

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

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

Duties of Officer Serving This Order

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

- Ask if the Restrained Person is in possession of any of the prohibited items listed in (6), or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form 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. (Penal Code section 836(c)(1); 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).)

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.

This is a Court Order.

Instructions for Law Enforcement**Conflicting Orders—Priorities for Enforcement**

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see 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 ⑭ is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (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 *Juvenile Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

DRAFT
Not approved by
the Judicial Council
JV-257.v9.081424.jh
Changes are substantial and
therefore not highlighted.

① **Protected Person (name):** _____

② **Restrained Person (name):** _____

③ **Court's Order**

(check a or b)

- a. The court has changed the (check one):
 - (1) *Juvenile Restraining Order After Hearing*, form JV-255. The new orders are listed on form JV-255, and attached to this form.
 - (2) *Juvenile Restraining Order Against a Child—Order After Hearing*, form JV-265. The new orders are listed on form JV-265, and attached to this form.
- b. The court has ended the (check one):
 - (1) *Juvenile Restraining Order After Hearing*, form JV-255.
 - (2) *Juvenile Restraining Order Against a Child—Order After Hearing*, form JV-265.

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

④ **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): _____

⑤ **Enter Restraining Order Into Database**

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

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

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

Date: _____

Judicial Officer

This is a Court Order.



Case Number: _____

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

DRAFT
Not approved by
the Judicial Council
JV-258.v6.070124.jh

When to use this form

Use this form if you want a restraining order **against a child or youth** in a juvenile justice (delinquency) case. If you have a lawyer in this case, the lawyer should fill out this form for you. If you want a restraining order in a juvenile case but against someone who is not the child, use form JV-245, *Request for Juvenile Restraining Order*.

1 Person in Need of Protection

a. **Name:** _____
 (If you are a lawyer asking for a restraining order for someone else, like a victim in this case, write your name below in ①e. If additional people need to be protected, list them in ④.)

b. **Age:** _____

c. **Ⓜ Address where you can receive court papers**

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

Address: _____

City: _____ State: _____ Zip: _____

d. **Contact Information**

(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: _____ Email Address: _____ Fax: _____

e. **Lawyer Making This Request** (if not the person in ①a)

Name: _____ Title: _____

Firm Name: _____ State Bar No.: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

2 Child or Youth to Be Restrained

a. **Name:** _____

b. **Date of birth** (if known): _____ **Age** (give estimate, if age unknown): _____

c. **Gender:** Male Female Nonbinary

d. **Race:** _____

e. **Relationship to person in ①a:** _____

This is not a Court Order.



3 Describe Why You Need a Restraining Order

a. **Did the person in 2 do any of these things to the person in 1a?**



Check all that apply

(Note: These are only some examples of why someone might need a restraining order.)

- Physically hurt or tried to physically hurt
- Sexually abused or tried to sexually abuse
- Used or threatened to use gun or weapon
- Stalked
- Harassed by phone, online, or by any other means
- Isolated the person in 1a from friends or family
- Kept the person in 1a from eating or getting other basic needs
- Destroyed property *(examples: breaking phone, door, window)*
- Other *(please explain):* _____

b. **Give details about what the person in 2 did that was abusive or harassing.** Start with the most recent incident, then write about any other incidents. Be sure to include details like dates and any emotional or physical harm. Details can also include how often something happened, what was said, or whether weapons were used, etc.

Check here if you need more space to describe abuse or harassment. Attach a sheet of paper and write “JV-258, Item 3” at the top.

c. Check here if you know there is a report that supports your request that has been filed with the court, and complete the section below.

Who wrote the report and when was the report filed? *(Check all that apply.)*

- Social worker *(date report was filed):* _____
- Probation officer *(date report was filed):* _____
- Other *(name):* _____ *(date report was filed):* _____

This is not a Court Order.



4 Do Other People Need Protection From the Person in 2?

- No
- Yes (If yes, give their information below.)

a. <u>Full name</u>	<u>Age</u>	<u>Relationship to the child</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

b. Why do these people need protection?

5 Did You Provide Notice to the Person in 2 of This Request for a Restraining Order?
 (Skip this item if your request is based on domestic violence. To know what domestic violence is, see form [DV-500-INFO](#), page 2, "Am I Eligible?")

- a. **No** (If no, complete the section below.)
- (1) I did not notify the person in 2 or their lawyer because I am afraid that the person in 2 will threaten or harm the person in 1a if they receive notice of this request before protection can be granted (explain): _____
- _____
- (2) Other (describe): _____
- _____

- b. **Yes** (If yes, complete section below.)
- (1) Who did you notify? Person in 2 Lawyer of person in 2
- (2) When did you provide notice? (date): _____ (time): _____ a.m. p.m.
- (3) How did you provide notice? (Check all that apply.)
- Telephone (list number): _____ Fax (list number): _____
- Email or other electronic means (specify): _____
- Other (describe): _____

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

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

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

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

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

7 **Order to Not Abuse**

I ask the judge to order the person in **(2)** to not threaten, stalk, or disturb the peace of me or anyone listed in **(4)**.

If this restraining order is needed to prevent domestic violence, “disturbing the peace” includes coercive control. For more information on what domestic violence, disturbing the peace, and coercive control mean, read form [DV-500-INFO](#), page 2, “Am I Eligible?”

8 **No-Contact Order**

I ask the judge to order the person in **(2)** to not contact me or any person listed in **(4)**.

9 **Protect Animals**

a. (You may ask the judge to protect animals that you own or are keeping for others, animals that the people in **(4)** own or are keeping for others, and animals that anyone who lives with you or the people in **(4)** own or are keeping for others.)

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

b. I ask the judge to protect the animals listed above by ordering the person in **(2)** to:
(Check all that apply)

- (1) Stay away from the animals by at least:
 - 100 yards (300 feet) Other (give distance in yards): _____
- (2) **Not** take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
- (3) Give me 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): _____

This is not a Court Order.



Automatic Orders if the Judge Grants Restraining Order

In this section are orders that the person in ② would have to follow if the judge grants a restraining order.

⑩ No Firearms (Guns), Firearm Parts, or Ammunition

- Turn in, sell, or store any firearms (guns), firearm parts, or ammunition that they have or control.
- Prohibited from buying firearms (guns), firearm parts, and ammunition.

⑪ No Body Armor

- Not own, possess, or buy body armor.
- Relinquish any body armor in their possession.

⑫ Cannot Look for Protected People and Others

Not allowed to look for the address or location of any person protected by the restraining order or the location or the address of family members, caretakers, or guardians of the protected people unless the court finds good cause to not make this order.

⑬ Additional Pages

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

⑭ Your Signature

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

Date: _____

Type or print your name



Sign your name

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

Date: _____

Lawyer's name



Lawyer's signature

Your Next Steps

① You must complete two additional forms:

- [Form JV-260](#), Temporary Restraining Order Against a Child (only items 1, 2, and 3)
- [Form CLETS-001](#), Confidential Information for Law Enforcement

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

This is not a Court Order.

Clerk stamps date here when form is filed.

DRAFT
Not approved by
the Judicial Council
JV-259.v9.070124.jh

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

1 Name of Person Asking for Protection:

(See form JV-258, item 1):

2 Your Name:

! Address where you can receive court papers

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

Address: _____

City: _____ State: _____ Zip: _____

! Your contact information (optional)

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

Email Address: _____ Telephone: _____ Fax: _____

Your lawyer's information (if you have one)

Name: _____ State Bar No.: _____

Firm Name: _____

3 Your Hearing Date (Court Date)



Your hearing date is listed on form JV-249, *Notice of Court Hearing*. If you do not agree to having a restraining order against you, go to your hearing. If you do not attend your hearing, the judge could grant a restraining order that could last up to three years.

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Fill in case number:

Case Number:

This is not a Court Order.



How to complete this form: To answer the questions below, look at the form JV-258 filled out by the person in ①. Tip: When the restraining order forms say “the person in ②” that means you, and the “person in ①” means the person who is asking for a restraining order against you.

4 Information About You (see ② on form JV-258)

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

5 **Other Protected People**

If the judge grants a restraining order, it can include other people. See ④ on form JV-258 to see if the person in ① is asking for other people to be protected by the restraining order.

a. I agree to the order requested.

b. I do not agree to the order requested.

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

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

a. I agree to the order requested.

b. I do not agree to the order requested.

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

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

a. I agree to the order requested.

b. I do not agree to the order requested.

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

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

a. I agree to the orders requested.

b. I do not agree to the orders requested.

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

This is not a Court Order.



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

If you were served with form JV-260, *Temporary Restraining Order Against a Child*, you must follow the orders in 6 on form JV-260. You must file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received form JV-260. You may use [form DV-800/JV-270, Receipt for Firearms, Firearm Parts, and Ammunition](#).

Check all that apply

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

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

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

(Check all that apply)

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

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

- a. I agree to the order.
- b. I do not agree to the order.
Explain why you disagree and/or describe a different order that you would agree to:

This is not a Court Order.



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

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

Check here if you need more space. Attach a sheet of paper, and write “JV-259, Additional Reasons I Do Not Agree” at the top.

13 **Additional Pages**

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

14 **Your Signature**

Date: _____

Type or print your name



Sign your name

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

Date: _____

Lawyer's name



Lawyer's signature

This is not a Court Order.

Clerk stamps date here when form is filed.

DRAFT
Not approved by
the Judicial Council
JV-260.v9.070124.jh

Instruction: Use this form if you want a restraining order **against a child or youth** in a juvenile justice (delinquency) case. The person asking for a restraining order must complete ①, ②, and ③ only. The court will complete the rest of this form.

① **Protected Person** (*name*): _____

② **Restrained Person**

*Full Name: _____

*Gender: M F Nonbinary

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

Date of Birth: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

*Race: _____

Relationship to person in ①: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

Type, number, and location of firearms or ammunition:

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

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

③ **Other Protected People**

In addition to the person named in ①, the people listed below are protected by the orders listed in ⑨ through ⑪.

Full name	Age	Relationship to child
_____	_____	_____
_____	_____	_____
_____	_____	_____

Check here if you need to list more people. List them on a separate piece of paper, write "JV-260, Other Protected People" at the top, and attach it to 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 5.

This is a Court Order.



To the Person in 2

The judge has granted temporary orders. See items 5 through 11. If you do not obey these orders, you can be charged with a crime, go to juvenile hall, jail, or prison, and/or pay a fine.

If the judge makes a restraining order at the hearing that has the same orders as in this form, you will get a copy of that order by mail at the address in 2. If this address is not correct, or to find out if the orders were made permanent, contact the court.

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

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

6 Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. Firearms and firearm parts

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

This is a Court Order.



6 b. Ammunition

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

Check here if you need more space to list items. List them on a separate piece of paper, write “JV-260, Restrained Person Has Prohibited Items” at the top, and attach it to this form.

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

In addition to the hearing listed in item (4), 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 a prosecuting attorney of the violation.

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



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

8 No Body Armor

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

9 Cannot Look for Protected People and Others

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

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

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

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

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

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

This is a Court Order.



11 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 11a:
 - (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.

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

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

13 Service

- a. **No other service is needed.** The person in ② attended the hearing on (*date*): _____ when these orders were made.
- b. **The person in ② must be personally served** with a copy of this order, a blank copy of *Response to Request for Juvenile Restraining Order Against a Child* (form JV-259), and *Request for Juvenile Restraining Order Against a Child* (form JV-258), if form JV-258 was filed, by (*date*): _____

14 Enter Restraining Order Into Database

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

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

Date: _____

Judicial Officer

This is a Court Order.



Certificate of Compliance With Violence Against Woman Act for Temporary Orders

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

Instructions for Law Enforcement

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 **(5)**, 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).)

This is a Court Order.

Instructions for Law Enforcement**Conflicting Orders—Priorities for Enforcement**

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see 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 ⑪ 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 Against a Child* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

Original Order Amended Order

DRAFT
Not approved by
the Judicial Council
JV-265.v9.070124.jh

1 Protected Person (name): _____

2 Restrained Person (Child or Youth)

*Full Name: _____

*Gender: M F Nonbinary

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

Date of Birth: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

*Race: _____

Relationship to person in **1**: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

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

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

3 Other Protected People

In addition to the person in **1**, the following persons are protected by orders as indicated in items **12** through **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 "JV-265, Other Protected People" at the top, and attach it to this form.

4 Expiration Date

This restraining order, except the orders noted below,* end on:

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

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

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

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

This is a Court Order.



5 Hearing

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

6 Future Court Hearing



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

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

Department: _____ to review (list issues):

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

To the Person in ②

The court has granted a long-term restraining order. See ⑦ through ⑮. If you do not obey these orders, you can be charged with a crime, go to juvenile hall, jail, or prison, and be fined.

7 Firearms (Guns), Firearm Parts, or Ammunition

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

This is a Court Order.



8 **Restrained Person Has Prohibited Items**

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

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

b. Ammunition

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

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

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

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

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

b. Notify Prosecutor

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

(prosecuting agency): _____

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

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

This is a Court Order.



11 No Body Armor

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

12 Cannot Look for Protected People and Others

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

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

13 Order to Not Abuse

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

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

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

14 No-Contact Order

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

b. Exception to item 14a:

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

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

This is a Court Order.



15 **Protect Animals**

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

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

16 **Service**

(Check a or b)

- a. **No other proof of service is needed.** The person in **(2)** attended the hearing on (date): _____.
- b. **The person in **(2)** did not attend the hearing.** Proof of service of form JV-258 and form JV-260 was presented to the court. (Check all that apply):
 - (1) This order can be served by mail. The judge’s orders in this form are the same as the orders in form JV-260 except for the expiration date. The person in **(2)** must be served (given) a copy of this order either by mail or in person.
 - (2) This order must be personally served. The judge’s orders in this form are different from the orders in form JV-260. The person in **(2)** must be personally served (given) a copy of this order.
 - (3) The court has scheduled a firearms and ammunition compliance hearing. The person in **(1)** must have a copy of this order served on the person in **(2)** by:
 - (A) Personal service by (date): _____
 - (B) Mail at the person in **(2)**’s last known address by (date): _____

17 **Enter Restraining Order Into Database**

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

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

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

Date: _____

Judicial Officer

This is a Court Order.



Certificate of Compliance With Violence Against Women Act

This restraining (protective) order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (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

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

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

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

Duties of Officer Serving This Order

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

- Ask if the Restrained Person is in possession of any of the prohibited items listed in (7), or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form 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. (Penal Code section 836(c)(1); 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.

JV-265, Page 6 of 7



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.

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 14 is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (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 *Juvenile Restraining Order After Hearing—Against a Child* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

DRAFT
Not approved by
the Judicial Council
JV-268.v3.070124.jh

Fill in court name and street address:

Superior Court of California, County of

Fill in child's name

Child's name:

Court clerk fills in case number when form is filed.

Case Number:

1 Name of Party Asking for Protection: _____

2 Name of Party to Be Restrained: _____

3 Notice to Server

You must:

- Be 18 years of age or older.
- Not be listed in item **1** or **2** of form JV-245, *Request for Juvenile Restraining Order*, or JV-258, *Request for Juvenile Restraining Order Against a Child*.
- Give a copy of all documents checked in **4** to the person in **2** (you cannot send them by mail). Then complete and sign this form, and give it to the party in **1**.

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

- a. JV-245, *Request for Juvenile Restraining Order*
- b. JV-249, *Notice of Court Hearing*
- c. JV-258, *Request for Juvenile Restraining Order Against a Child*
- d. JV-250, *Temporary Restraining Order—Juvenile*
- e. JV-260, *Temporary Restraining Order Against a Child*
- f. JV-251, *Request to Reschedule Restraining Order Hearing*
- g. JV-253, *Order on Request to Reschedule Restraining Order Hearing*
- h. JV-255, *Juvenile Restraining Order After Hearing*
- i. JV-265, *Juvenile Restraining Order After Hearing—Against a Child*
- j. Other (specify): _____

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

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

6 Server's Information

Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____
 (If you are a registered process server):
 County of registration: _____ Registration number: _____

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

Date: _____

Type or print server's name

Server to sign here

DRAFT Not approved by the Judicial Council JV-272.v4.051624.jh

This form is attached to (check one): JV-250 JV-255 JV-260 JV-265 Other: _____

1 Restrained Person Has Prohibited Items

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

- a. Listed on form JV-250, Temporary Restraining Order—Juvenile
b. Listed on form JV-260, Temporary Restraining Order Against a Child
c. Listed on form JV-255, Juvenile Restraining Order After Hearing
d. Listed on form JV-265, Juvenile Restraining Order Against a Child—Order After Hearing
e. Listed below:

Firearms (guns) and/or firearm parts

Table with 3 columns: Description, Location, if known, Proof of compliance received by the court. Rows 1-6.

Ammunition

Table with 4 columns: Description, Amount, if known, Location, if known, Proof of compliance received by the court. Rows 1-6.

Check here if you need more space to list items. List them on a separate piece of paper, write "JV-272, 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 a prosecuting attorney of the violation.

Name and address of court, if different from court address listed on the front of this order



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

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 Prosecutor

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

Date: _____

Judicial Officer

This is a Court Order.

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
1.	California Department of Justice by Brittany Phillips, Investigative Database Services Section Manager	AM	<p>The JV-250, JV-255, JV-260, and JV-265 did not update the “Restrained Person has Prohibited Items” sections to include body armor.</p> <p>CA DOJ recommends that the JV-250, JV-255, JV-260, and JV-265 “Restrained Person has Prohibited Items” sections be updated to include a body armor subsection. The information presented in this section of the forms is reflected in the CARPOS Restrained Firearm Group (RFG) data field. By ensuring body armor is included, users will update the RFG field, and therefore any inquiring law enforcement agency will have the information regarding body armor and its whereabouts for officer safety purposes. While we recognize relinquishment is not required to have the same process, the suggestion is to add a body armor subsection which will provide at least two lines for Body Armor description, amount if known, and location if known.</p>	<p>The committee did not include body armor because the enumerated items in those relate to the findings that the court must make under Family Code section 6322.5, which refers solely to firearms and ammunition and does not include body armor. That section applies to these forms because application for a juvenile restraining order is made in the manner provided in Family Code section 6300 which applies all of Part 4 to the issuance of restraining orders and Part 4 includes section 6322.5. While the committee agrees that it would be helpful for law enforcement to have information regarding body armor and its location, the committee chose to include only the findings required by statute.</p>
2.	California Lawyers Association, Family Law Section Executive Committee	A	FLEXCOM agrees with this proposal.	No response required.
3.	Giffords Law Center to Prevent Gun Violence by Julia Weber, Esq., MSW, Consultant	AM	<p>Giffords appreciates and agrees with elevating the availability of firearm-prohibiting remedies (civil harassment and workplace violence prevention) for the juvenile court to ensure greater access to these critical, lifesaving policies.</p> <p>On JV-247, page 3 #13, the exemption should include a reference to a particular firearm pursuant to what the exemption permits.</p>	<p>The committee appreciates this commentor’s input.</p> <p>The committee notes that the order itself (form JV-255) requires the court to indicate the particular firearm that the exemption applies to but agrees that more information on the response form (form</p>

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
				<p>JV-247) could be helpful. The committee will consider changing this item in a future cycle, which could also include asking the respondent for details of the firearm for which the exemption is sought (e.g., serial number, make of firearm).</p> <p>On JV-250, #6 and JV-255, #11, body armor should be included as a prohibited item.</p> <p>As discussed above, the committee did not include body armor because the enumerated items relate to the findings that the court must make under Family Code section 6322.5, which refers solely to firearms and ammunition and does not include body armor.</p> <p>As noted for another proposal, we recommend the adoption of an information sheet that provides photos of various firearms and prohibited items so that if a detailed description is hard for a party to provide, the info sheet might aid and improve their ability to provide details on the form. A copy of such form has been provided to Judicial Council staff for consideration.</p> <p>Because this suggestion would entail important substantive changes to the proposal, the committee believes public comment should be sought before it is considered for adoption. The committee may consider this suggestion during a future rules cycle.</p>
4.	Norman J Valdez	AM	The ownership of body armor by a minor or an adult should not be a restriction under the law. There are many places throughout California that Gun Violence is out of control. as such the court would be denying a person some personal safety.	Assembly Bill 92 (Connolly; Stats. 2023, ch. 232), now codified at Penal Code section 31360, prohibits a person who is prohibited from possessing firearms from possessing, owning, or buying body armor.
5.	Superior Court of California, County of Los Angeles	A	The following comments are representative of the Superior Court of California, County of Los Angeles (Court), and do not represent or promote	No response required.

SPR 24-22

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
	by Bryan Borys, Director of Research and Data Management		the viewpoint of any particular judicial officer or employee.	
			In response to the Judicial Council of California’s “ITC SPR24-22 Juvenile Law: Restraining Orders,” the Court agrees with the proposal and its ability to appropriately address its stated purpose	No response required.
			The Court agrees that the Rules of Court should be amended to require notice in a specified way.	This is the only affirmative comment in response to the question of whether the rules should be amended to specify a notice requirement. Because there was not a large amount of support for a statewide rule in this area, the committee concluded to not recommend amending the rules to proscribe notice but to let notice continue to be controlled by provisions of the Family Code for requests based on domestic violence and the Code of Civil Procedure for requests not based on domestic violence.
			Although the Court does not see any cost savings from the proposal, it anticipates minimal implementation requirements, which include but are not limited to: 1) Training for staff; 2) Updating policies and procedures; 3) Updating macros, event codes, and forms in the case management system.	The committee appreciates this information. No response required.
			Lastly, the Court agrees that three months from Judicial Council approval of this proposal until its effective date will provide sufficient time for implementation and that this proposal would work well in courts of different sizes.	No response required.

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
6.	Superior Court of California, County of San Diego by Mike Roddy, Executive Office	AM	<p>Q: Does the proposal appropriately address the stated purpose? A: Yes.</p>	No response required.
			<p>Q: Should the rules of court be amended to require notice in a specified way? A: No.</p>	Only one commentator thought the rules should be amended to include notice. Because there was not a large amount of support for a statewide rule in this area, the committee concluded to not recommend amending the rules to proscribe notice but to let notice continue to be controlled by provisions of the Family Code for requests based on domestic violence and the Code of Civil Procedure for requests not based on domestic violence.
			<p>Q: Would the proposal provide cost savings? If so, please quantify. A: No.</p>	No response required.
			<p>Q: What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? A: Implementation will require training staff, updates to the case management system, and revising internal procedures. In addition, courts would need to inform their judicial officers and their justice partners (child welfare agency, probation department, tribal agencies, attorney offices, CASA offices, et al.) of the amended rules of court and the new forms.</p>	The committee appreciates this information. No response required.

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>Q: Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? A: Yes.</p>	<p>No response required.</p>
			<p>Q: How well would this proposal work in courts of different sizes? A: This proposal should work well, regardless of the size of the court.</p>	<p>No response required.</p>
			<p>CRC 5.630(f): Propose italicizing titles of the Judicial Council forms.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p>JV-245: Page 1, left footer: suggest adding WIC § 213.6, FC §§ 6380, 6389; deleting WIC § 345.</p> <p>Item 5.a.(1): should the sentence be revised to add “or a person in 4a” after the person in 1a?</p> <p>Item 6: should body armor be added to this item?</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p> <p>Code of Civil Procedure section 527 allows an exception to notice only for injury to the applicant, not other protected persons.</p> <p>These items relate to the findings that the court must make under Family Code section 6322.5. The statute does not include body armor. It refers to firearms and ammunition.</p>
			<p>JV-247: Page 1, left footer: suggest adding PC § 136.2, FC §§ 6320, 6321, 6322. Item 13: suggest adding “ – Juvenile” to reflect the title of JV-250.</p>	<p>The committee does not agree with the suggestion to add Penal Code section 136.2 to the footer of this juvenile court form as that section governs orders protecting victims and witnesses in criminal court cases. The committee agrees with the remaining suggestions and has incorporated them</p>

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>into the revisions that it is recommending for adoption.</p> <p>JV-250: Item 2: suggest adding firearm parts and body armor.</p> <p>Item 3: suggested edits: “the people listed below are protected by the orders list in 85 through 115.”</p> <p>Item 4, boxed text below hearing date: suggest changing from page 5 to page 6. Boxed text at the top of page 2: Suggest changing 14 to 15 (second sentence). Suggest adding a period after “address in 2.” Item 16.b: suggest changing “Oder” to “Order.”</p> <p>Page 6, Duties of Officer, first bullet: suggest adding “or 8” after “items listed in 5.”</p>	<p>As discussed above, this item relates to the findings that the court must make under Family Code section 6322.5. The statute does not include body armor. It refers to firearms and ammunition. The committee agrees with the suggestion to add firearm parts to this item and has incorporated it into the revisions that it is recommending for adoption</p> <p>Item 3 lists the orders that protect other people. The orders in items 5-7 relate to firearm relinquishment so the committee declines the suggestion to add them to Item 3. The orders in items 13-15 are not protective orders so the committee declines the suggestion to add them to item 3. The committee agrees to add item 12, the stay away order, to this item and has incorporated it into the revisions that it is recommending for adoption. This addition would make item 3 consistent with the parallel DV form item. Item 3 would now read: “...the people listed below are protected by the order listed in 8 through 12.</p> <p>The duty of an officer to ask if a restrained person in in possession of prohibited items is governed by Family Code section 6389 which does not include body armor. The committee does not agree to add item 8, which addresses body armor, to the section of Duties of Officer.</p>

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>JV-255: Item 3: suggest changing “items 11 through 14” to “items 7 through 18.”</p> <p>Item 6, boxed text, second sentence: propose changing 17 to 18. Item 15b: suggest changing “Exception to 14a” to Exception to 15a.” Page 7, second bullet point: suggest changing page 5 to page 6. Page 8, paragraph 2: suggest changing “Item 13” to “Item 14.”</p>	<p>This item lists the orders that protect other people. Items 7-10 relate to firearm relinquishment and item 16-18 are not protective orders. The committee agrees to add item 15, the stay away order to item 3 on this form and has incorporated it into the revisions that it is recommending for adoption. This addition would make item 3 consistent with the parallel DV form item.</p> <p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>
			<p>JV-257: Page 2, right footer: suggesting changing JV-255 to JV-257.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p>Forms JV-258, JV-259, JV-260 and JV-265 (forms for restraining orders against a child or youth): The restrained person in these forms will be a person under 18 years of age. Should the items dealing with prohibited firearms be worded differently because persons under 18 years of age are already prohibited by law from possessing such items unless an exception applies? (See Pen. Code, §§ 29610, 29615.)</p>	<p>Because this suggestion would entail important substantive changes to the proposal, the committee believes public comment should be sought before it is considered for adoption. The committee may consider this suggestion during a future rules cycle.</p>
			<p>JV-258:</p>	

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>Page 1, left footer: suggest adding Family Code §§ 6218, 6322.5, and 6380 to citations.</p> <p>Item 5.a.(1): Should the sentence be revised to add “a person in 4a?”</p> <p>Item 6: Should body armor be added to this item?</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p> <p>Code of Civil Procedure section 527 allows an exception to notice only for injury to the applicant, not other protected persons.</p> <p>This item relates to the findings that the court must make under Family Code section 6322.5. The statute does not include body armor. It refers to firearms and ammunition.</p>
			<p>JV-259:</p> <p>Page 1, left footer: suggest adding Family Code §6322.5 to citations.</p> <p>Item 9: suggest adding items 5 and 7. “. . . you must follow the orders in 5, 6, and 7 on form JV-260.”</p> <p>Item 11: suggest changing item 11 to item 12 on form JV-258.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p> <p>The committee declines to implement this suggestion as items 5 and 7 are not orders.</p> <p>The committee agrees with this suggestion that item 11 on the JV-259 should refer to item 12 on the JV-258 and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p>JV-260:</p> <p>Item 3: suggest changing “orders listed in 8 through 10” to “orders listed in 9 through 11.”</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>Page 1, left footer: suggest adding Family Code §6322.5 to citations.</p> <p>Page 5, Duties of Officer, first bullet: suggest adding “or 8” after “items listed in 5.”</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p> <p>The duty of an officer to ask if a restrained person in in possession of prohibited items is governed by Family Code section 6389 which does not include body armor. The committee prefers to continue to limit the list to only those items included in the statute does not agree to add item 8.</p>
			<p>JV-265: Title: propose changing title to: Juvenile Restraining Order Against a Child – Order After Hearing. Note: If this change is adopted, conforming changes will need to be made to: -- CRC 5.625(a), 5.630(f), 5.630(j)(3), -- form JV-257, item 3 (second check box), -- form JV-265, page 7 (clerk’s certificate), -- form JV-268, item 4.i., and -- the center footers on each page of form JV-265.</p> <p>Item 3: suggest changing “items 11 through 13” to “items 12 through 14.”</p> <p>Item 6, boxed text: suggest changing “See 7 through 14” to “See 7 through 15.” Page 6, Start and End Date of Orders, second bullet point: suggest changing “the judge’s</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p> <p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p> <p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>signature on this page” to “the judge’s signature on page 5.”</p> <p>Page 6, Duties of Officer, first bullet: suggest adding “or 11” after “items listed in 7.”</p> <p>Page 7, paragraph 2: suggest changing “Item 13” to “Item 14.”</p>	<p>The duty of an officer to ask if a restrained person in in possession of prohibited items is governed by Family Code section 6389 which does not include body armor. The committee does not agree to add item 11, which addresses body armor, to the section of Duties of Officer.</p> <p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p>JV-268: Item 4: should the forms be listed in numerical order?</p>	<p>This is the proof of service form. The committee decided to list the forms that may be served closer to the order in which they would be made and served rather than in numerical order. This mirrors the way the forms are listed on the DV proof of service form.</p>
			<p>JV-272: Title and footers: suggest adding an “s” to “Finding.” “Prohibited Findings and Orders.” Item 1: should check boxes be added for “Listed on form JV-255” and “Listed on form JV-265,” as they are also listed on the first line as forms to which JV-272 may be attached? Page 1, left footer: suggest adding CRC 5.630 to citations. Page 2: should there be a place at the bottom of this page for the date and signature of the judicial officer?</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>
7.	Youth Law Center,	N/I	Dear Judicial Council,	See responses below.

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
	<p>San Francisco, by Marisa Lopez-Scott, Senior Attorney</p>		<p>Youth Law Center (YLC) appreciates the opportunity to review and comment on the Judicial Council Invitation to Comment SPR24-22 Juvenile Law: Restraining Orders. Youth Law Center supports the proposed changes if modified and we have provided specific comments on proposed Rule 5.632. We have also provided feedback regarding the current statutory scheme for protection orders for youth under the jurisdiction of the juvenile court to raise issues particular to nonminor dependents and youth subject to a 601 or 602 petition.</p>	<p>The committee appreciates the background on this commentator. No response required.</p> <p>See response below.</p>
<p><u>About Youth Law Center</u> YLC is a nonprofit legal advocacy organization that has worked for four decades to transform foster care and juvenile justice systems across the nation so every child and youth can thrive. YLC’s advocacy aims to ensure children and youth are not only protected from harm and dangerous conditions in systems but also receive the support, opportunities, and love they need to grow up healthy and happy. We pursue these goals through child-focused, research-informed advocacy strategies including litigation, policy reform, media advocacy, collaborative system-change projects, training and advice, and public education.</p>				
<p><u>Feedback on Proposed Rule 5.632</u> We are not in agreement with proposed Rule 5.632, and would request the attached line edits for the reasons contained below. We have separated our comments by minors and nonminors since they present different issues.</p>				

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p><i>Nonminor Dependents</i></p> <p>The Federal Fostering Connections to Success and Increasing Adoptions Act of 2008 (P.L. 110-351) and California’s Fostering Connections to Success Act (AB 12, 2010), expanded the definition of “foster child” to include youth ages 18-21 (see 42 U.S.C. Section 675(8)(B) and Welf. & Inst. Code Section 11400(v)). Though these youth can remain under the jurisdiction of the juvenile court as nonminor dependents, Welf. & Inst. Code Section 303(d)(1) and Rule of Court 5.900(c) state that:</p> <p style="padding-left: 40px;">[n]othing in this code, including, but not limited to, Sections 340, 366.27, and 369.5, shall be construed to provide legal custody of a person who has attained 18 years of age to the county welfare or probation department <i>or to otherwise abrogate any other rights that a person who has attained 18 years of age may have as an adult under California law. A nonminor dependent shall retain all of his or her legal decisionmaking authority as an adult.</i> (emphasis added)</p> <p>By contrast, on its face, Code of Civil Procedure Section 374.5 (which is the basis for proposed Rule 5.632) only applies to <i>minors</i>, not all children or youth under the jurisdiction of the juvenile court. CCP 374.5 states that:</p> <p style="padding-left: 40px;">[a] proceeding initiated by or brought against a <i>minor</i> for any of the injunctions or orders described in paragraph (1) of</p>	<p>The committee agrees that section 374.5 only applies to minors. See response below.</p>

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>subdivision (b) of Section 372 or subdivision (a) of Section 374 shall be heard in the court assigned to hear those matters; except that, if the <i>minor</i> bringing the action or against whom the action is brought has previously been adjudged a dependent child or a ward of the juvenile court, the matter shall be heard in the juvenile court having jurisdiction over the <i>minor</i>. (emphasis added).</p> <p>CCP 374.5 was adopted in 1998, well before extended foster care and therefore only contemplated minors being under the jurisdiction of the juvenile court. Additionally, CCP 374.5 is situated in the chapter "Disability of Party" (e.g. minors, individuals who are conserved etc.) and nonminor dependents as legal adults are not presumed to have any of these "disabilities" simply by remaining under the jurisdiction of the juvenile court.</p> <p>Thus, for nonminor dependents subject to a dependency petition in the juvenile court, the legal authority for proposed rule 5.632 would be Welf. & Inst. Code Section 213.5(a) (granting exclusive jurisdiction to the juvenile dependency court), not CCP 374.5. However, based on our comments below, we believe that a more thorough review and revision of the current statutory scheme may be needed to fully protect the decisionmaking rights of nonminor dependents.</p>	

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p><i>Minors</i> The proposed Rule 5.632 is mostly correct as it applies to minors under the jurisdiction of the juvenile court; however, we request that the phrase “child or youth” in the proposed rule be changed to “minor” in accordance with Code of Civil Procedure 374.5 to not create confusion around its application to nonminor dependents. We note that there may be some issues when a parenting minor seeks family court custody orders in another court and may want to request a restraining order in conjunction with those proceedings to then have to make that request in the juvenile court; however, Code of Civil Procedure Section 374.5 is mandatory. This may require a legislative fix in the future.</p>	<p>The committee agrees with the recommendation to remove “youth” from rule 5.632. California law defines “minor” as a person under 18 years of age.¹ Rule 5.502(46) defines “youth” as a person who is at least 14 years of age but not yet 21 years of age. Rule 5.502(5) defines “child” as a person under 18 years of age. Rule 5.502 does not define “minor.” The committee agrees with the comment that the rule should not reference youth and has replaced “child or youth” with “child” in rule 5.632, since its definition in the rules aligns with the definition of “minor” in statute.</p>
			<p><u>Comments on Current Protective Order Laws and Rules for Youth Under the Jurisdiction of Juvenile Courts</u> We found an overall gap and inconsistencies in the protective order laws and court rules with regards to nonminor dependents and youth subject to a 601 or 602 petition. We recommend that the judicial council undertake a thorough review of these sections to ensure that they provide youth with the appropriate rights and protections, including ensuring the legal decisionmaking capabilities of nonminor dependent adults.</p> <p><i>Nonminor Dependents</i></p>	<p>The committee appreciates this background information. Any clarity to Welfare and Institutions Code section 213.5 would need to come from the legislature and is outside the rulemaking authority of the Judicial Council.</p>

¹ See Fam. Code § 6500; Labor Code §1286.

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>Welf. & Inst. Code Section 213.5(a) and Rule of Court 6.530(a)(1) give the juvenile dependency court exclusive jurisdiction to hear protective orders for children under the jurisdiction of the dependency court. While Section 213.5 has been updated a few times since the passage of AB 12 (extended foster care), it has not been fully updated with nonminor dependents in mind. Thus, the term “child” in this subsection seems to mean minor rather than all foster children, which creates a result that is in conflict with laws that affirm the legal decisionmaking rights of nonminor dependents.</p> <p>There are many reasons why a nonminor dependent may not want to request a protective order in the juvenile court, especially for pregnant and parenting foster youth. Foster youth experience higher levels of unintended pregnancy than youth who are not in foster care.</p> <ul style="list-style-type: none"> ● A study in three Midwestern states showed <i>one-third</i> of foster youth reported having been pregnant, with two thirds of those responding reporting that the pregnancy was unplanned. ● In California, by the age of 19, foster youth are more than twice as likely as their peers not in foster care to experience a pregnancy, with two-thirds of those youth describing the pregnancies as unintended. ● In Los Angeles County alone, there are currently over 400 youth in foster care 	

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>who are parenting young children of their own.</p> <p>In addition to higher rates of unintended pregnancy, foster youth are at a disproportionate risk of child welfare contact when they become parents:</p> <ul style="list-style-type: none"> ● Studies within Los Angeles County have found that a maternal history of maltreatment is the single strongest predictor of allegations of offspring maltreatment by age five. ● While 10 percent of babies born in California are reported to child protective services by the age of three, a recent study shows that rate jumping to 53 percent of children born to mothers who are in foster care at the time of birth. This percentage climbs to a staggering 68 percent of young mothers in foster care with histories of unstable placements and mental health needs. <p>Parenting foster youth and their children are at heightened risk of over surveillance by the child welfare system, and requiring them to make any requests for protective orders in the juvenile court may further place their children at risk of removal when in fact, a protective order can be a vital prevention and protective measure. Additionally, requiring a nonminor dependent to file the</p>	

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>protective order in the juvenile court may also create confusion in cases where the nonminor dependent seeks family court custody orders in another court for their own child and may also want to request a DVRO as a part of those proceedings.</p> <p>Finally, youth in the child welfare system are particularly vulnerable to experiencing intimate partner violence in adolescence and early adulthood due to their own histories of trauma and witnessing intimate partner violence as children.</p> <p>Nonminor dependents should be able to choose whether to request the protective order in the juvenile court, or in any other court permitted to make such orders, to respect their decisionmaking rights. Therefore clarity is needed with regards to Welf. & Inst. Code Section 213.5(a).</p> <hr/> <p><i>Youth Subject to a Petition under Welf. & Inst. Code Section 601 and 602</i></p> <p>Under Welf. & Inst. Code Section 213.5(b), for youth subject to a Section 601 or 602 petition, the juvenile court <i>does not</i> have exclusive jurisdiction to issue protective orders. (See Section 213.5(b) “[a]fter a petition has been filed pursuant to Section 601 or 602 to declare a child a ward of the juvenile court, and until the time that the petition is dismissed or wardship is terminated, . . . , <i>the juvenile court may issue ex parte orders.</i> . . .” in contrast to Section 213.5(a) “[a]fter a petition has been filed pursuant to Section 311 to declare a child a dependent child of the juvenile court, and until the time that the petition is dismissed or</p>	<p>As discussed above, the committee agrees with the recommendation to remove “youth” from rule 5.632 and has replaced it with “child” in the revisions it is recommending for adoption.</p>

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>dependency is terminated,..., <i>the juvenile court has exclusive jurisdiction to issue ex parte orders...</i>” (emphasis added)). Despite these different Welf. & Inst. Code provisions, Code of Civil Procedure 374.5 is protective of minors who are subject to a 601 or 602 petition, but not nonminor dependents. This is particularly troublesome when a restraining order may be brought against a nonminor dependent in another court where the youth does not have the protection of right to counsel like they do in the juvenile court. Additionally, nonminor dependents subject to a 601 or 602 petition may have the ability to seek a restraining order in another court since the delinquency court does not have exclusive jurisdiction, while dependent foster youth would not.</p> <p>Thus, we ask the judicial council to undertake a review of the current rules of court and Welfare and Institutions Code to make them consistent across each section to ensure that the legal decisionmaking rights of nonminors are protected and that youth subject to a 601 or 602 petition do not have disparate protections and rights than dependent youth.</p> <p>We thank you again for this opportunity to provide feedback on SPR24-22. If you have further questions about these concerns, please contact us to discuss further. Thank you.</p>	<p>Any amendments to Welfare and Institutions Code section 213.5 or Code of Civil Procedure section 374.5 would need to come from the legislature and is outside the rulemaking authority of the Judicial Council.</p> <p>No response required.</p>

Juvenile Law: Restraining Orders (amend Cal. Rules of Court, rule 5.632: amend rules 5.620, 5.625, and 5.630)

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

	Commenter	Position	Comment	Committee Response
			<p>Line Edits on Proposed Rule 5.632</p> <p>Rule 5.632. Civil harassment, workplace violence prevention, and domestic violence prevention orders</p> <p>A proceeding for the following orders initiated by or brought against a <u>minor</u> child or youth who is under juvenile court jurisdiction must be heard in the juvenile court that has jurisdiction of the <u>minor</u> child or youth as required by Code of Civil Procedure section 374.5:</p> <p>(1) An order prohibiting harassment under Code of Civil Procedure section 527.6;</p> <p>(2) An order prohibiting violence in the workplace under Code of Civil Procedure section 527.8;</p> <p>(3) A protective order under division 10 (beginning with section 6200) of the Family Code; and</p> <p>(4) A protective order under Family Code sections 7710 and 7720.</p>	<p>The committee agrees with the recommendation to remove “youth” from rule 5.632. California law defines “minor” as a person under 18 years of age.² Rule 5.502(46) defines “youth” as a person who is at least 14 years of age but not yet 21 years of age. Rule 5.502(5) defines “child” as a person under 18 years of age. Rule 5.502 does not define “minor.” The committee agrees with the comment that the rule should not reference youth and recommends replacing “child or youth” with “child” in rule 5.632, since its definition in the rules aligns with the definition of “minor” in statute.</p>

² See Fam. Code § 6500; Labor Code §1286.