



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

*Item No.: 22-171*

For business meeting on September 20, 2022

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<b>Title</b>	<b>Agenda Item Type</b>
Juvenile Law: Restraining Orders	Action Required
<b>Rules, Forms, Standards, or Statutes Affected</b>	<b>Effective Date</b>
Amend Cal. Rules of Court, rules 5.620, 5.625, and 5.630; adopt forms JV-258, JV-259, JV-260, JV-265, JV-268, JV-272, and JV-274; revise forms JV-245, JV-247, JV-250, and JV-255; and revise form JV-251 and renumber as forms JV-251 and JV-253	January 1, 2023
	<b>Date of Report</b>
	August 16, 2022
	<b>Contact</b>
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<b>Recommended by</b>	
Family and Juvenile Law Advisory Committee	
Hon. Stephanie E. Hulsey, Cochair	
Hon. Amy M. Pellman, Cochair	

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### Executive Summary

The Family and Juvenile Law Advisory Committee recommends amending three rules of the California Rules of Court, and adopting eight forms and revising five forms, to conform to recent statutory changes enacted by Senate Bill 1141 (Rubio; Stats. 2020, ch. 248) and Senate Bill 374 (Min; Stats. 2021, ch. 135) regarding the definition of “disturbing the peace” in restraining order cases and Senate Bill 320 (Eggman; Stats. 2021, ch. 685) and Assembly Bill 1621 (Gipson; Stats. 2022, ch. 76) regarding firearms and ammunition prohibitions. The proposal also provides separate application and order forms relating to restraining orders against a juvenile and includes one new proof of service form to ensure the juvenile restraining orders are entered into the California Law Enforcement Telecommunications System (CLETS) database. At the same time, the committee recommends converting the forms to plain-language forms so that they are consistent with other restraining order forms and are easier to understand, complete, and enforce.

## Recommendation

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

1. Amend rule 5.620 to use the new plain-language titles of the forms referenced in the rule;
2. Amend rule 5.625 to add two new forms on which to prepare restraining orders when the restrained person is a child in a juvenile justice (delinquency) proceeding and to use the new plain-language titles of the other forms referenced in the rule;
3. Amend rule 5.630 to add three new forms to request and prepare restraining orders when the restrained person is the child in a juvenile justice (delinquency) proceeding, use the new plain-language titles of the other forms referenced in the rule, and make other clarifying changes;
4. Adopt *Order on Request to Reschedule Restraining Order Hearing* (form JV-253) (previously part of form JV-251) as a mandatory form for use when the court grants or denies a request to reschedule a restraining order hearing;
5. Adopt *Request for Juvenile Restraining Order Against a Child* (form JV-258) as a mandatory form for use when requesting a restraining order against a child in a juvenile justice (delinquency) proceeding;
6. Adopt *Response to Request for Juvenile Restraining Order Against a Child* (form JV-259) as a mandatory form for a child in a juvenile justice proceeding to use if someone has asked for a restraining order against them and they want to respond in writing;
7. Adopt *Notice of Court Hearing and Temporary Restraining Order Against a Child* (form JV-260) as a mandatory form to provide notice to a child in a juvenile justice proceeding of a hearing on a request for a restraining order against them and to make temporary orders pending that hearing;
8. Adopt *Juvenile Restraining Order After Hearing—Against a Child* (form JV-265) as a mandatory form to make orders for a child in a juvenile justice proceeding;
9. Adopt *Proof of Personal Service* (form JV-268) as a mandatory form to inform the court of the documents given to the party sought to be restrained;
10. Adopt *Prohibited Items Findings and Orders* (form JV-272) as a mandatory form to use for findings that the restrained person has firearms or ammunition prohibited by the restraining order; set a hearing to review compliance; and to tell the restrained person if they do not provide proof of compliance, the prosecuting agency will be notified;

11. Adopt *Noncompliance With Firearms and Ammunition Order* (form JV-274) as a mandatory form to provide notice of noncompliance to the prosecuting agency and notice of outstanding warrants to the law enforcement agency;
12. Revise *Request for Restraining Order—Juvenile* (form JV-245) to include items about notice, firearm parts and ammunition, and coercive control, to convert the form to plain-language format, and to retitle the form as *Request for Juvenile Restraining Order*;
13. Revise *Answer to Request for Restraining Order—Juvenile* (form JV-247) to include items about firearm parts and ammunition, to provide the person responding with an opportunity to state whether they agree with the requested orders, to convert the form to plain-language format, and to retitle the form as *Response to Request for Juvenile Restraining Order*;
14. Revise *Notice of Hearing and Temporary Restraining Order—Juvenile* (form JV-250) to include items about firearm parts, ammunition, and coercive control; convert the form to plain-language format and retitle the form as *Notice of Court Hearing and Temporary Restraining Order—Juvenile*;
15. Revise *Request and Order to Continue Hearing* (form JV-251) to make it a request only, to convert it to plain-language format, and to retitle it as *Request to Reschedule Restraining Order Hearing*;
16. Revise *Restraining Order—Juvenile* (form JV-255) to include items about firearm parts, ammunition, and coercive control; convert the form to plain-language format; and retitle it as *Juvenile Restraining Order After Hearing*;

The proposed amended rules and new and revised forms are attached at pages 17-79.

### **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 2019. The request form (JV-245) was last revised in 2017. The request to continue form (JV-251) was last revised in 2016. The response form (JV-247) was last revised in 2014.

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 three times, rule 5.625 has been amended two times, and rule 5.630 has been amended four times.

## Analysis/Rationale

### Changes already approved by the Judicial Council

The restraining order forms in this proposal<sup>1</sup> include the language to implement SB 1141's definition of "coercive control" in domestic violence restraining orders as approved by the Judicial Council for the council's Domestic Violence (DV) forms series, effective January 1, 2022.<sup>2</sup> Welfare and Institutions Code section 213.5,<sup>3</sup> which governs protective orders issued by the juvenile court, distinguishes between protective orders based on domestic violence and other protective orders.<sup>4</sup> The Family and Juvenile Law Advisory Committee (hereafter "the committee") recommends that the same language approved for the DV forms be used on the juvenile forms, and to specify on those forms that the "coercive control" items only apply to cases involving domestic violence. The new language includes the definitions of disturbing the peace and coercive control on the order forms. The only definition in the coercive control items that has not yet been reviewed by the Judicial Council is the definition of "reproductive coercion," which is contained in new legislation (SB 374) and is discussed below.

The forms in this proposal also limit questions about physical characteristics on the request forms (forms JV-245 and JV-258), as approved by the Judicial Council for the DV forms effective January 1, 2022, for the same reasons laid out there—to protect privacy interests.<sup>5</sup>

The item specifically listing existing criminal protective orders has been removed from the order forms (item 12 on the current JV-250 and item 7 on the current JV-255), as approved by the Judicial Council for the DV forms, effective January 1, 2022.<sup>6</sup>

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<sup>1</sup> JV-250, JV-255, JV-260, and JV-265.

<sup>2</sup> See Judicial Council of Cal., Advisory Com. Rep., *Domestic Violence: Forms That Implement New Laws* (Sept. 3, 2021), <https://jcc.legistar.com/View.ashx?M=F&ID=9785460&GUID=13510582-8DBB-4B19-AD68-118880969612>.

<sup>3</sup> All further statutory references are to the Welfare and Institutions Code, unless otherwise indicated.

<sup>4</sup> Specifically, section 213.5(a) allows for application for an order under Code of Civil Procedure section 527 or under Family Code section 6300, if related to domestic violence.

<sup>5</sup> The questions regarding the proposed restrained person are limited to name, gender, race, and age, with date of birth optional, consistent with what is required by the Department of Justice to register a protective order into CLETS. All other information regarding the restrained person, including address and physical characteristics, will be requested only on the order forms and *Confidential CLETS Information* (form CLETS-001). A "nonbinary" option will be included for gender. See *supra* note 2, at p. 4.

<sup>6</sup> The committee concluded that this item was unnecessary because criminal protective orders do not automatically have priority in enforcement over other restraining orders, as they did before the passage of Assembly Bill 176 (Campos; Stats. 2013, ch. 263). In response to an alleged violation, a law enforcement officer would need to check CLETS for the existence of any restraining order between the parties and would have information in real time that would be more accurate and complete than information provided on the order forms. See *supra* note 2, at p. 8.

## Reproductive coercion

Senate Bill 374 adds “reproductive coercion” as an example of “coercive control” in actions to enjoin domestic violence.<sup>7</sup> To implement SB 374 in juvenile restraining orders, the committee is recommending revising the restraining order forms with a definition of reproductive coercion. Under Family Code section 6320(c)(5), reproductive coercion is defined as

control over the reproductive autonomy of another through force, threat of force, or intimidation, and may include, but is not limited to, unreasonably pressuring the other party to become pregnant, deliberately interfering with contraception use or access to reproductive health information, or using coercive tactics to control, or attempt to control, pregnancy outcomes.

The committee recommends simplifying the statutory language as follows: “[c]ontrolling 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.”<sup>8</sup>

Additionally, since the new definitions of disturbing the peace and coercive control were only added to the Domestic Violence Prevention Act, and not to other protective order statutes, the committee recommends limiting those definitions to cases based on domestic violence.<sup>9</sup> While rule 5.630 states that the definition of abuse in Family Code section 6203 applies to orders issued under section 213.5, the committee concluded that it is the relationship of the persons involved that determines whether a restraining order is based on domestic violence. The behaviors listed in the definition of abuse in Family Code section 6320 can be categorized as domestic violence only if the person doing the abusing falls within the relationship categories set forth in Family Code section 6211.<sup>10</sup> The committee recommends limiting the new definitions of disturbing the peace and coercive control to those cases where the application is based on domestic violence. In order for the applicant to know whether the application is based on domestic violence, the committee recommends adding a reference to, and hyperlink for, *Can a Domestic Violence*

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<sup>7</sup> Fam. Code, § 6320(c).

<sup>8</sup> See forms JV-250, item 10; JV-255, item 12; JV-260, item 10; and JV-265, item 12.

<sup>9</sup> Fam. Code, § 6320(c). See forms JV-245, item 7; JV-250, item 10; JV-255, item 12; JV-258, item 7; JV-260, item 10; and JV-265, item 12.

<sup>10</sup> Family Code section 6211 defines domestic violence as abuse perpetrated by 1) a spouse or former spouse; 2) a cohabitant, as defined in Family Code section 6209; 3) a person with whom the respondent is having or has had a dating or engagement relationship; 4) a person with whom the respondent has had a child; 5) a child who is the subject of a Uniform Parentage Act, where the presumption applies that the male parent of the child to be protected; and 6) any other person related by consanguinity or affinity within the second degree.

*Restraining Order Help Me?* (form DV-500-INFO), which contains a plain language definition of domestic violence.<sup>11</sup>

### **Firearms Relinquishment**

Effective January 1, 2022, SB 320 codifies rule 5.495, *Firearm relinquishment procedures*, and provides additional requirements for courts to comply with when the court receives information that a restrained person has or may have firearms or ammunition in their possession or control.<sup>12</sup> New forms are needed to allow the court to (1) give notice of a determination regarding possession of firearms or ammunition by the restrained person, (2) set a compliance review hearing, (3) order the clerk of the court to provide notice of noncompliance to prosecuting agency, and (4) include an order for the restrained person to surrender ammunition.

Two new forms are recommended for the council to adopt, and they are discussed below in the section “Proposed new forms”.

### **Firearm parts**

Section 213.5 provides that when a court issues a protective order under that section, section 6389 of the Family Code, which governs the possession of firearms and ammunition, applies.

Effective on June 30, 2022, AB 1621 adds a definition of “firearm” under the Domestic Violence Prevention Act that includes firearm parts, specifically receivers, frames, and “firearm precursor parts” as defined under Penal Code section 16531(a). The change is intended to include “ghost guns” (unserialized and untraceable firearms that can be bought online and assembled at home) in the items that restrained people cannot possess and must surrender.<sup>13</sup> This means that a restrained person may not have these parts or homemade firearms, for the duration of the order. AB 1621 was enacted as an urgency statute, and therefore went into effect immediately upon approval by the Governor on June 30, 2022. AB 1621 superseded AB 1057 (Petrie-Norris; Stats. 2021, ch. 682), which would have also added firearm parts to the definition of firearm under the Family Code. A proposal to implement AB 1057 was included as part of this proposal that was released for public comment on April 8, 2022. The committees believe that the same changes to the forms needed to implement AB 1057 would be appropriate to implement AB 1621.

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

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<sup>11</sup> Since nearly all parties in juvenile court have attorneys, there is no corresponding informational form for juvenile restraining orders. Form DV-500-INFO is contained in the committee’s proposal *Domestic Violence: Rule and Form Changes to Implement New Laws* (item SPR22-20) at [www.courts.ca.gov/documents/spr22-20.pdf](http://www.courts.ca.gov/documents/spr22-20.pdf).

<sup>12</sup> Family Code sections 6306, 6322.5, and 6389.

<sup>13</sup> Assem. Com. On Public Safety Rep. on Assem. Bill No. 1621 (2021-2022 Reg. Sess.) as amended March 24, 2022, pp. 5-7.

“firearms” or “firearm precursor parts.” The committees also propose using the nomenclature “ghost guns” on the information forms.

### **Plain-language forms**

In addition to the changes needed to implement SB 1141, SB 374, SB 320, and AB 1621, the committee is recommending converting the juvenile protective order forms to the council’s plain-language format. All other civil protective order form series types (e.g., for domestic violence, civil harassment, and elder abuse protective orders) are in this format.

The committee recommends converting the juvenile restraining orders to plain language for several reasons. First, the plain-language forms, although longer than traditional formatted council forms, use language that is easier for both the protected person and restrained person to understand. Second, it may be easier for judicial officers who are new to the juvenile court or who have multiple assignments to review and use the plain-language forms, since they may be familiar with the other protective order types that are currently in plain-language format. Additionally, law enforcement officers are accustomed to seeing and enforcing the plain-language forms, so converting the juvenile forms to the same format will make them easier to enforce. Places like daycare facilities and schools are also used to seeing protective orders in the plain-language format, which would make the juvenile restraining orders in plain language easier to understand by people who care for children who may be protected by the orders.

### **Restraining orders against a child**

The orders that a court can make restraining a child in a juvenile justice (delinquency) proceeding are very limited compared to the orders a court can make protecting a child in the juvenile court.<sup>14</sup> Many of the orders on the current *Notice of Hearing and Temporary Restraining Order—Juvenile* (form JV-250) and the current *Restraining Order—Juvenile* (form JV-255) cannot be made in a juvenile justice case when the child is the restrained party. To clarify what orders the court can make in these cases, the committee recommends creating a new form containing only the limited orders a court can make, and law enforcement can enforce, restraining a child under section 213.5(b). Additionally, the basis for granting the restraining order is limited in section 213.5(b) to the protected party at risk because of the restrained person’s actions.

Currently, the orders restraining a child are contained in one item on the protective orders (item 6 on JV-250 and item 4 on JV-255), while most of the other orders on those order forms cannot be made against a restrained child, including the stay-away and move-out orders. The limitations make the current orders in juvenile justice cases difficult to issue, understand, and enforce. The current request (form JV-245) does not specify which of the orders in the request are allowable against a child under the controlling statute for juvenile justice cases or have an option to request only those orders. The committee is therefore recommending creating new, separate request and

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<sup>14</sup> § 213.5(b). The juvenile court may only issue orders enjoining the child from contacting, threatening, stalking, or disturbing the peace of any person the court finds to be at risk from the conduct of the child (*ibid.*).

order forms to restrain juveniles in juvenile justice cases. This would achieve a goal of this proposal: to develop forms that are easier to issue, understand, and enforce.

### **Consistency with Domestic Violence Prevention Act (DVPA) forms**

The committee made many items in the juvenile forms consistent with the DVPA forms. The committee considered making all items the same but given the different controlling statutes and differences in DVPA and juvenile court proceedings, this was not always appropriate. For example, there are no move-out or stay-away orders like those contained in the DV order forms in the proposed protective orders against a child because section 213.5(b) does not authorize those orders against a minor. Another example is that the check boxes in item 3a on the request forms JV-245 and JV-258—by which an applicant may indicate from a list of abusive behaviors which ones apply in this action—do not appear on the DVPA request form (form DV-100), where the behaviors are presented as examples only. Since check boxes are on a similar item in the current form JV-245, the committee concluded that these items should be different on the JV forms series. Additionally, the list has many fewer examples of abusive behavior to choose from than the long list of examples on the DVPA forms. Since nearly all parties in dependency proceedings have attorneys, the committee concluded that a shorter list with fewer examples of more common types of abuse was appropriate for the juvenile forms.<sup>15</sup> Also, the social worker or probation officer prepares written reports for the juvenile court that will describe the history and nature of the abuse. Items on the proposed request forms ask if there is a report that supports the request filed with the court (form JV-245, item 3c; form JV-258, item 3b). Because reports are not typically prepared for the court for domestic violence restraining order hearings, a similar item does not appear on the parallel DVPA forms.

Additionally, there are many orders the court can make under the DVPA that the court cannot make under section 213.5, such as control of property and payment for expenses caused by the abuse; these orders do not appear on the juvenile restraining order forms. Conversely, section 213.7 provides that if a person is restrained under section 213.5, the court must order that person to be prohibited from taking any action to obtain the address or location of a protected person or a protected person's family members, caretakers, or guardians, unless there is good cause not to make the order. The provision regarding a protected person's family members, caretakers, or guardians is not included in the DVPA; thus, that order is included on the juvenile restraining order forms, but not on the DVPA forms.

The current DVPA forms use the word “continue” for forms regarding changing a court date. Since the committee is proposing to convert the juvenile forms to plain language, the committee concluded that “reschedule” was easier to understand than “continue” and recommends using that phrase for the forms to request and order a new hearing date. The use of the term “reschedule” instead of “continue” will be considered in the future for all of the committee's plain-language restraining order forms.

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<sup>15</sup> To limit the list to more common types of abuse, the committee decided to not add a choice for reproductive coercion to the list of abusive behaviors on the juvenile forms, but did include an example of it on the DVPA forms.



Also of note, new Family Code section 6306(f) does not apply to juvenile court restraining orders issued under section 213.5. Therefore, the new requirement that the court notify law enforcement about noncompliance with a firearms prohibition does not apply and was not included in the juvenile forms implementing SB 320,<sup>16</sup> although the items are reflected in the revisions to the DVPA forms the committee is recommending concurrently with this proposal.

### **Other orders**

The committee considered retaining the “Other orders” item in the restraining order forms but decided to remove it. The language in section 213.5 does not specify that the court can make orders that are not authorized in the statute. The committee agreed that removing this item from the form does not prevent the juvenile court from making other orders outside of the restraining order process. The juvenile court has broad discretion to make “any and all reasonable orders for the care, supervision, custody, conduct, maintenance, and support of the child” as part of the child’s ongoing dependency case.<sup>17</sup> The committee also agreed that certain orders, such as counseling or a batterers’ intervention program, could be included elsewhere, in a parent’s case plan, for example, or in a restrained child’s conditions of probation.

### **Exclusive jurisdiction**

Section 213.5 gives the juvenile court exclusive jurisdiction to issue a restraining order to protect the child who is the subject of a petition under section 300, or any other child in the household.<sup>18</sup> Section 213.5 is a very dense statute that is difficult to understand. To emphasize when the court has exclusive jurisdiction in these proceedings, the committee recommends adding this statutory provision to the rules of court.<sup>19</sup>

### **Proof of service**

Currently, *Proof of Service—Juvenile* (form JV-510) may be used by parties in juvenile proceedings as the form to record proof of service of the juvenile restraining order forms. That form, however, is not specific to the restraining order process. It also does not have a CLETS identifier on the form that indicates to court clerks that the form must be entered into CLETS. The committee recommends adopting a new proof of service form specific to the juvenile restraining order series with a CLETS identifier, which would make it easier for courts to identify the proofs of service that should be entered into this important database. It is critical that these proofs of service be entered into CLETS so that law enforcement can confirm the existence and content of the orders on the scene of an alleged violation of the order.

### **Conflicting orders**

The committee also recommends revising “Conflicting Orders—Priorities for Enforcement” found on the last page of the new and revised restraining order forms. The Criminal Law

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<sup>16</sup> This includes forms JV-255, item 9; JV-256, item 9; JV-272, items 2 and 3; and JV-274, item 3.

<sup>17</sup> § 362(a).

<sup>18</sup> § 213.5(a).

<sup>19</sup> See proposed amended rule 5.630(a) included in this report.

Advisory Committee identified that the existing language does not accurately reflect the requirements under Penal Code section 136.2(e)(2), which prioritizes enforcement of criminal protective orders in pending cases for domestic violence offenses, specified sex offenses, and offenses requiring sex offender registration over a civil protective order against the same defendant. The specified sex offenses and offenses requiring sex offender registration were added as priorities in Assembly Bill 1498 (Stats. 2014, ch. 665). Further, Assembly Bill 1171 (Stats. 2021, ch. 626) repealed section 262 on spousal rape and amended section 136.2(e)(2) to include “former Section 262.” Currently, all restraining orders include the same language regarding priority for enforcement. This new language would be used on all the order forms as they become due for revision.

## **Proposed rules**

### ***Rule 5.620***

The committee recommends amending rule 5.620, relating to orders that a court may make after a petition has been filed to make a child a dependent of the court under section 300, including restraining orders, to use the new plain-language titles of the restraining order forms referenced in the rule.

### ***Rule 5.625***

The committee recommends amending rule 5.625, relating to orders that a court may make after a petition has been filed to make a child a ward of the court under sections 601 or 602, including restraining orders, to add two new forms (discussed below) as alternative forms to prepare restraining orders on when the restrained person is the child in a juvenile justice proceeding and to use the new plain-language titles of the other forms referenced in the rule.

### ***Rule 5.630***

The committee recommends amending rule 5.630, relating to juvenile court restraining orders, to add three new forms (discussed below) as alternative forms on which to request and prepare restraining orders when the restrained person is the child in a juvenile justice proceeding, and to use the new plain-language titles of the other forms referenced in the rule that are being revised in this proposal.

The committee also recommends amending

- Subdivision (a) to clarify that the juvenile court has exclusive jurisdiction under section 213.5 to issue a restraining order to protect the child who is the subject of a petition under section 300, or any other child in the household. The committee also recommends amending it to repeat the court’s authority in section 304 to, on its own motion, issue an order as provided for in section 213.5, or as described in Family Code section 6218;

- Subdivision (b) (re-lettered as subdivision (c) in the recommended rule)<sup>20</sup> to include the procedure to follow if the court issues a temporary restraining order by oral motion;
- Subdivision (d) (now included in newly re-lettered subdivision(c)) to reflect the holding in the California Supreme Court case *In re E.F.*<sup>21</sup> that section 213.5 incorporates the notice requirements in Code of Civil Procedure section 527(c) for applications not based on domestic violence;
- Subdivision (h) (re-lettered as (g) in the recommended rule) relating to firearms relinquishments, to remove the reference to the procedures in rule 5.495 and replace it with those in Family Code sections 6322.5 and 6389. The committee also recommends amending it to add “ammunition,” as required by SB 320; and
- Subdivision (k) (re-lettered as (j) in the recommended rule) to remove the repealed statutory language that the criminal records search requirements only apply in courts identified by the Judicial Council as having resources available to perform the searches.

### **Proposed revised forms**

The committee recommends revising four forms to include the new definition of “disturbing the peace” for petitions based on domestic violence from SB 1141 and SB 374, retitling the forms, and converting them to plain language.<sup>22</sup>

- *Request for Juvenile Restraining Order* (form JV-245)
- *Response to Request for Juvenile Restraining Order* (form JV-247)
- *Notice of Court Hearing and Temporary Restraining Order—Juvenile* (form JV-250)
- *Juvenile Restraining Order After Hearing* (form JV-255)

The committee also recommends revising form JV-245 to include an item about notice of the request for a restraining order for petitions *not* based on domestic violence to reflect the holding in *In re E.F.* that section 213.5 incorporates the notice requirements in Code of Civil Procedure section 527(c). In order for the applicant to know whether the application is based on domestic violence, the committee recommends adding a reference to, and hyperlink for, *Can a Domestic*

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<sup>20</sup> The recommended rule is also reorganized so that current subdivision (c) Definition of abuse, has been re-lettered as (b) and placed ahead of current subdivision (b) Application for restraining orders (now re-lettered as (c)). And current subdivision (d) has been merged into re-lettered subdivision (c). The remaining subdivisions have also been re-lettered to reflect this change.

<sup>21</sup> (2021) 11 Cal.5th 320.

<sup>22</sup> The format of the forms is different in several ways from the traditional Judicial Council plain-language style but is the same as that in DV forms approved by the council effective January 1, 2022. The differences are described in more detail in the invitation to comment on those forms prior to the council’s action. See *Domestic Violence: Revising Forms to Implement New Laws* (item SPR21-14) at [www.courts.ca.gov/documents/spr21-14.pdf](http://www.courts.ca.gov/documents/spr21-14.pdf).

*Violence Restraining Order Help Me?* (form DV-500-INFO), which contains a plain language definition of domestic violence.<sup>23</sup>

In developing the plain-language forms, the committee paralleled the format for the forms used for domestic violence restraining orders, whenever possible. The plain-language changes include simplifying language, eliminating unnecessary repetition, providing more white space on each page, reorganizing content, and minimizing the use of italics. These changes will make the forms easier to understand, complete, and enforce, as discussed above under “Plain-language forms.”

The current *Answer to Request for Restraining Order—Juvenile* (form JV-247) is an ineffective way to respond to such a request. It only allows the person to agree or not agree with the personal conduct order, the move-out order, or the stay-away order. The multiple other orders that can be made are not included on the form. The committee recommends revising this response form and adopting another one for use when the restrained person is a child in a juvenile justice proceeding. Both of these forms are modeled after the current DV response form. Revised form JV-247 would include all the potential orders the petitioner may request and separate items for the person filling out the form to indicate for each requested order why they disagree with the request, or to describe a different order they would agree to. The current form includes only a single item where the person can state why the court should not make a restraining order against them. The committee also recommends retitling the form as *Response to Request for Juvenile Restraining Order*. (The proposed new form for use when the restrained person is a child in a juvenile justice proceeding is discussed below.)

### **Forms Addressed in a Separate Proposal**

In order to obtain as much comment as possible, the committee circulated two forms that are used for both domestic violence and juvenile law restraining orders in both this proposal and a separate proposal, *Domestic Violence: Rule and Form Changes to Implement New Laws* (item SPR22-20)<sup>24</sup> These forms are *Proof of Firearms Turned In, Sold, or Stored* (form DV-800/JV-252) and *How Do I Turn In, Sell, or Store My Firearms?* (form DV-800-INFO/JV-252-INFO). Both circulated proposals also recommended repeal of rule 5.495, relating to firearms relinquishment procedures, as that rule is now codified in the provisions of SB 320. The comments received on these two proposals regarding these forms were not substantively different. The committee synthesized the comments, and these recommended revisions are contained in this committee’s companion report, *Domestic Violence: Rule and Form Changes to Implement New Laws*, for the September 20, 2022, council meeting.<sup>25</sup>

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<sup>23</sup> Since nearly all parties in juvenile court have attorneys, there is no corresponding informational form for juvenile restraining orders. Form DV-500-INFO is contained in the committee’s proposal *Domestic Violence: Rule and Form Changes to Implement New Laws* (item SPR22-20) at [www.courts.ca.gov/documents/spr22-20.pdf](http://www.courts.ca.gov/documents/spr22-20.pdf).

<sup>24</sup> *Domestic Violence: Rule and Form Changes to Implement New Laws* (item SPR22-20) at [www.courts.ca.gov/documents/spr22-20.pdf](http://www.courts.ca.gov/documents/spr22-20.pdf).

<sup>25</sup> Judicial Council reports are attached to the agenda items for each Council meeting and may be viewed at <https://jcc.legistar.com/Calendar.aspx>.

## Proposed new forms

### ***Request for Juvenile Restraining Order Against a Child (form JV-258), Notice of Court Hearing and Temporary Restraining Order Against a Child (form JV-260), and Juvenile Restraining Order After Hearing—Against a Child (form JV-265)***

The committee is recommending that forms JV-258, JV-260, and JV-265 be adopted for mandatory use to request and issue restraining orders when the restrained person is the child in a juvenile justice proceeding. As discussed above, the orders that a court can make restraining a child in a juvenile justice case are very limited in section 213.5(b),<sup>26</sup> so a separate set of forms is appropriate. Many of the orders on the current *Notice of Hearing and Temporary Restraining Order—Juvenile* (form JV-250) and the current *Restraining Order—Juvenile* (form JV-255) cannot be made in a juvenile justice case when the child is the restrained party. To clarify what orders the court can make in these cases, the committee recommends adopting new request and order forms with the limited orders allowed under section 213.5(b).

The committee also recommends that the forms include the new provisions about ammunition from SB 320, as well as the new provisions about gun parts from AB 1621. The committee recommends that form JV-258 include an item about notice of the request for a restraining order for petitions not based on domestic violence to reflect the holding in *In re E.F.* that section 213.5 incorporates the notice requirements in Code of Civil Procedure section 527(c).

### ***Response to Request for Juvenile Restraining Order Against a Child (form JV-259)***

The committee recommends adopting this form for mandatory use for a child in a juvenile justice proceeding to use to respond to a request for a restraining order against them and to indicate whether they agree with the requested orders. This form is modeled after the current DV response form and includes all the potential orders that have been requested and, for each, space for the child to indicate why they agree or disagree, or to describe a different order they would agree to.

### ***Request to Reschedule Restraining Order Hearing (form JV-251); Order on Request to Reschedule Restraining Order Hearing (form JV-253)***

The committee recommends separating the current *Request and Order to Continue Hearing* (form JV-251) into two individual plain-language forms—one for the request (form JV-251) and one for the order (new form JV-253). Creating two forms will allow for both the request and the order to be filed separately with the court. This should make filing easier for the court clerks as the current form could be filed at two separate times (first for the request and then again for the order), but only has one box for the date the form was filed.

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<sup>26</sup> The juvenile court may issue orders enjoining the child from contacting, threatening, stalking, or disturbing the peace of any person the court finds to be at risk from the conduct of the child (§ 213.5(b)).

***Proof of Personal Service (form JV-268)***

The committee recommends that this form be adopted for mandatory use to file with the court to show what forms were served on the restrained person and when. Please see the discussion of this form under “Proof of service,” above.

***Prohibited Items Finding and Orders (form JV-272)***

The committee recommends that this form be adopted for mandatory use to attach to the temporary restraining order forms JV-250 or JV-260, or *Order on Request to Reschedule Hearing* (form JV-254). It would implement SB 320 and AB 1621, contain a finding the court can make that the restrained person has prohibited items (firearms, firearm parts, or ammunition), and allow the court to set a hearing to review firearms and ammunition compliance.

***Noncompliance With Firearms and Ammunition Order, or Warrant (form JV-274)***

The committee recommends that this form be adopted for mandatory use to implement SB 320 and AB 1621 and would be used to provide notice to agencies that a restrained person has guns, firearms, firearm parts, or ammunition in violation of a restraining order. Because some information shared with law enforcement may be confidential, like certain information obtained in warrants or a background check, the committee recommends that this form be confidential.

**Policy implications**

The committee considered how to best implement SB 1141 and SB 374’s definitions of coercive control and SB 320 and AB 1621’s statutory mandates regarding firearms and ammunition prohibitions. The proposed amended rules and new and revised forms attempt to include the new statutory definition of coercive control for JV protective orders based on domestic violence, as well as implement the new statutory prohibitions on the possession of firearms and ammunition in all JV protective order cases. As discussed above, at the same time, the committee is proposing to convert the juvenile protective order forms to plain-language format, which will make the forms easier to complete, understand, and enforce.

**Comments**

This proposal circulated for comment as part of the spring 2022 invitation-to-comment cycle from April 1 through May 13, 2022, 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. Five organizations, including three superior courts, provided comment: two agreed with the proposal, two agreed with the proposal if modified, and one did not indicate a position. A chart with the full text of the comments received and the committee’s responses is attached at pages 80–136.

The committee sought specific comment on whether changing the juvenile restraining order forms to plain language would be helpful to the parties and the courts. The three commenters who answered this question stated the plain-language forms would be helpful.

The committee also sought specific comment on whether the proposed second set of juvenile restraining order forms, solely for the proceedings where the restrained person is a child in the juvenile justice system, would be helpful to the parties and the courts. Two commenters, both large courts, stated that this would be helpful to the parties and the courts. One commenter, another large court, stated that it would be helpful to the parties and law enforcement when enforcing the orders, but that judges and court staff are familiar with the current forms and the changes would not necessarily be helpful for the courts. Because all commenters who answered this question agreed that the proposed form for use in juvenile justice proceedings when the restrained party is a child would be helpful to the parties and one commenter stated that the forms would be helpful to law enforcement, the committee concluded that it would continue to recommend the separate set of forms for adoption by the council.

The committee also sought specific comment on whether it would be better on form JV-258 at item 3 to have a check-box list of behaviors, similar to what is on the proposed form JV-245 at item 3, rather than calling for a narrative. All three commenters who answered this question stated a preference for the check-box format. The committee agrees and that change has been made in the recommended forms.

The committee also sought specific comment on whether additional examples of abuse should be added to the list of behaviors on the proposed form JV-245 at item 3. Two commenters stated there did not need to be additional examples, with one commenter noting that the last check box, “Other,” allows people to fill in other types of abuse. One commenter suggested adding “threatened, or falsely impersonated” after “Stalked” and/or adding a check box for “Disturbing the peace.” The committee concluded that since these are plain-language forms and since the last check box is “Other,” additional examples of abuse did not need to be added to this form.

## **Alternatives considered**

### ***Plain-language forms***

The committee considered maintaining the juvenile protective order forms in standard format instead of converting them to plain language. The committee is recommending converting the forms in this proposal to the plain-language format because it concluded that these changes will make the forms easier to understand, complete, and enforce, for reasons explained above.

### ***Restraining orders against a child***

The committee considered not creating a new set of forms for restraining orders against children in juvenile justice proceedings and continuing to use the current forms. However, the committee concluded that the new forms would be of assistance to both parties and the courts, by clarifying what orders—much more limited than in other juvenile restraining orders—are available in such

cases. For the reasons discussed above, the committee decided it was best to create new forms with the limited orders allowed under section 213.5(b).

### **Fiscal and Operational Impacts**

The committee anticipates that this proposal will require courts to train court staff and judicial officers on the newly revised forms, revise written policies and procedures, and create new codes in case management systems for the new forms. In implementing the revised forms, courts will incur standard reproduction costs. While the plain-language forms have more pages than the standard forms, most people requesting and obtaining restraining orders in the juvenile court have lawyers, so the lawyers will bear a good deal of the reproduction costs, but on a much smaller scale than court reproduction would cost.

### **Attachments and Links**

1. Cal. Rules of Court, rules 5.620, 5.625 and 5.630, at pages 17–21
2. Forms JV-245, JV-247, JV-250, JV-251, JV-253, JV-255, JV-258, JV-259, JV-260, JV-265, JV-268, JV-272, and JV-274, at pages 22–79
3. Chart of comments, at pages 80–136
4. Link A: Assembly Bill 1621,  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB1621](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1621)
5. Link B: Senate Bill 320,  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=202120220SB320](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202120220SB320)
6. Link C: Senate Bill 374,  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB374](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB374)
7. Link D: Senate Bill 1141,  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201920200SB1141](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200SB1141)



Rule 5.620, 5.625 and 5.630 of the California Rules of Court are amended, effective January 1, 2023, 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 *Restraining Order—Juvenile* *Juvenile*  
12 *Restraining Order After Hearing* (form JV-255).  
13

14 (c)–(e) \* \* \*

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

17  
18 (a) **Restraining orders (§ 213.5)**

19  
20 After a petition has been filed under section 601 or 602, and until the petition is  
21 dismissed or wardship is terminated, the court may issue restraining orders as  
22 provided in rule 5.630. A temporary restraining order must be prepared on *Notice*  
23 *of Court Hearing and Temporary Restraining Order—Juvenile* (form JV-250) or, if  
24 the restrained person is the subject of a petition under section 601 or 602, on *Notice*  
25 *of Court Hearing and Temporary Restraining Order Against a Child* (form JV-  
26 *260*). An order after hearing must be prepared on *Restraining Order—Juvenile*  
27 *Juvenile Restraining Order After Hearing* (form JV-255) or, if the restrained  
28 person is the subject of a petition under section 601 or 602, on *Juvenile Restraining*  
29 *Order After Hearing—Against a Child* (form JV-265).  
30

31 (b)–(c) \* \* \*

32  
33 **Rule 5.630. Restraining orders**

34  
35 (a) **Court’s authority (§§ 213.5, 304)**

36  
37 (1) After a petition has been filed under section 300, 601, or 602, and until the  
38 petition is dismissed or dependency or wardship is terminated, or the ward is  
39 no longer on probation, the court may issue restraining orders as provided in  
40 section 213.5. The juvenile court has exclusive jurisdiction under section  
41 213.5 to issue a restraining order to protect the child who is the subject of a  
42 petition under section 300, or any other child in the household.  
43

1 (2) The juvenile court, on its own motion, may issue an order as provided for in  
2 section 213.5, or as described in Family Code section 6218.

3  
4 ~~(e)~~(b) The definition of abuse in Family Code section 6203 applies to restraining  
5 orders issued under Welfare and Institutions Code section 213.5.

6  
7 ~~(b)~~(c) **Application for restraining orders**

8  
9 (1) Application for restraining orders may be made orally at any scheduled  
10 hearing regarding the child who is the subject of a petition under section 300,  
11 601, or 602, or may be made by written application, or may be made on the  
12 court's own motion.

13  
14 (2) If the application is made orally and the court grants a temporary order, the  
15 court may direct the requesting party to prepare a temporary order, as  
16 directed in (8) below, obtain the judicial officer's signature, file the order  
17 with the court, and serve the order on the restrained person.

18  
19 ~~(2)(3)~~The written If the application is made in writing, it must be submitted on  
20 *Request for Restraining Order—Juvenile Request for Juvenile Restraining*  
21 *Order* (form JV-245) or, if the request is for a restraining order against the  
22 child or youth who is the subject of a petition under section 601 or 602, on  
23 *Request for Juvenile Restraining Order Against a Child* (form JV-258).

24  
25 ~~(3)(4)~~A person requesting applying for a restraining order in writing must submit to  
26 the court with the request application a completed *Confidential CLETS*  
27 *Information Form* (form CLETS-001) under rule 1.51.

28  
29 ~~(d)~~ **Applications—procedure**

30  
31 (5) If the application is related to domestic violence, the application may be  
32 submitted without notice, and the court may grant the ~~petition~~ request and  
33 issue a temporary order.

34  
35 (6) If the application is not related to domestic violence, the notice requirements  
36 in Code of Civil Procedure section 527 apply.

37  
38 ~~(4)(7)~~In determining whether or not to issue the temporary restraining order  
39 without notice, the court must consider all documents submitted with the  
40 application and may review the contents of the juvenile court file regarding  
41 the child.  
42

1           ~~(2)~~(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           **~~(e)~~(d) Continuance**  
8

- 9           (1) The court may grant a continuance under ~~Welfare and Institutions Code~~  
10           section 213.5.
- 11
- 12           (2) The court must grant one request for continuance by the restrained party for a  
13           reasonable period of time to respond to the petition.
- 14
- 15           (3) A written request for a continuance must be made on *Request to Reschedule*  
16           *Restraining Order Hearing* (form JV-251).
- 17
- 18           ~~(2)~~(4) Either *Request and Order to Continue Hearing (Temporary Restraining*  
19           *Order—Juvenile* (form JV-251) *Order on Request to Reschedule Restraining*  
20           *Order Hearing* (form JV-253) or a new *Notice of Court Hearing and*  
21           *Temporary Restraining Order—Juvenile* (form JV-250) must be used ~~for this~~  
22           ~~purpose to grant or deny a request for continuance. If the restrained person is~~  
23           the subject of a petition under section 601 or 602, either form JV-253 or a  
24           new *Notice of Court Hearing and Temporary Restraining Order Against a*  
25           *Child* (form JV-260) must be used.  
26

27           **~~(f)~~(e) Hearing on application for restraining order**  
28

- 29           (1) Proof may be by the application and any attachments, additional declarations  
30           or documentary evidence, the contents of the juvenile court file, testimony, or  
31           any combination of these.
- 32
- 33           (2) The restraining order hearing may be held at the same time as any hearing to  
34           declare the child a dependent or ward of the juvenile court under section 300,  
35           601, or 602, or subsequent hearings regarding the dependent or ward.
- 36
- 37           (3) The restraining order hearing must be held within the timelines in section  
38           213.5(c)(1).
- 39
- 40           ~~(2)~~(4) The order after hearing must be prepared on *Restraining Order—Juvenile*  
41           *Juvenile Restraining Order After Hearing* (form JV-255) or, if the restrained  
42           person is the subject of a petition under section 601 or 602, *Juvenile*

1 Restraining Order After Hearing—Against a Child (form JV-265), and must  
2 state on its face the date of expiration of the order.

3  
4 **(g)(f) Service of restraining order**

5  
6 When service of Notice of Court Hearing and Temporary Restraining Order—  
7 Juvenile (form JV-250), Notice of Court Hearing and Temporary Restraining  
8 Order Against a Child (form JV-260), ~~or Juvenile Restraining Order After~~  
9 ~~Hearing—Juvenile (form JV-255), or Juvenile Restraining Order After Hearing—~~  
10 ~~Against a Child (form JV-265)~~ is made, it must be served with a blank ~~Proof of~~  
11 ~~Firearms Turned In, Sold, or Stored Receipt for Firearms, Firearm Parts, and~~  
12 ~~Ammunition (form DV-800/~~JV-252~~ JV-270) and How Do I Turn In, Sell, or Store~~  
13 ~~My Firearms?, Firearm Parts, and Ammunition? (form DV-800-INFO/~~JV-252~~~~  
14 ~~INFO JV-270-INFO~~). Failure to serve form ~~JV-252 or JV-252-INFO JV-270 or JV-~~  
15 ~~270-INFO~~ does not make service of form JV-250, ~~or form JV-255, form JV-260, or~~  
16 ~~form JV-265~~ invalid.

17  
18 **(h)(g) Firearm relinquishment**

19  
20 The firearm and ammunition relinquishment procedures in ~~rule 5.495~~ Family Code  
21 sections 6322.5 and 6389 also apply to restraining orders issued under section  
22 213.5.

23  
24 **(i)(h) \* \* \***

25  
26 **(j)(i) Criminal records search (§ 213.5(k) and ~~Stats. 2001, ch. 572, § 7)~~**

- 27  
28 (1) ~~Except as provided in (3),~~ Before any hearing on the issuance or denial of a  
29 restraining order, the court must ensure that a criminal records search is or  
30 has been conducted as described in Family Code section 6306(a). Before  
31 deciding whether to issue a restraining order, the court must consider the  
32 information obtained from the search.
- 33  
34 (2) If the results of the search indicate that an outstanding warrant exists against  
35 the subject of the search, or that the subject of the search is currently on  
36 parole or probation, the court must proceed under section 213.5(k)(3).
- 37  
38 (3) ~~The requirements of (1) and (2) must be implemented in those courts~~  
39 ~~identified by the Judicial Council as having resources currently available for~~  
40 ~~these purposes. All other courts must implement the requirements to the~~  
41 ~~extent that funds are appropriated for this purpose in the annual Budget Act.~~  
42

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

2  
3 (1) A restraining order may be modified on the court’s own motion or in the  
4 manner provided for in ~~Welfare and Institutions Code~~ section 388 or 778, as  
5 appropriate, and rule ~~5.560~~ 5.570.

6  
7 (2) A termination or modification order must be made on *Change to Restraining*  
8 *Order After Hearing* (form JV-257). A new ~~*Restraining Order—Juvenile*~~  
9 *Juvenile Restraining Order After Hearing* (form JV-255) or, if the restrained  
10 person is the subject of a petition under section 601 or 602, a new *Juvenile*  
11 *Restraining Order After Hearing—Against a Child* (form JV-265), may be  
12 prepared in addition to form JV-257.

Clerk stamps date here when form is filed.

**DRAFT**  
**Not approved by**  
**the Judicial Council**

**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, frame, or unfinished receiver or unfinished frame. Ammunition includes bullets, shells, cartridges, and clips.)

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

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

**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

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

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

#### 14 Cannot Look for Protected People and Others

If the judge grants you a restraining order, the person in ② will not be allowed to look for the address or location of any person protected by the restraining order 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.

#### 15 Additional Pages

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

#### 16 Your Signature

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*



\_\_\_\_\_  
*Sign your name*

#### 17 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, Notice of Court Hearing and Temporary Restraining Order—Juvenile \(only items 1, 2, and 3\)](#)
- [Form CLETS-001, Confidential CLETS Information](#)
- **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.

**This is not a Court Order.**

Clerk stamps date here when form is filed.

**Draft- Not approved by  
Judicial Council**

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 1a):*

\_\_\_\_\_

**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-250, *Notice of Court Hearing and Temporary Restraining Order—Juvenile*. 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 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, *Notice of Court Hearing and Temporary Restraining Order*, you must follow the orders in **6** 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 Cannot Look for Protected People** (see **14** 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: \_\_\_\_\_  
\_\_\_\_\_

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

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**16 Additional Pages**

Number of pages attached to this form, if any: \_\_\_\_\_

**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*

**This is not a Court Order.**



*Clerk stamps date here when form is filed.*

**DRAFT**  
**Not approved by**  
**the Judicial Council**

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

**Original Order**       **Amended Order**

**① Protected Person (name):** \_\_\_\_\_

**② Person to Be Restrained or if ⑤b is checked, 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 **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)**

The judge scheduled a court date to review a request for restraining orders against the person in **②**. Any temporary orders granted on this form end on the court date and time listed below.



Date: \_\_\_\_\_ Time: \_\_\_\_\_ Name and address of court, if different from above: \_\_\_\_\_

Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

**This is a Court Order.**

**5 The orders requested are:**

- a.  **Not granted.** The court denies the request for a temporary restraining order but will consider the request for restraining order at the court date listed in (4). *(Explain reason for denial):*
- \_\_\_\_\_
- \_\_\_\_\_
- b.  **Granted temporarily.** The court grants a temporary restraining order as checked below and through page 5. This does not always mean that every requested order was granted temporarily.

**If 5 b is checked, this order must be enforced throughout the United States. See page 6.**

**To the Person in (2), if (5) b is checked**

If (5) b is checked, the judge has granted temporary orders. See items (6) 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.

**6  Firearms (Guns), Firearm Parts, or Ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.
- b. **Prohibited items are:**
- (1) Firearms (guns);
  - (2) Firearm parts (receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531); and
  - (3) Ammunition.
- c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
- d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
- e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, 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.**



**7**  **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-250, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

**8**  **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 (6)b) you still have or own, including any items listed in (7). 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.



Date: \_\_\_\_\_ Dept.: \_\_\_\_\_  
 Time: \_\_\_\_\_ Room: \_\_\_\_\_

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

**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.

**This is a Court 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.
- “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 child care. |
| <input type="checkbox"/> Vehicle of person in ①.          | <input type="checkbox"/> Other (explain): _____           |
- 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): \_\_\_\_\_

**This is a Court Order.**

**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): \_\_\_\_\_

**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 and *Request for Juvenile Restraining Order* (form JV-245), if form JV-245 was filed by (*date*): \_\_\_\_\_

**This is a Court Order.**



**17 Enter Restraining Order Into Database**

If **5**b is checked, 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: \_\_\_\_\_

**Judge's Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judge or Judicial Officer*

**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, if **5** b is checked**

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

**Duties of Officer Serving This Order**

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

- Ask if the Restrained Person is in possession of any of the prohibited items listed in **6**, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer’s name and law enforcement agency.

**This is a Court Order.**



---

**Arrest Required if Order Is Violated**

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

**If the Protected Person Contacts the Restrained Person**

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

**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 *Notice of Court Hearing and 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.*

**DRAFT**  
**Not approved by**  
**the Judicial Council**

**Instructions:** Use this form to ask the judge to reschedule your restraining order court date listed on:

- ▶ Form JV-250, *Notice of Court Hearing and Temporary Restraining Order—Juvenile*, or
- ▶ Form JV-260, *Notice of Court Hearing and Temporary Restraining Order Against a Child*.

If you have a lawyer in this case, your lawyer should fill out this form.

*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:**

**1 My Information**

a. My name is: \_\_\_\_\_

b. I am the:

- (1)  **Protected party** (*skip to 2*).
- (2)  **Person to be restrained** (*give your contact information below*).

Address where I can receive mail:

(This address will be used by the court and other party to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address, if you have their permission.) If you have a lawyer, give your lawyer's address and contact information.

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

My contact information (*optional*):

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

Lawyer's information (*skip if you do not have one*):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

**2 Information About My Case**

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

b. I have a court date currently scheduled for (*date*): \_\_\_\_\_

**This is not a Court Order.**





**3 Is a Temporary Restraining Order in Effect?**

- a.  Yes. Date the order was made, if known: \_\_\_\_\_  
*(Please attach a copy of the order if you have one.)*
- b.  No.
- c.  I don't know.

**Notice:** If your court date is rescheduled, any temporary restraining order will remain in effect until the end of the new court date, unless otherwise ordered by the court.

**4 Why Does Your Court Date Need to Be Rescheduled?**

- a.  I am the person asking for protection, and I need more time to have the restrained party personally served.
- b.  I am the person the other party wants restrained, and this is my first request to reschedule the court date.
- c.  Other reason:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**5 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*

**6 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-253.v7.8.16.22**

Complete items ① and ② only.

① **Protected Party:** \_\_\_\_\_

② **Person to Be Restrained:** \_\_\_\_\_

*(The court will complete the rest of this form.)*

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:**

**③ Next Court Date**

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

Your court date is: \_\_\_\_\_

(1) Any *Temporary Restraining Order* (form JV-250 or form JV-260) already granted stays in full force and effect until the next court date.

(2) Your court date is not rescheduled because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.  The request to reschedule the court date is **granted**. Your court date is rescheduled for the day and time listed below. See ④–⑧ for more information.

Name and address of court, if different from above:

**New Court Date** → Date: \_\_\_\_\_ Dept.: \_\_\_\_\_  
Time: \_\_\_\_\_ Room: \_\_\_\_\_  
\_\_\_\_\_

**④ Temporary Restraining Order**

a.  **There is no temporary restraining order (TRO) in this case until the next court date** because:

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

(2)  The court terminates (cancels) the previously granted TRO because: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b.  **A temporary restraining order (TRO) is in full force and effect** because:

(1)  The court extends the TRO previously granted on *(date)*: \_\_\_\_\_  
It now expires on *(date)*: \_\_\_\_\_

*(If no expiration date is listed, the TRO expires at the end of the court date listed in ③ b.)*

(2)  The court changes the TRO previously granted and signs a new TRO. The new TRO is attached to this order.

c.  **Other (specify):** \_\_\_\_\_

**Warning and Notice to the Restrained Party:**

If ④ b is checked, a temporary restraining order has been issued against you. You must follow the orders until they expire.

**This is a Court Order.**



5 Reason Court Date Is Rescheduled

a. There is good cause to reschedule the court date (check one):

(1) The protected party has not served the party to be restrained.

(2) Other (explain):

b. This is the first time that the party to be restrained has asked for more time to prepare.

c. The court reschedules the court date on its own motion.

6 Serving (Giving) Order to Other Party

The request to reschedule was made by the:

a. Protected party

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

(2) You must have the party to be restrained personally served with a copy of this order, the request for restraining order, and any temporary restraining order granted, by (date):

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

(4) Other:

b. Party to be restrained

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

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

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

(4) Other:

c. Court

(1) Further notice is not required.

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

(3) Other:

This is a Court Order.



**7 Enter 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: \_\_\_\_\_

**8  Other Orders**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

- a. Number of pages attached to this three-page form: \_\_\_\_\_
- b. Attachments include forms (*check all that apply*):

JV-250       JV-260       JV-272       Other: \_\_\_\_\_

**Judge's Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judge or Judicial Officer*



**Request for Accommodations**

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

**Instructions to Clerk**

If the hearing is rescheduled and the court extended, modified, or terminated a temporary restraining order, then the court must enter this order into CLETS or send this order to law enforcement to enter into CLETS, unless the court has designated the person named in 7b to send a copy to law enforcement. The entry or sending of the order must be done within one business day from the day the order is made.

**—Clerk's Certificate—**

Clerk's Certificate

I certify that this *Order on Request to Reschedule Restraining Order Hearing* (form JV-253) is a true and correct copy of the original on file in the court.

[seal]

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**

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 ⑭.

<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 ⑰. If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine. It is a felony to take or hide a child in violation of this order.**

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

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.
- b. Prohibited items are:
  - (1) Firearms;
  - (2) Firearm parts (receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531); and
  - (3) Ammunition.
- c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
- d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
- e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, 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 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.

**12  Order to Not Abuse**

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

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

**13  No-Contact Order**

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

b.  Exception to 13a:

(1)  You may have brief and peaceful contact with the person in ① 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.**





**14**  **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 child care.
- Other (*specify*): \_\_\_\_\_

b.  Exception to 14a: \_\_\_\_\_

The stay-away orders do not apply:

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

**15**  **Order to Move Out**

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

**16**  **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*):  
\_\_\_\_\_

**17**  **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.**



**18 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)*: \_\_\_\_\_

**19 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: \_\_\_\_\_

**Judge's Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judge or 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.**

## 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 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 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 13 is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Family Code sections 6383(h)(2) and 6405(b)). Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Penal Code section 136.2(e)(2)). All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

*(The clerk will fill out this part.)*

*Clerk's Certificate*  
[seal]

**—Clerk's Certificate—**

I certify that this *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-258.v14.9.9.22**

**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. Full name	Age	Relationship to the child
_____	_____	_____
_____	_____	_____
_____	_____	_____

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, frame, or unfinished receiver or unfinished frame. Ammunition includes bullets, shells, cartridges, and clips.)

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

Describe firearms, 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**

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

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

**11 Cannot Look for Protected People and Others**

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

**12 Additional Pages**

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

**13 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*

**14 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, Notice of Court Hearing and Temporary Restraining Order Against a Child (only items 1, 2, and 3)
- Form CLETS-001, Confidential CLETS Information

**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  
Judicial Council-8.18.22**

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-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 in ④ on form JV-260, *Notice of Court Hearing and Temporary Restraining Order Against a Child*. If you do not agree to having a restraining order against you, go to your hearing. If you do not attend your hearing, the judge could grant a restraining order that could last up to three years.

**This is not a Court Order.**

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:**

**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, *Notice of Court Hearing and Temporary Juvenile 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 Cannot Look for Protected People** (see 11 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: \_\_\_\_\_

**11 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.

**This is not a Court Order.**



**12 Additional Pages**

Number of pages attached to this form, if any: \_\_\_\_\_

**13 Your Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*



\_\_\_\_\_  
*Sign your name*

**14 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**

**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 **Person to Be Restrained or if ⑤b is checked, Restrained Person**

Fill in court name and street address:

\*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.)

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.

<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-260, Other Protected People" at the top, and attach it to this form.

④ **Your Hearing Date (Court Date)**

**A court hearing is scheduled on the request for restraining orders against the person in ②. Any temporary orders granted on this form end on the court date listed below.**



Date: \_\_\_\_\_ Dept.: \_\_\_\_\_ Name and address of court, if different from above: \_\_\_\_\_  
 Time: \_\_\_\_\_ Room: \_\_\_\_\_

**This is a Court Order.**



**5 The orders requested are:**

- a.  **Not granted.** The court denies the request for a temporary restraining order but will consider the request for restraining order at the court date listed in **4**. *(Explain reasons for denial):*  
\_\_\_\_\_
- b.  **Granted temporarily.** The court grants a temporary restraining order as checked below and through page 3. This does not always mean that every requested order was granted.

**This order must be enforced throughout the United States, if 5b is checked. See page 5.**

**To the Person in **2**, if **5** b is checked**

**If **5** b is checked, the judge has granted temporary orders. See items **6** through **12**. 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.**

**6  No Firearms (Guns), Firearm Parts, or Ammunition**

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

**7  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.**



**7 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.

**8 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 (6) b) you still have or own, including any items listed in (7). 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: \_\_\_\_\_

**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 ( <i>or other way to ID animal</i> )	Type of animal	Breed ( <i>if known</i> )	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 and request *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**

If ⑤b is checked, 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: \_\_\_\_\_

**Judge's Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judge or 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, if item 5 b is checked**

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

**Duties of Officer Serving This Order**

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

- Ask if the Restrained Person is in possession of any of the prohibited items listed in 6, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

**Arrest Required if Order Is Violated**

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

**If the Protected Person Contacts the Restrained Person**

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

**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 *Notice of Court Hearing and 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**

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 ⑪ through ⑬.

<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-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. 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 **14**. 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 (receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531); and
  - (3) Ammunition.
- c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
- d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
- e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, 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 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.

**12  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.

**13  No-Contact Order**

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

b.  Exception to 13a:

- (1)  You may have brief and peaceful contact with the person in ① 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.**



**14**  **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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**15**  **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): \_\_\_\_\_

**16**  **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: \_\_\_\_\_

**Judge's Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge or Judicial Officer

**This is a Court Order.**





### Certificate of Compliance With Violence Against Women Act

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

### Instructions for Law Enforcement

#### Start Date and End Date of Orders

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 this page.

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.**



### 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 ⑬ is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Family Code sections 6383(h)(2) and 6405(b)). Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Penal Code section 136.2(e)(2)). All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

*(The clerk will fill out this part.)*

Clerk's Certificate  
[seal]

#### —Clerk's Certificate—

I certify that this *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**

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 items **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-258, *Request for Juvenile Restraining Order Against a Child*
- c.  JV-250, *Notice of Court Hearing and Temporary Restraining Order—Juvenile*
- d.  JV-260, *Notice of Court Hearing and Temporary Restraining Order Against a Child*
- e.  JV-251, *Request to Reschedule Restraining Order Hearing*
- f.  JV-253, *Order on Request to Reschedule Restraining Order Hearing*
- g.  JV-255, *Juvenile Restraining Order After Hearing*
- h.  JV-265, *Juvenile Restraining Order After Hearing—Against a Child*
- i.  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

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

Draft- 8.16.22  
Not approved  
by Judicial Council

**1 Restrained Person Has Prohibited Items**

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

- Listed on form JV-250, *Notice of Court Hearing and Temporary Restraining Order—Juvenile*
- Listed on form JV-260, *Notice of Court Hearing and Temporary Restraining Order Against a Child*
- Listed below:

**Firearms (guns) 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): _____
(5) _____	_____	<input type="checkbox"/> (date): _____
(6) _____	_____	<input type="checkbox"/> (date): _____

**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): _____
(5) _____	_____	_____	<input type="checkbox"/> (date): _____
(6) _____	_____	_____	<input type="checkbox"/> (date): _____

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 a prosecuting attorney of the violation.

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



Date: \_\_\_\_\_ Dept.: \_\_\_\_\_  
 Time: \_\_\_\_\_ Room: \_\_\_\_\_

**This is a Court Order.**



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

a. The court finds that the restrained person has not fully complied with (obeyed) the orders previously granted on *(date)*: \_\_\_\_\_ . The court has not received a receipt or proof of compliance for all the items listed in **1**.

b. Notify Prosecutor

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

**This is a Court Order.**

*Clerk stamps date here when form is filed.*

**Draft-8.16.22  
Not approved by  
Judicial Council**

*Fill in court name and street address:*

**Superior Court of California, County of**

*Court fills in case number when form is filed.*

**Case Number:**

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

**1 Protected Person**

Name: \_\_\_\_\_

**2 Restrained Person**

Name: \_\_\_\_\_

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

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

Notice is given to the prosecuting agency (*name of agency*): \_\_\_\_\_

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

**4  Outstanding Warrant(s)**

The court has found that the person listed in **2** has one or more outstanding warrants. A copy of the restraining order granted by the court is attached to this form. Notice of the warrant is provided to the agency listed below, as required by Welfare and Institutions Code section 213.5(k) and Family Code section 6306(e). The agency must take all actions necessary to execute the warrant(s).

Notice to Law Enforcement Agency (*name of agency*): \_\_\_\_\_

**5  Additional Information**

The court has conducted a background search under Welfare and Institutions Code section 213.5(k) and Family Code section 6306. In addition to the information provided above, the court is attaching the following information found in the background search.

(*Briefly describe information*): \_\_\_\_\_

**6 Number of pages attached to this form, if any: \_\_\_\_\_**

**Judge's Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judge or Judicial Officer*



**—Clerk's Certificate—**

I certify that I am not a party to this case and that a true copy of the *Noncompliance With Firearms and Ammunition Order, or Warrant* (form JV-274), was sent to the agency or agencies listed on page 1:

[seal]

a.  **Prosecuting agency listed in ③.**

(1)  by fax, email, or other electronic means       by personal delivery

(2) (Phone number, email address, or address): \_\_\_\_\_

\_\_\_\_\_

(3) Date of transmission or delivery: \_\_\_\_\_

b.  **Law enforcement agency listed in ④.**

(1)  by fax, email, or other electronic means       by personal delivery

(2) (Phone number, email address, or address): \_\_\_\_\_

\_\_\_\_\_

(3) Date of transmission or delivery: \_\_\_\_\_

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**Rules and Forms: Juvenile Law: Restraining Orders, SPR22-24**

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

	Commenter	Position	Comment	Committee Response
1.	Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee Joint Rules Subcommittee by Corey Rada, Senior Analyst	A	<p>The JRS notes that the proposal is required to conform to a change of law.</p> <p>The JRS also notes the following impact to court operations:</p> <ul style="list-style-type: none"> <li>• Impact on existing automated systems.                             <ul style="list-style-type: none"> <li>○ Changes to Efile configuration and case management systems</li> </ul> </li> <li>• Results in additional training, which requires the commitment of staff time and court resources.                             <ul style="list-style-type: none"> <li>○ Training for staff, judicial officers; amendments to procedural manuals, instructions and policies are possible</li> </ul> </li> </ul>	<p>No response required.</p> <p>The committee appreciates this information. No response required.</p>
2.	Orange County Bar Association by Daniel S. Robinson, President	A	No comments	No response required.
3.	Superior Court of Orange County On behalf of the Family Law & Juvenile Division by Vivian Tran, Analyst & Training Team	NI	<p><b>California Rules of Court 5.630</b></p> <ul style="list-style-type: none"> <li>▪ Rule incorrectly refers to form JV-254. Form JV-254 does not exist.</li> </ul> <p><b>Form JV-245 (<i>Request for Juvenile Restraining Order</i>)</b></p> <p>Item 5 instructs parties to skip this item if request is based on domestic violence. It would be beneficial for self-represented litigants that this item includes the definition of domestic violence.</p>	<p>The committee has changed the reference to form JV-253 and has incorporated it into the revisions that it is recommending for adoption.</p> <p>The committee has added an instruction that to learn if the case involves domestic violence, see DV-500-INFO that contains a plain language definition of domestic violence. The form would contain a hyperlink to the DV-500-INFO form. The committee has incorporated this change into the revisions it is recommending for adoption.</p>



**Rules and Forms: Juvenile Law: Restraining Orders, SPR22-24**

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

	Commenter	Position	Comment	Committee Response
			<p><b>Form JV-245 (<i>Request for Juvenile Restraining Order</i>)</b></p> <p>Item 9c incorrectly states “move out in 13.” This item should reflect item 10 and not item 13.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>Form JV-247 (<i>Response to Request for Juvenile Restraining Oder</i>)</b></p> <p>Item 11 incorrectly instructs parties to “see 11 on form JV-245.” This item should reflect 12 instead of 11.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>Form JV-247 (<i>Response to Request for Juvenile Restraining Oder</i>)</b></p> <p>Item 12 incorrectly instructs parties to “see 12 on form JV-245.” This item should reflect 11 instead of 12.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>Form JV-247 (<i>Response to Request for Juvenile Restraining Oder</i>)</b></p> <p>Item 13 incorrectly instructs parties to “follow orders in 7.” This item should reflect item 6.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>Form JV-250 (<i>Notice of Court Hearing and Temporary Restraining Order</i>)</b></p> <p>Recommend item 3 (Other Protected People) be revised to list orders in 9-12 rather than 9-15. Items 13-15 do not pertain to <i>Other Protected People</i>.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>

**Rules and Forms: Juvenile Law: Restraining Orders, SPR22-24**

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

	Commenter	Position	Comment	Committee Response
			<p><b>Form JV-253 (Order on Request to Reschedule a Hearing)</b></p> <p>Recommend form be listed as a new form since JV-253 did not exist previously.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>Form JV-255 (Restraining Order After Hearing)</b></p> <p>Recommend item 11 be listed as “Cannot Look for Protected People” similar to form JV-250 rather than “Cannot Look for Protected People and Others.”</p> <p>Item 18b(1) and (2) incorrectly refers to orders listed in form JV-251. JV-251 is a request form and not an order form.</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>
			<p><b>Form JV-255 (Restraining Order After Hearing)</b></p> <p>Recommend a box and line be added for prosecuting attorney at item 5b on page 2.</p>	<p>A prosecuting attorney would not be present at a juvenile court hearing.</p>
			<p><b>Form JV-260 (Court Hearing and Temporary Restraining Order Against a Child)</b></p> <p>Recommend item 3 (Other Protected People) be revised to list orders on 9-11 rather than 9-12. Item 12 does not pertain to <i>Other Protected People</i>.</p>	<p>The committee agrees with this suggestion and has incorporated it into the form that it is recommending for adoption.</p>
			<p><b>Form JV-265 (Restraining Order After Hearing Against a Child)</b></p> <p>Recommend item (Other Protected People) be revised to list orders on 11-13 rather than 7-10.</p>	<p>The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Items 7-10 do not pertain to <i>Other Protected People</i>.</p> <p>Item 15b(1) and (2) incorrectly refers to orders listed in form JV-251. JV-251 is a request form and not an order form</p>	
			<p><b>Form JV-272 (<i>Prohibited Items Finding and Orders</i>)</b></p> <p>The top of the form has a checkbox for form JV-254. Form JV-254 does not exist. It appears the intended form should reflect JV-245.</p>	<p>The committee has changed the form to reflect all the temporary and permanent restraining order forms (JV-250, JV-255, JV-260, and JV-265).</p>
			<p><b>Form JV-274 (<i>Noncompliance with Firearms and Ammunition Order</i>)</b></p> <p>The title on the header and footer do not match.</p> <p>The Clerk’s Certificate on page 3 references item 3b. Item 3b does not exist.</p>	<p>The committee agrees with these comments and has addressed them in the form that it is recommending for adoption.</p>
			<p><b>Form DV-800/JV-270 (<i>Proof of Surrender of Firearms, Firearm Parts, and Ammunition</i>)</b></p> <p>Page 2 reflects the incorrect page number on the bottom right.</p>	<p>The committee agrees with this comment and has addressed it in the revisions that it is recommending for adoption.in proposal 22-170, <i>Domestic Violence: Rule and Form Changes to Implement New Laws</i>.</p>
			<p><i>Does the proposal appropriately address the stated purpose?</i></p> <p>Yes.</p>	<p>No response required.</p>
			<p><i>Would changing the juvenile restraining order forms to plain language as proposed here be helpful to parties and the courts?</i></p>	<p>No response required.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Yes, this would be helpful to parties and the courts.</p>	
			<p><i>Would the proposed second set of juvenile restraining order forms, solely for the proceedings where the restrained person is a child in the juvenile justice system, be helpful to parties and courts?</i></p> <p>Yes, this would be helpful to parties and the courts.</p>	<p>No response required.</p>
			<p><i>Rather than a narrative description of abuse, would it be better for proposed form JV-258 at item 3 to have a checkbox list of items similar to what is on the proposed JV-245 at item 3?</i></p> <p>Yes, it would be better for proposed form JV-258 at item 3 to have a checkbox list of items similar to what is on the proposed JV-245 at item 3.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><i>Are there additional examples of abuse that should be added to the list of behaviors on the proposed JV-245 at item 3?</i></p> <p>No.</p>	<p>The committee appreciates this comment. No response required.</p>
			<p><i>Would implementing these forms in a new plain-language format be unduly burdensome to implement during the pandemic? Or does the benefit of having forms that are easier to understand, complete, and enforce outweigh the implementation burden?</i></p>	<p>No response required.</p>

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	Commenter	Position	Comment	Committee Response
			<p>No, the benefit of having forms that are easier to understand, complete, and enforce outweigh the implementation burden.</p> <p><i>Would the proposal provide cost savings? If so, please quantify.</i></p> <p>No, the proposal does not appear to provide cost savings.</p> <p><i>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</i></p> <ul style="list-style-type: none"> <li>○ Training for case processing clerks and courtroom clerks (approximately 2 hours for each position), judicial officers (approximately 1 hour).</li> <li>○ Revising applicable processes and procedures.</li> <li>○ Changing/adding event codes in case management system.</li> </ul> <p><i>Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</i></p> <p>No, six months would be more sufficient to implement all the necessary changes related to training, revising procedures, case management system updates.</p>	<p>No response required.</p> <p>The committee appreciates this information.</p> <p>The committee appreciates the concerns around implementation, but has determined that implementation of the statutory provisions by January 1, 2023 is needed to ensure that forms are legally accurate.</p>

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	Commenter	Position	Comment	Committee Response
			<p><i>How well would this proposal work in courts of different sizes?</i></p> <p>This proposal would work for Orange County.</p>	<p>No response required.</p>
4.	<p>Superior Court of Riverside County by Susan D. Ryan, Chief Deputy of Legal Services</p>	A	<p><u>Does the proposal appropriately address the stated purpose?</u></p> <p>Yes, the proposal seems to make the rules of court and forms conform to SB1141 and SB374 regarding the definition of “disturbing the peace”. The proposal also conforms to recent changes in SB320 regarding firearms and ammunition prohibitions, assists in making sure juvenile orders are entered into CLETS and converts forms to plain-language.</p> <p><u>Would changing the juvenile restraining order forms to plain language as proposed here be helpful to parties and the courts?</u></p> <p>Yes. Plain language is always better for the parties. Also, since the other protective order forms are already in plain-language the familiar language and format will be helpful to court staff and judicial officers.</p> <p><u>Would the proposed second set of juvenile restraining order forms, solely for the proceedings where the restrained person is a child in the juvenile justice system, be helpful to parties and courts?</u></p> <p>We are sure that this would be helpful to the parties and to law enforcement when enforcing the</p>	<p>No response required.</p> <p>No response required.</p> <p>The committee has heard from several judicial officers that the current forms are not adequately designed for use in juvenile justice proceedings when the restrained person is the child who is the subject of those proceedings, and continues to recommend a new set of forms for use in those cases. Because all</p>

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	Commenter	Position	Comment	Committee Response
			<p>orders. The judges and court staff are familiar with the current forms. The changes would not necessarily be helpful for the courts.</p>	<p>commenters who answered this question agreed that the proposed forms would be helpful to the parties and one commenter stated that the forms would be helpful to law enforcement, the committee concluded that it would continue to recommend the new forms for adoption by the council.</p>
			<p><u>Rather than a narrative description of abuse, would it be better for proposed form JV-258 at item 3 to have a checkbox list of items similar to what is on the proposed JV-245 at item 3?</u></p> <p>Victims or other parties in juvenile justice court will not likely have attorneys. The simple check box may make it easier for them to complete the forms.</p>	<p>The committee agrees with this suggestion and has incorporated it into the form that it is recommending for adoption.</p>
			<p><u>Are there additional examples of abuse that should be added to the list of behaviors on the proposed JV-245 at item 3?</u></p> <p>No, the list seems complete, plus the last check box “other” allows people to fill in other types of abuse.</p>	<p>The committee appreciates this comment. No response required.</p>
			<p><u>Would implementing these forms in a new plain-language format be unduly burdensome to implement during the pandemic? Or does the benefit of having forms that are easier to understand, complete, and enforce outweigh the implementation burden?</u></p>	<p>No response required.</p>

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	Commenter	Position	Comment	Committee Response
			Changing the language on the forms will not be burdensome on the courts.	
			<p><u>Would the proposal provide cost savings? If so, please quantify?</u></p> <p>No cost savings to the court.</p>	No response required.
			<p><u>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?</u></p> <p>2-4 hours training would be needed for clerk’s office and courtroom staff to understand the purpose and difference of the forms where a juvenile is the restrained person. Some new codes in the case management system would need to be created for the new forms. Changing language on existing forms would not have much impact on the courts.</p>	The committee appreciates this information. No response required.
			<p><u>Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</u></p> <p>Yes</p>	No response required.
			<p><u>How well would this proposal work in courts of different sizes?</u></p>	No response required.



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	Commenter	Position	Comment	Committee Response
			The proposal would likely work the same for any size court.	
5.	Superior Court of San Diego County by Mike Roddy, Executive Officer	AM	Does the proposal adequately address the stated purpose?  <b>Yes.</b>	No response required.
			Would changing the juvenile restraining order forms to plain language as proposed here be helpful to parties and the courts?  <b>Yes.</b>	No response required.
			Would the proposed second set of juvenile restraining order forms, solely for the proceedings where the restrained person is a child in the juvenile justice system, be helpful to parties and courts?  <b>Yes.</b>	No response required.
			Rather than a narrative description of abuse, would it be better for proposed form JV- 258 at item 3 to have a checkbox list of items similar to what is on the proposed JV- 245 at item 3?  <b>For consistency, a checkbox list would be better. A checkbox list also would be easier to read and understand.</b>	The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.
			Are there additional examples of abuse that should be added to the list of behaviors on the proposed JV-245 at item 3?	The committee considered this suggestion, but concluded that since these are plain-language forms which the committee is trying

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	Commenter	Position	Comment	Committee Response
			<p><b>Suggest adding “threatened, or falsely impersonated” after “Stalked” and/or adding a check box for “Disturbing the peace” (see FC § 6320; WIC § 213.5(a)-(b)).</b></p>	<p>to keep simple and readable, and since there is a check box is “other,” that additional examples of abuse did not need to be added to this form.</p>
			<p>Would implementing these forms in a new plain-language format be unduly burdensome to implement during the pandemic? Or does the benefit of having forms that are easier to understand, complete, and enforce outweigh the implementation burden?</p> <p><b>The benefit of having user-friendly forms outweighs the implementation burden. In addition, since the forms are available online, implementation should not be too difficult.</b></p>	<p>No response required.</p>
			<p>Would the proposal provide cost savings? If so, please quantify.</p> <p><b>Yes. It would save court time and workload to use the preprinted forms rather than drafting and producing documents that would serve the many purposes required by statute.</b></p>	<p>No response required.</p>
			<p>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?</p>	<p>The committee appreciates this information. No response required.</p>

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	Commenter	Position	Comment	Committee Response
			<p><b>Training judicial officers and court clerks, supervisors, and managers in civil and juvenile assignments, revising any written processes and procedures currently in use (including those posted on court websites or intranet sites) and modifying case management systems to accommodate and increasingly complicated field of options, criteria, and requirements. The court might need a new hearing type to address the surrender of firearms, and new minute order codes.</b></p>	
			<p>Would 3 months from approval of this proposal until its effective date provide sufficient time for implementation?</p> <p><b>Probably. Larger courts might need more time.</b></p>	<p>No response required.</p>
			<p>How well would this proposal work in courts of different sizes?</p> <p><b>It would depend on each court’s capacity for implementing new rules and forms; this proposal contains a large number of forms (some new, some revised, some renumbered). Although they will be available on-line, court staff will need to become familiar with them (what’s changed and what hasn’t) and learn how to process them.</b></p>	<p>The committee appreciates this information. No response required.</p>
			<p><b>Other Comments:</b>  <b>Rule 5.625(a)</b>                      Insert comma between “or” and “if”; insert “on” before “<i>Court Hearing.</i>”</p>	<p>The committee agrees with these suggestions to improve grammar and readability and has incorporated them into the amendments that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>A temporary restraining order must be prepared on <i>Notice of Court Hearing and Temporary Restraining Order—Juvenile (Juvenile)</i> (form JV-250) or, if the restrained person is the subject of a petition under section 601 or 602, on <i>Court Hearing and Temporary Restraining Order Against a Child (Juvenile)</i> (form JV-260).</p> <p>Insert “on” before “<i>Restraining Order.</i>”</p> <p>An order after hearing must be prepared on <i>Restraining Order—Juvenile Restraining Order After Hearing (Juvenile)</i> (form JV-255) or, if the restrained person is the subject of a petition under section 601 or 602, on <i>Restraining Order After Hearing—Against Child (Juvenile)</i> (form JV-265).</p>	
			<p>Rule 5.630(c)(3)</p> <p>Insert “on” before “<i>Request for.</i>”</p> <p>... or, if the request is for a restraining order against the child or youth who is the subject of a petition under section 601 or 602, on <i>Request for Juvenile Restraining Order Against a Child</i> (form JV-258).</p>	<p>The committee agrees with this suggestion to improve grammar and readability and has incorporated it into the amendments that it is recommending for adoption.</p>
			<p><b>Rule 5.630(c)(8)</b></p> <p>Insert “on” before “<i>Court Hearing.</i>”</p> <p>... or, if the restrained person is the subject of a petition under section 601 or 602, on</p>	<p>The committee agrees with this suggestion to improve grammar and readability and has incorporated it into the amendments that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p><i>Court Hearing and Temporary Restraining Order Against a Child (Juvenile)</i> (form JV-260),</p>	
			<p><b>Rule 5.630(d)</b>                      Question: Should this subpart of the rule state that a continuance must be requested on <i>Request to Reschedule Restraining Order Hearing</i> (form JV-251), which is a mandatory form?</p>	<p>The committee agrees with this suggestion and has incorporated it into the amendments that it is recommending for adoption.</p>
			<p><b>Rule 5.630(d)(3)</b>                      Change “form JV-254” to “form JV-253.”                      Change “for this purpose” to “to grant or deny a request for continuance.”</p> <p>Either <i>Request and Order to Continue Hearing (Temporary Restraining Order— Juvenile)</i> (form JV-251) <i>Order on Request to Reschedule Hearing</i> (form JV-254<sup>3</sup>) or a new <i>Notice of Court Hearing and Temporary Restraining Order—Juvenile (Juvenile)</i> (form JV-250) must be used for this purpose to grant or deny a request for continuance. If the restrained person is the subject of a petition under section 601 or 602, either <i>Order on Request to Reschedule Hearing</i> (form JV-254<sup>3</sup>) or a new <i>Court Hearing and Temporary Restraining Order Against a Child (Juvenile)</i> (form JV-260) must be used.</p>	<p>The committee agrees with these suggestions and has incorporated it into the amendments that it is recommending for adoption.</p>
			<p><b>Rule 5.630(e)(2)</b>                      Question: Is “regularly scheduled” necessary?</p>	<p>The committee agrees with this suggestion and has incorporated it into the amendments that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>The restraining order hearing may be held at the same time as any <b>regularly scheduled</b> hearing to declare the child a dependent or ward ...</p> <p><b>Rule 5.630(f)</b>                      Correct title of form JV-255 (move “<i>Juvenile</i>” to parenthetical at end of title); insert “a” between “<i>Against</i>” and “<i>Child</i>”; insert space between comma and “<i>Firearm Parts.</i>”</p> <p>When service of <i>Notice of Court Hearing and Temporary Restraining Order—Juvenile (Juvenile)</i> (form JV-250), <i>Court Hearing and Temporary Restraining Order Against a Child (Juvenile)</i> (form JV-260), <del>or <i>Juvenile Restraining Order After Hearing—Juvenile (Juvenile)</i> (form JV-255)</del>, or <i>Restraining Order After Hearing—Against a Child (Juvenile)</i> (form JV-265) is made, it must be served with a blank <del><i>Proof of Firearms Turned In, Sold, or Stored Proof of Surrender of Firearms, Firearm Parts, and Ammunition</i></del> (form DV-800/<del>JV-252</del> <u>JV-270</u>) and <i>How Do I Turn In, Sell, or Store My Firearms?, Firearm Parts, and Ammunition?</i> (form DV- 800-INFO/<del>JV-252-INFO</del> <u>JV- 270-INFO</u>). Failure to serve form <del>JV-252 or JV-252-INFO</del> <u>JV-270 or JV-270-INFO</u> does not make service of form JV-250, <del>or form JV- 255,</del> form JV-260, or form JV-265 invalid.</p> <p><b>Rule 5.630(j)(1)</b></p>	<p>The committee agrees with these suggestions and has incorporated them into the amendments that it is recommending for adoption.</p> <p>The committee agrees with this suggestion and has incorporated it into the amendments that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Question: Should a citation to WIC § 778 be added for 601/602 cases?</p> <p>A restraining order may be modified ... in the manner provided for by section 388 or 778, as appropriate, and rule 5.570.</p>	
			<p><b>Rule 5.630(j)(2)</b>            Insert “a” between “<i>Against</i>” and “<i>Child</i>.”</p> <p>... a new <i>Restraining Order After Hearing—Against a Child (Juvenile)</i> (form JV-265), ...</p>	<p>The committee agrees with this suggestion and has incorporated it into the amendments that it is recommending for adoption.</p>
			<p><b>DV-800/JV-270, item 2.b.</b>            Suggested change:            If you have a lawyer, give their information use your lawyer’s address.</p>	<p>The committee appreciates this comment, but concluded that “give” is easier to understand than “use.” This form is included in proposal 22-170, <i>Domestic Violence: Rule and Form Changes to Implement New Laws</i>.</p>
			<p><b>DV-800/JV-270, item 2.c.</b>            Suggested change:            If you have a lawyer, give their information use your lawyer’s contact information.</p>	<p>The committee appreciates this comment, but concluded that “give” is easier to understand than “use.” This form is included in proposal 22-170, <i>Domestic Violence: Rule and Form Changes to Implement New Laws</i>.</p>
			<p><b>DV-800/JV-270, item 3, par. 2</b>            Correct the title and form number in the last sentence.</p> <p>... For help filling out this form, read <i>How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?</i> (form DV-800-INFO/JV-720270-INFO).</p>	<p>The committee is recommending that the title of this form should be “How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?”</p> <p>The committee agrees with this suggestion to correct the form number and has incorporated it into the revisions that it is recommending for adoption. This form is included in proposal 22-</p>

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	Commenter	Position	Comment	Committee Response
			<p>JV-270, item 3: fix name and number of the INFO form</p>	<p>170, <i>Domestic Violence: Rule and Form Changes to Implement New Laws</i>.</p>
			<p><b>DV-800/JV-270, item 4.a.</b>  Delete “and” before “<i>Firearm Parts</i>”; insert “/JV-270” after “DV-800.”</p> <p>I filed a <i>Proof of Surrender of Firearms and Firearm Parts, and Ammunition</i> (form DV-800/JV-270) or other proof for those items with the court on (date):</p> <p>JV-270, item 4: fix name and number of the form in a; below should be above in c</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption. This form is included in proposal 22-170, <i>Domestic Violence: Rule and Form Changes to Implement New Laws</i>.</p>
			<p><b>DV-800/JV-270, item 4.c.</b>  Delete “not” after “why”; change “below” to “above.”</p> <p>... (<i>Explain why not</i>):</p> <p>Check here if there is not enough space <del>below</del> <b>above</b> for your answer.</p>	<p>Item 4c has changed substantially and no longer has an “explain” instruction.</p> <p>The committee agrees with this suggestion and has incorporated them into the revisions that it is recommending for adoption. This form is included in proposal 22-170, <i>Domestic Violence: Rule and Form Changes to Implement New Laws</i>.</p>
			<p><b>DV-800/JV-270, page 2 footers</b></p>	<p>The numbering on the form has been revised. This form is included in proposal 22-170, <i>Domestic Violence: Rule and Form Changes to Implement New Laws</i>.</p>



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	Commenter	Position	Comment	Committee Response
			<p>Left: Delete and replace with “Rev. January 1, 2023.”</p> <p>Right: Change “Page 1 of 4” to “Page 2 of 4”</p> <p>JV-270: fix page number on page 2</p> <p><b>DV-800/JV-270, check box beneath items 6.g. and 7.g.</b></p> <p>Suggested change: Check this box if more space is needed or to use a separate document to list all firearms, firearm parts, and <del>or</del> ammunition. Write ...</p> <p><b>DV-800-INFO/JV-270-INFO -- Suggested changes:</b></p> <p>You must turn them in to a licensed gun dealer, or to law enforcement. <del>You must do so</del> within 24 hours of being served with the restraining order. If you were just in court and the judge granted a restraining order against you, follow the judge's orders right away. If you don't, the judge may <del>be required have</del> to notify law enforcement or the local prosecutor of your violation.</p> <p>How do I sell my firearms?</p> <p>You can <del>only</del> sell or transfer your firearms to a licensed gun dealer <del>only</del>.</p> <p>How do I store my firearms?</p>	<p></p> <p>This has been revised to say “Check here if there is not enough space above for your answer. Use a separate sheet...” This form is included in proposal 22-170, <i>Domestic Violence: Rule and Form Changes to Implement New Laws</i>.</p> <p>The committee recommends substantial further modifications to this form in light of comments received. Where the proposal contains the text that this commenter’s suggestions addresses, the committee has incorporated the suggestions into the revisions that it is recommending for adoption. This form is included in proposal 22-170, <i>Domestic Violence: Rule and Form Changes to Implement New Laws</i>.</p>

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			<p>Licensed gun dealers and law enforcement agencies can store firearms but not all of them do. Contact them to find out if they will store your firearms and ask how much the fee is.</p> <p>How do I take my firearms to law enforcement?</p> <p>If I turn in my firearms to law enforcement, how long will they keep <del>it</del> them?</p> <p>... There are procedures for getting your firearms back after a restraining order expires.</p> <p>After I give my firearms to law enforcement, can I change my mind?</p> <p>... The law enforcement agency will give the licensed gun dealer the firearms you are selling.</p> <p>JV-270-INFO, page 1, bottom of first column: Licensed gun dealers</p>	
			<p><b>JV-245, p. 1</b></p> <p>Boxed instructions at top of page, last sentence:</p> <p>Change “form JV-247” to “form “JV-258.”</p> <p>JV-245, page 1 at top: Fix form number for request against child (247 =&gt; 258)</p> <p>JV-245 (throughout): avoid using me and you/your to describe the protected person, as that person may not be filling out the form</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p> <p>The committee thinks that it is important to be consistent with the plain language style used in the DV forms including the general use of “me” and</p>

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	Commenter	Position	Comment	Committee Response
			<p>Item 1d: Suggested edits –</p> <p>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 there regularly. If you have a lawyer, give their your lawyer's address.)</p>	<p>“you” (directed toward self-represented parties), where that voice can be used clearly.</p> <p>The committee does not recommend making the change to indicate that the person is getting their mail there. The important part of this item is that the person is able to get their mail regularly, which is not the same as getting their mail there (the person being able to get their mail is different than the mail being delivered to the address).</p> <p>To be consistent with the other restraining order forms, the committee continues to recommend that the word “their” be used instead of “your lawyer’s). The committee also concluded that “their” was easier to read and understand.</p>
			<p><b>JV-245, p. 2</b></p> <p>Item 3a: Suggested edits –</p> <p>Isolated <del>me</del> the person in 1 from friends or family Kept <del>me</del> the person in 1 from eating or getting other basic necessities needs</p>	<p>The committee thinks that it is important to be consistent with the plain language style used in the DV forms including the general use of “me” and “you” (directed toward self-represented parties), where that voice can be used clearly.</p>
			<p><b>JV-245, p. 2</b></p> <p>Item 3b: Suggested edits<sup>4</sup> –</p> <p>Details can also include how often something happened, what was said, or use of whether weapons were used, etc. Attach a sheet of paper and write “JV-245, Item 3” at the top.</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p><b>JV-245, p. 2</b></p> <p>Item 3c: Suggested edit –</p> <p>Check here if you know <b>if</b> there is a report that your request that has been filed with the court, and complete the section below.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>JV-245, p. 2</b></p> <p>Item 5b: Suggested edit for consistency with item 5a –</p> <p><i>(If yes, complete <b>the</b> section below.)</i></p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>JV-245, p. 2</b></p> <p>Item 5b(3): Suggested edits –</p> <p>Telephone (<i>list <b>area code and number</b></i>):</p> <p>Fax (<i>list <b>area code and number</b></i>):</p> <p>Email or other electronic means (<i>specify <b>and list email address</b></i>):</p>	<p>The committee agrees with this suggestion and has incorporated it, with minor alterations, into the revisions that it is recommending for adoption.</p>
			<p><b>JV-245, p. 4</b></p> <p>Item 6c: Insert “what” before “amount” (How many or <b>what</b> amount?).</p> <p>Item 7, par. 1: Delete “ly” from “repeatedly.” ... (including repeated<b>ly</b> contact), ...</p> <p>Item 7, par. 2: Suggested edits in bullet points (because the person requesting the RO might not be a person listed in item 1 or item 4) –</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>

**Rules and Forms: Juvenile Law: Restraining Orders, SPR22-24**

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	Commenter	Position	Comment	Committee Response
			<p>Destroying <b>you someone's</b> mental or emotional well-being, ...</p> <p>Isolating <b>you someone</b> from friends, relatives, or other support; keeping <b>you someone</b> from food or basic needs; controlling or keeping track of <b>you someone</b>, including <b>you that person's</b> movements, contacts, ... and making <b>you someone</b> do something by force, threats, or intimidation, ...</p>	<p>The committee agrees with this suggestion since the request can be for multiple persons.</p>
			<p><b>JV-245, p. 5</b></p> <p>Item 9c: Change “13” to “10” –</p> <p><i>(if you live together, you can ask that the person in 2 move out in <b>1310</b>.)</i></p> <p>Item 9c: Suggested edit –</p> <p><i>(If you live together, you can ask that the person in 2 <b>be ordered to</b> move out in <b>1310</b>.)</i></p> <p>Item 10: Delete hyphen from “<b>Order to Move-Out</b>”; add “in juvenile court” to first sentence.</p> <p>... and (2) the person in <b>1</b> is the child in juvenile court, or has care, custody, and control of the child <b>in juvenile court</b>.</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>
			<p><b>JV-245, p. 6</b></p> <p>Item 12: Suggested edits (WIC § 213.5(a) does not authorize the court to issue an order protecting the animals of the person in <b>2</b> [“an animal owned, possessed, leased, kept, or held by a person</p>	<p>To track the statutory language of section 213.5 that includes all protected parites, the committee has revised this item to read: “You may ask the judge to protect animals that you own or are keeping for others, animals that the people in (4)</p>

**Rules and Forms: Juvenile Law: Restraining Orders, SPR22-24**

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	Commenter	Position	Comment	Committee Response
			<p>protected by the restraining order, or residing in the residence or household of a person protected by the restraining order”]) –</p> <p>(You may ask the judge to protect <del>your</del> the animals, <del>your children’s</del> animals, or the person in <del>2’s</del> animals that belong to the person in 1 or anyone who lives with that person.)</p> <p><b>JV-245, p. 7</b></p> <p>Item 14, 1st sentence: “... protected by the restraining <del>order</del>.”</p> <p>Item 14, last sentence: It is not clear whether “this order” refers to [1] one or both of the orders described in the two previous sentences, or [2] the entire restraining order that is being requested.</p> <p>Should it be clarified as follows? “The court may choose not to grant <del>this order</del>, the orders in 14 if it is shown the orders <del>is are</del> not needed.”</p>	<p>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.</p> <p>The committee has modified the language in response to the comment. The language noting that a court may choose not to grant this order has been removed.</p>
			<p><b>JV-245, p. 7</b></p> <p>Item 17: Change “one” to “a lawyer.”</p> <p>Your lawyer’s signature (<i>if you have <del>one</del> a lawyer</i>)</p>	<p>The committee concluded that the use of “one” is better for a plain language form as it is easier to read.</p>
			<p><b>JV-245, p. 7</b></p> <p>Headings in items 15, 16, and 17: For consistency with the rest of the form, use initial caps –</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Additional pPages                      Your sSignature                      Your lLawyer’s sSignature</p> <p>Your Next Steps, #1, first bullet point: Insert space between “Order” and “(only.”</p>	
			<p><b>JV-247, p. 1</b></p> <p>Item 2: Suggested edits –</p> <p><b>Address where you can receive court papers</b></p> <p>... 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 there regularly. If you have a lawyer, work with them your lawyer to fill out this information form and give their your lawyer’s information address.)</p> <p>Left footer: For consistency (see footer in JV-245), delete “and” in citation to California Rules of Court.</p>	<p>See response above regarding instructions regarding mailing address.</p>
			<p><b>JV-247, p. 1</b></p> <p><b>Your contact information</b> (optional)                      If you have a lawyer, give their your lawyer’s contact information.)</p> <p><b>Your lawyer's information</b> (if you have one a lawyer)</p>	<p>The committee concluded that “their” and “one” are better for a plain language form.</p>

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	Commenter	Position	Comment	Committee Response
			<p><b>JV-247, p. 1</b></p> <p>Left footer: For consistency (see footer in JV-245), delete “and” in citation to California Rules of Court.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>JV-247, pp. 2-4</b></p> <p>Item 5: Suggested edits –</p> <p>In item 2 of form JV-245, <b>has if</b> the person in 1 <b>did not</b> correctly described your relationship with the child?, use the space below to give the correct relationship.</p> <p><del>Yes – No – If no, what is your relationship with the child?:</del></p>	<p>The committee concluded that the existing format is easier to understand. Additionally, the committee has changed this item to ask about the relationship with the person in 1 (the person seeking protection) and has incorporated that change into the revisions it is recommending for adoptions.</p>
			<p><b>JV-247, pp. 2-4</b></p> <p>Items 6, 7, 8, 9, 10, 11, 12, and 14: Suggested edits –</p> <p>Explain why you disagree, <b>and/or</b> describe a different order that you would agree to:</p>	<p>The style that has been approved for Judicial Council directs against using “and/or”, so the committee has not made this change.</p>
			<p><b>JV-247, pp. 2-4</b></p> <p>Items 11 and 12 are switched: Item 11 should be “Visitation of Children.” Item 12 should be “Protect Animals.”</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>JV-247, pp. 2-4</b></p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>



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	Commenter	Position	Comment	Committee Response
			<p>Item 13: Correct title of form JV-250; change item “7” to “6”; insert comma after “Firearm Parts.”                      If you were served with form JV-250, <i>Notice of Court Hearing and Temporary Restraining Order</i>, you must follow the orders in <b>7 6</b> on form JV-250. You may use form DV-800/JV-270, <i>Proof of Surrender of Firearms, Firearm Parts, and Ammunition</i>, for the receipt.</p>	
			<p><b>JV-247, pp. 2-4</b></p> <p>Item 18: Change “one” to “a lawyer.”</p> <p>Your lawyer’s signature (<i>if you have <del>one</del> a lawyer</i>)</p>	<p>The committee concluded that the existing format is easier to understand.</p>
			<p><b>JV-247, pp. 2-4</b></p> <p>Headings in items 16, 17, and 18: For consistency with the rest of the form, use initial caps –</p> <p>Additional <b>p</b>Pages                      Your <b>s</b>Signature                      Your <b>L</b>awyer’s <b>s</b>Signature</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>
			<p><b>JV-250, p. 1</b></p> <p>Item 2, after “*Age:” – Suggested edit:  <i>(If unknown, <del>g</del>Give estimate, <del>if age unknown</del>.)</i></p>	<p>The committee has further revised this item, but concluded the item should mirror the language on the council’s DVPA forms: “Give estimate if you do not know exact age.”</p>
			<p><b>JV-250, p. 1</b></p> <p>Left footer: For consistency (see footer in JV-245), delete “and” in citation to California Rules of Court.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p><b>JV-250, p. 2</b></p> <p>... <del>at</del> on the court date listed in 4. (<i>Explain <del>Reasons</del> for denial</i>):</p>	<p>The committee concluded that the existing format is easier for parties to understand when reading the order.</p>
			<p><b>JV-250, p. 2</b></p> <p>Item 5b: Suggested edits – This does not always mean that every requested order <del>that was requested</del> was granted.</p> <p>Item 6d: Suggested edit; also, correct title of form –</p> <p>... you must file a receipt with the court that proves all prohibited items have been turned in, stored, or sold.</p> <p>... <i>Proof of Surrender of <del>f</del>Firearms, <del>f</del>Firearm <del>p</del>Parts, or <del>a</del>Ammunition, for the receipt.)</i></p> <p>Item 6e: Suggested edits (see items 2 and 3 on form DV-800-INFO/JV-270-INFO) –</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption with minor changes. 6e is now combined with 6d.</p>
			<p><b>JV-250, p. 2</b></p> <p>Item 6e: Suggested edits (see items 2 and 3 on form DV-800-INFO/JV-270-INFO) –</p> <p><b>JV-250, p. 2</b></p> <p>If a law enforcement officer served you with the <del>this</del> restraining order, you must immediately surrender any prohibited items you have <del>upon</del> when the officer requests them <del>by the officer</del>. Within 48 hours, you must file a receipt with the</p>	<p>The committee recommends substantial modifications to the proposed revisions on this form. Where the revisions contain the text this commenter’s has made suggestions about, the committee has incorporated them.</p>

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	Commenter	Position	Comment	Committee Response
			<p>court and a copy of the receipt with the law enforcement agency <del>that proves</del> to prove that all prohibited items have been turned in, stored, or sold.</p>	
			<p><b>JV-250, p. 3</b></p> <p>Item 8: For consistency with item 4 –</p> <p>Name and address of court, if different <del>than</del> from court address listed on page 1</p> <p>Item 10: Change “repeatedly” to “repeated.”</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>
			<p><b>JV-250, p. 4</b></p> <p>Item 12b: Insert “contact or” before “visit.”</p> <p>For you to <b>contact or</b> visit with your children for court-ordered contact or visits.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>JV-250, p. 5</b></p> <p>Item 15b: Insert “listed below” after “the animals.”</p> <p>You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals <b>listed below</b>.</p> <p>Item 16b: Question – What does “and request form” refer to? Suggest that a specific reference to a form number be used instead if possible.</p> <p>Item 18: For consistency, use initial cap – Attached <b>p</b>Pages</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p><b>JV-250, p. 5</b></p> <p>Certificate of Compliance with VAWA: In the last sentence, change “an order of that jurisdiction” to “the order of the enforcing jurisdiction.” (See 8 U.S.C. § 2265(a).)</p>	<p>Because this suggestion would entail changes to an important certificate that is on many Judicial Council forms using this same language, the committee believes public comment should be sought before recommending such a change. The committee may consider this suggestion during a future rules cycle.</p>
			<p><b>JV-250, p. 6</b></p> <p>Third paragraph (“Even if the protected person invites ...”): Delete or correct the statutory citation at the end of the paragraph. Nothing in PC § 13710(b) supports any of the statements in the paragraph.</p>	<p>Subdivision (b) states that a protective order is enforceable notwithstanding the acts of the parties and may be changed only by order of the court.</p>
			<p><b>JV-250, p. 6</b></p> <p>Clerk’s Certificate: Change “<i>Date</i>” to “<i>Hearing</i>” and delete “<i>Juvenile</i>” in title of form. If desired to match the form of the title in the footers, insert “(<i>Juvenile</i>)” at the end of the title of the form.</p>	<p>The clerk’s certificate now reflects the name of the form.</p>
			<p><b>JV-251, p. 1</b></p> <p>Item 1b(2): Change “one” to “a lawyer” –</p> <p>... (skip if you do not have <del>one</del> <b>a lawyer</b>):</p>	<p>The committee concluded that the existing format is easier to understand.</p>
			<p><b>JV-251, p. 1</b></p> <p>Left footer: For consistency (see footer in JV-245), delete “and” in citation to California Rules of Court.</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p><b>JV-251, p. 2</b>                      Items 5 and 6: For consistency, use initial caps –</p> <p>Your sSignature                      Your lLawyer’s sSignature</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>JV-251, p. 2</b></p> <p>Item 6: Change “one” to “a lawyer” –</p> <p>... (if you have <del>one</del> a lawyer)</p>	<p>The committee concluded that the existing format is easier to understand.</p>
			<p><b>JV-253, p. 1</b></p> <p>Line below item 2: Insert period at end of sentence.</p> <p>Left footer: Insert space between “304,” and “362,” (WIC citations).                      Center footer: Delete space between hyphen and “Juvenile)” in the second line.</p>	<p>The committee agrees with these suggestions and has incorporated them into the proposal that it is recommending for adoption.</p>
			<p><b>JV-253, p. 2</b></p> <p>Items 5, 5a, 5c: Change “Court Date” to “Hearing.”</p> <p>Reason <b>Court Date Hearing</b> Is Rescheduled                      a. There is good cause to reschedule the <b>court date hearing</b> (check one):</p>	<p>The committee concluded that “court date” is more appropriate for a plain language form than “court hearing.”</p>

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			<p>c. The court reschedules the <del>court date hearing</del> on its own motion.</p> <p><b>JV-253, p. 3</b></p> <p>Item 7, 7a, 7b: Question – Does “this order” refer to the order rescheduling the hearing, to the new TRO that is attached to the JV-253, or both? It is confusing because the title of the item calls it a “Restraining Order,” not an “Order Rescheduling Hearing.”</p> <p>If it refers only to the new TRO attached to the JV-253, suggested edits –</p> <p>Enter <del>Attached Restraining Order</del> into <del>Database</del> <b>CLETS</b> Within one business day, <del>this the attached restraining order</del> must be entered ...</p> <p>b. ... will send a copy of <del>this the attached restraining order</del> to a local law enforcement ...</p> <p>If it refers to either or both, suggested edits –</p> <p>Enter <del>Restraining Order(s)</del> into <del>Database</del> <b>CLETS</b> Within one business day, <input type="checkbox"/> this order <input type="checkbox"/> and the <del>attached restraining order</del> must be ...</p> <p>a. The court will enter the order(s) into CLETS.</p> <p>b. ... will send a copy of <input type="checkbox"/> this order <input type="checkbox"/> and the <del>attached restraining order</del> to a local ...</p> <p>Center footer: Delete space between hyphen and “Juvenile)” in the second line.</p>	<p>“This order” is the order to reschedule and any attachment that is part of the order. The committee recommends deleting the word “Restraining” from the title of the item so it reads: “Enter Order Into Database.”</p>

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	Commenter	Position	Comment	Committee Response
			<p><b>JV-253, p. 3</b></p> <p>Suggested edit –</p> <p>If the court designates someone, provide <del>their the</del> <b>person’s</b> name:</p> <p>Item 9: For consistency, use initial cap – Attached <del>p</del><b>P</b>ages</p> <p>Instructions to Clerk: Suggested edits –</p> <p>If the hearing is rescheduled and/or if the court extended, modified, or terminated a temporary restraining order, then the court must enter <del>this order-the order(s)</del> <b>this order(s)</b> into CLETS or send <del>this order</del> <b>the order(s)</b> to law enforcement to enter into CLETS. This must be done by the court within one business day from the day the order is made, unless the court has designated <del>someone the</del> <b>person named</b> in item 7b.</p> <p>Center footer: Delete space between hyphen and “Juvenile)” in the second line.</p>	<p>The committee agrees with these suggestions and has incorporated them into the proposal that it is recommending for adoption.</p> <p>The committee recommends keeping the language in the Instructions box the same as on the council’s DV forms. If the order to reschedule is granted, any order extending, modifying, or terminating the TRO must be attached to the rescheduling order (see item 9), so there is only one order. The instructions to the clerk inform them that the order must either be entered into CLETS or sent to law enforcement within one business day from the day that the order is made. This instruction is not directed at law enforcement.</p>
			<p><b>JV-255, p. 1</b></p> <p>Item 2: Suggested edits –</p> <p><i>(If unknown, gGive estimate, if age unknown.)</i>  <b>(Information that has marked with a star (*) next to it is required</b> to add this order into a California police database. ...</p>	<p>The committee concluded that the existing format is easier to understand.</p>

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			<p><b>JV-255, p. 1</b>                      Box near bottom of page: <i>(Certificate of VAWA compliance is on page 5.)</i></p> <p>“This order must be enforced throughout the United States. See page 4-5.”</p> <p><b>Left footer: For consistency (see footer in JV-245), delete “and” in citation to California Rules of Court.</b></p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption with minor revision to reflect the change in pagination so that information regarding orders is listed on page 5-6.</p>
			<p><b>JV-255, p. 2</b></p> <p>Item 5: Question – Is item 5c necessary in light of the information requested in item 6? If not, it can be deleted.</p> <p>Item 7d: Suggested edit; also, correct title of form –</p> <p>... you must file a receipt with the court that proves all prohibited items have been turned in, stored, or sold.</p> <p>... Proof of Surrender of <del>f</del>Firearms, <del>f</del>Firearm <del>p</del>Parts, or <del>a</del>Ammunition, for the receipt.)</p>	<p>The committee agrees with this suggestion and has removed item 5c from the revision that it is recommending for adoption.</p> <p>The committee agrees with this suggestion and has incorporated it with minor changes into the revision that it is recommending for adoption.</p>
			<p><b>JV-255, p. 2</b></p> <p>Item 7e: Suggested edits (see items 2 and 3 on form DV-800-INFO/JV-270-INFO) –</p>	<p>The committee recommends substantial modifications to this proposed form. Where the revisions contain the text this commenter’s suggestions address, the committee has incorporated the suggestions into the revisions that it is recommending for adoption.</p>



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	Commenter	Position	Comment	Committee Response
			<p>If a law enforcement officer served you with <b>the this</b> restraining order, you must immediately surrender any prohibited items you have <b>upon when the officer requests them by the officer.</b> Within 48 hours, you must file a receipt with <b>the court and a copy of the receipt with the law enforcement agency that proves to prove that</b> all prohibited items have been turned in, <b>stored,</b> or sold.</p> <p>Item 7f: Suggested edits –</p> <p><b>... but must only have it only during scheduled work hours and while traveling to and from their person's place of work. Note: Even if exempt under California law, the person in [insert space] 2 ...</b></p> <p><b>JV-255, p. 3</b> Item 9: Suggested edits –</p> <p><b>Restrained Person Has Not <del>Complied With</del> Surrendered Prohibited Items</b></p> <p><b>JV-255, p. 3</b> Item 9a: Suggested edit –</p> <p><b>“The Restrained person ...”</b></p>	<p></p> <p>To be consistent with the committee’s proposed revisions on this topic in DV forms, the committee concluded that this item should read: Restrained Person Has Not Complied With Surrendering Prohibited Items</p> <p>The committee recommends substantial modifications to this proposed form. Where the revisions contain the text this commenter’s suggestions address, the committee has incorporated them into the revisions that it is recommending for adoption.</p>

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			<p>Item 9b: Suggested edits (“within two days of today’s hearing” might be confusing if the hearing precedes a weekend or holiday) –</p> <p>If you do not provide a receipt or proof of compliance <b>within two days of today's hearing</b>, by: <i>(date and time)</i>: _____, the court will notify the _____ <i>(name of prosecuting agency)</i>: _____.</p>	
			<p><b>JV-255, p. 3</b> Item 12: Change “repeatedly” to “repeated.”</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>JV-255, p. 4</b> Items 13b(1), (2): Suggested changes –</p> <p>... contact with the person in 1 <b>to</b> only <b>to</b> communicate about your child(ren) ...</p> <p>You may <b>have</b> contact <b>or visit</b> with your child(ren) ...</p> <p>Items 14b(1), (2): Suggested changes –</p> <p>... exchange your child(ren) for court-ordered visits. ...</p> <p>For you to <b>contact</b> <b>or</b> visit with your child(ren) ...</p>	<p>The committee agrees with these suggestions and has incorporated them, with minor alterations, into the revisions that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Item 15: Delete hyphen from “Move-Out”</p> <p><b>JV-255, p. 5</b></p> <p>Item 17b: Insert “listed below” at the end of the sentence.</p> <p>Item 18: JV-251 should be JV-250</p> <p>Item 18b(1): Insert “a copy of this order” after “(given)” and correct form number to JV-250.</p> <p>This order can be served by mail. The judge’s orders in this form are the same as the orders in form JV-2540 except for the expiration date. The person in must be served (given) a copy of this order, either by mail or in person</p> <p>Item 18b(2): Correct form number to JV-250.</p> <p>Item 18b(3)(B): Insert space between “in” and “2”; delete space between “2” and apostrophe in “s” (2’s).</p> <p>Item 19(b): Change ‘their’ to ‘the person’s’ before ‘name’ and blank line.</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>
			<p><b>JV-255, p. 5</b></p> <p>Certificate of Compliance with VAWA: In the last sentence, change ‘an order of that jurisdiction’ to ‘the order of the enforcing jurisdiction.’ (See 8 U.S.C. § 2265(a).)</p>	<p>See response to this comment above.</p>

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	Commenter	Position	Comment	Committee Response
			<p><b>JV-255, p. 6</b> Start Date and End Date</p> <p>The date next to the judge’s signature on <b>this</b> page <b>5</b>.</p> <p>... If no date is listed, they end three years from the hearing date <b>in item 5(a) on page 2</b>.</p> <p>Arrest Required</p> <p>... A violation of the order may be a violation of Penal Code <b>Sections section</b> 166 or 273.6.</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>
			<p><b>JV-258:</b> Throughout the form, there is inconsistency among the titles of the items. In some, all initials are capitalized (e.g., items 1, 6-11); in others, only the initial of the first word is capitalized (e.g., items 2, 3, 4, 5, 12, 13).</p>	<p>The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.</p>
			<p><b>JV-258</b> (throughout): avoid using me and you/your to describe the protected person, as that person may not be filling out the form</p>	<p>The committee thinks that it is important to be consistent with the plain language style used in the DV forms including the general use of “me” and “you” (directed toward self-represented parties), where that voice can be used clearly.</p>
			<p><b>JV-258, p. 1</b> Item 1a: Insert “a” before “lawyer”: If you are <b>a</b> lawyer asking ...</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>

**Rules and Forms: Juvenile Law: Restraining Orders, SPR22-24**

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	Commenter	Position	Comment	Committee Response
			<p><b>JV-258, p. 1</b>                      Item 1c: Suggested edits –</p> <p>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 there regularly. If you have a lawyer, give their your lawyer’s information.)</p>	<p>See response above to comment on mailing address.</p>
			<p><b>JV-258, p. 1</b>                      Item 1d: Suggested edits –</p> <p>(If you have a lawyer, list give your lawyer's information. If you don't have a lawyer, you may provide give your information but doing so is optional if you wish.)</p>	<p>The committee agrees with the suggestion to use “give” instead of provide and has incorporated it into the form that it is recommending for adoption. The committee continues to recommend that the phrase “optional” remain in this item.</p>
			<p>Left footer: WIC citations should appear before CRC citations.</p>	<p>The committee agrees with this suggestion and has incorporated it into the form that it is recommending for adoption.</p>
			<p><b>JV-258, p. 2</b>                      Item 3a: Suggested edits (because the person filling out the form might be someone other than the person in item 1) –</p> <p>A judge can grant you a restraining order if the person in 1a is at risk because of the actions of the person in 2's actions.</p> <p>Explain why you need a restraining order is needed.</p>	<p>The committee agrees with these suggestions and has incorporated them, with minor alterations, into the form that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Check here if you need more space to describe emotional or physical harm or to give <b>more details</b>. ...</p> <p>Item 3b: Suggested edits –</p> <p>Check here if you know <b>if</b> there is a report that supports your request <b>and</b> that has been filed with the court, and complete the section below.</p> <p>Item 4: Suggested edits –                      Yes (<i>if yes, <del>list them</del> give their information below</i>)</p>	
			<p><b>JV-258, p. 3</b></p> <p>Item 5a(1): Suggest changing “attorney” to “lawyer” for consistency throughout form.</p> <p>Item 6 title: Insert “the” before “Person in 2.”</p> <p>Item 6c: Insert “what” before “amount” (How many or <b>what</b> amount?).</p>	<p>The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.</p>
			<p><b>JV-258, p. 4</b></p> <p>Question: Why are there no options to ask the judge for a stay-away order or a move-out order? (See WIC § 213.5(b) [orders enjoining a person from “contacting ... by mail or otherwise, coming within a specified distance of, ... the child or any other child in the household; (2) excluding a person from the dwelling of the person who has care, custody, and control of the</p>	<p>This request form is for a restraining order against a child in a juvenile delinquency case. The orders a judge can make in that case are limited under Welfare and Institutions Code section 213.5(b) to orders enjoining the child from contacting, threatening, stalking, or disturbing the peace of a person whom the court finds to be at risk from the conduct of the child.</p>

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	Commenter	Position	Comment	Committee Response
			<p>child; or (3) enjoining the child from contacting, ... a person the court finds to be at risk from the conduct of the child, or with whom association would be detrimental to the child], § 213.5(d) [orders after hearing]; see also proposed JV-245, items 9 and 10.)</p> <p>Item 7: First sentence – Question: Why does this sentence limit the request to orders “to not threaten, stalk, or disturb the peace ...” Shouldn’t it also include the requested orders in item 7 on the JV-245 form (“Harass, attack, strike ...”)? (See WIC § 213.5(b).)</p>	
			<p><b>JV-258, p. 4</b></p> <p>Item 7, par. 2: Suggested edits in bullet points (because the person requesting the RO might not be a person listed in item 1 or item 4) –</p> <p>Destroying <del>your</del> someone’s mental or emotional well-being, ...</p> <p>Isolating <del>you</del> someone from friends, relatives, or other support; keeping <del>you</del> someone from food or basic needs; controlling or keeping track of <del>you</del> someone, including <del>your</del> that person’s movements, contacts, ... and making <del>you</del> someone do something by force, threat, or intimidation, ...</p> <p>Item 8: Suggested edits –</p>	<p>The committee does agree with the change in the description of abuse suggestions and has incorporated those suggestions, with minor alterations, into the revisions that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>I ask <del>that judge to order</del> the person in <b>2</b> to not contact <del>me or</del> any person listed in <b>1</b> or <b>4</b>.</p> <p>Item 9a: Suggested edits (WIC § 213.5(b) [“an animal owned, possessed, leased, kept, or held by a person protected by the restraining order, or residing in the residence or household of a person protected by the restraining order”] does not authorize the court to issue an order protecting the animals of the person in <b>2</b>) –                      (You may ask the <del>court judge</del> to protect <del>your the</del> animals, <del>your children’s animals, or the person in 2’s animals</del> that belong to the person in <b>1</b> or anyone who lives with that person.)</p> <p>Item 9b: Suggested edits –                      Give <del>me the person in 1</del> sole possession, care, and control of the animals because ...</p> <p><del>‡ The person in 1</del> purchased these animals.  <del>‡ The person in 1</del> takes care of these animals.</p> <p><b>JV-258, p. 5</b>                      Item 10: Suggested edits –                      If the judge grants <del>you</del> a restraining order, the person in <b>2</b> <del>must will have to</del> turn in, sell, or store any guns, other firearms, firearm parts, or ammunition that they <del>have or control</del> <del>person has</del> <del>or controls</del>. The person in <b>2</b> would also be prohibited from buying firearms and ammunition.</p>	<p>See response on this issue above.</p> <p>The committee thinks that it is important to be consistent with the plain language style used in the DV forms including the general use of “me” and “you” (directed toward self-represented parties), where that voice can be used clearly.</p> <p>The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.</p>



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	Commenter	Position	Comment	Committee Response
			<p>Item 11: Insert ‘order’ at the end of the first sentence (restraining <b>order</b>).</p> <p>Item 11: Suggested edits (see, e.g., JV-245, item 14) –</p> <p>The court may <b>choose not to grant this order, if there is good cause if it is shown the order is not needed.</b></p>	<p>The committee does not recommend making this change; the council’s DV forms use the legal phrase “good cause,” and the committee is recommending that the forms be consistent where possible.</p>
			<p><b>JV-259, p. 1</b>            Instructions, third sentence: Insert “the” before “form JV-258” (You will need a copy of <b>the</b> form JV-258 ... that was filled out by the person ...).</p>	<p>The committee agrees with this suggestion and has incorporated it into the form that it is recommending for adoption.</p>
			<p><b>JV-259, p. 1</b>            Item 2: Suggested edits –</p> <p>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 <b>there</b> regularly. If you have a lawyer, work with <b>them</b> <b>your lawyer</b> to fill out this form and give <b>their</b> <b>your lawyer’s</b> information.)</p>	<p>See response above to this point.</p>
			<p><b>JV-259, p. 1</b>            If you have a lawyer, give <b>their</b> <b>your lawyer’s</b> information.</p>	<p>The committee recommends keeping the language as stated currently to be consistent with the council’s DV forms.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Your lawyer’s information (<i>if you have <del>one-a</del> lawyer</i>)</p> <p>Item 3: Suggested edits –</p> <p>Your hearing date is listed <b>in 4</b> on form JV-260 ... If you do not agree to having a restraining order against you, go to your hearing <b>date</b>.</p>	
			<p><b>JV-259, p. 2</b></p> <p>Items 5, 6, 7, 8: Suggested edits – Explain why you disagree, <b>and/or</b> describe a different order that you would agree to:</p>	<p>See response above; the council’s form style directs against the use of and/or.</p>
			<p><b>JV-259, p. 3</b></p> <p>Item 9: Insert comma after “<i>Against a Child</i>” in 1<sup>st</sup> sentence and after “<i>Firearm Parts</i>” in the 3<sup>rd</sup> sentence.</p> <p>Item 9b: Suggested edits –</p> <p>I have turned in all prohibited items that I have or control to law enforcement or I have sold/<b>stored</b> them <b>to or stored them</b> with a licensed gun dealer. ...</p> <p>Item 10: Suggested edit – Explain why you disagree, <b>and/or</b> describe a different order that you would agree to</p>	<p>The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.</p>
			<p><b>JV-259, p. 4</b></p> <p>Item 13: Your <b>s</b>Signature</p>	<p>The committee agrees with the capitalization suggestions and has incorporated those into the form that it is recommending for adoption. It</p>

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	Commenter	Position	Comment	Committee Response
			<p>Item 14: Your <del>Lawyer's</del> <del>Signature</del> <i>(if you have one-a lawyer)</i></p>	<p>recommends keeping “one” to be consistent with the council’s DV forms, and because that is shorter.</p>
			<p><b>JV-260, p. 1</b></p> <p>Title: For consistency with JV-250, insert “Notice of” before “Court Hearing” (<b>Notice of</b> Court Hearing and Temporary ...). Note: If this change is adopted, the center footers of JV-260, the clerk’s certificate on page 5, and the references to JV-260 in other forms will need to be changed as well.</p>	<p>The committee agrees with this suggestion and has incorporated it into the form that it is recommending for adoption.</p>
			<p><b>JV-260, p. 1</b></p> <p>Item 2: Suggested edits –</p> <p><i>(If unknown, <del>g</del>Give estimate, <del>if age unknown.</del>)</i></p>	<p>The committee concluded this item should mirror the language on the council’s DV forms: “Give estimate, if age unknown.”</p>
			<p><b>JV-260, p. 1</b></p> <p>Item 2: Suggested edits –</p> <p><b>(Information that has marked with a star (*) next to it is required</b> to add this order into a California police database. ...</p>	<p>The committee concluded that the existing format is easier to understand.</p>
			<p><b>JV-260, p. 1</b></p> <p>Item 4 title: For consistency with JV-250, add “Date” (Notice of Hearing <b>Date</b>).</p>	<p>The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Item 4: For consistency with JV-250, replace colon with period after “the person in 2” and add, “Any temporary orders granted on this form end on the court date listed below.”</p>	
			<p><b>JV-260, pp. 2-5</b>                      Center footers use “Court Date” instead of “Court Hearing” (see title and center footer on page 1). Also, if title on page 1 is changed to “Notice of Court Hearing” as suggested above, these footers should be changed accordingly.</p>	<p>The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.</p>
			<p><b>JV-260, p. 2</b>                      Item 5b: Suggested edits –                      This does not always mean that every requested order that was requested was granted.                      Box beneath item 5b: Change 5 to 4 (See page 4.)                      Item 6d: Suggested edits –                      Within 48 hours of receiving this order, you must file a receipt with the court to prove that all prohibited items have been turned in, stored, or sold.</p>	<p>The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.</p>
			<p>Item 6e: Suggested edits –                      If a law enforcement officer served you with the this restraining order, you must immediately surrender any prohibited items you have upon when the officer requests them by the officer. Within 48 hours, you must file a receipt with the court and a copy of the receipt with the law</p>	<p>The committee recommends substantial modifications to the proposed form. Where the revisions contain this commenter’s suggestions to improve grammar, the committee has incorporated them into the revisions that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>enforcement agency <del>that proves to</del> prove that all prohibited items have been turned in, stored, or sold.</p>	
			<p><b>JV-260, p. 3</b></p> <p>Item 7: For consistency with JV-250, delete “firearms, firearm parts, or ammunition” (The court finds that you have the following: <del>firearms, firearm parts, or ammunition</del>).</p>	<p>The committee concluded that this item should read: “The court finds that you have the following prohibited items:”</p>
			<p>Item 8: For consistency with item 4 –</p> <p>Name and address of court, if different <del>than from</del> court address listed on page 1</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>JV-260, p. 3</b></p> <p>Item 10: For consistency with JV-250, suggested changes:</p> <p><del>You must not threaten, stalk or disturb the peace of do the following things to the person in 1 and any person listed in 3:</del></p> <p>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</p>	<p>This form is for a restraining order against a child in a juvenile delinquency case. The orders a judge can make in those cases are limited in Welfare and Institutions Code section 213.5(b) to orders enjoining the child from contacting, threatening, stalking, or disturbing the peace of a person the court finds to be at risk from the conduct of the child.</p>

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	Commenter	Position	Comment	Committee Response
			<p>other electronic means (including repeated contact), or disturb the peace.</p> <p><b>JV-260, p. 4</b>                      Question: Why are there no items for stay-away orders or move-out orders? (See WIC § 213.5(b) [orders enjoining a person from “contacting ... by mail or otherwise, <b>coming within a specified distance of</b> ... the child or any other child in the household; (2) <b>excluding a person</b> from the dwelling of the person who has care, custody, and control of the child; or (3) enjoining the child from contacting ... a person the court finds to be at risk from the conduct of the child, or with whom association would be detrimental to the child], § 213.5(d) [orders after hearing]; see also JV-250, items 12 and 13).</p> <p>Note: If these items are added, the subsequent items will need to be renumbered.</p> <p><b>JV-260, p. 4</b>                      Item 12b: Insert “listed below” after “against the animals.”</p> <p>Item 13a: Insert space between <b>2</b> and “attended.”</p> <p>Item 14b: Change “their” to “that person’s” before “name.”</p> <p><b>JV-260, p. 4</b>                      Certificate of Compliance with VAWA: In the last sentence, change “an order of that jurisdiction” to</p>	<p>This form is for a restraining order against a child in a juvenile delinquency case. The orders a judge can make in those cases are limited in Welfare and Institutions Code section 213.5(b) to orders enjoining the child from contacting, threatening, stalking, or disturbing the peace of a person the court finds to be at risk from the conduct of the child.</p> <p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p> <p>Because this suggestion would entail important substantive changes to the proposal, the committee believes public comment should be sought before</p>

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	Commenter	Position	Comment	Committee Response
			<p>“the order of the enforcing jurisdiction.” (See 8 U.S.C. § 2265(a).)</p>	<p>it is considered for adoption. The committee may consider this suggestion during a future rules cycle.</p>
			<p><b>JV-260, p. 5</b></p> <p>Third paragraph (“Even if the protected person invites ...”): Delete or correct the statutory citation at the end of the paragraph. Nothing in PC § 13710(b) supports any of the statements in the paragraph.</p>	<p>The committee has determined that the Penal Code citation supports this statement: The orders can be changed only by another court order.</p>
			<p>Clerk’s Certificate: Change “Date” to “Hearing”; if title on page 1 is changed to “Notice of Court Hearing” as suggested above, change title to “<i>Notice of Court Hearing and Temporary Restraining Order Against a Child.</i>”</p>	<p>The committee agrees with this suggestion and has incorporated it into the revisions that it is recommending for adoption.</p>
			<p><b>JV-265, p. 1</b></p> <p>Item 2: Suggested edits –</p> <p><i>(If unknown, gGive estimate, if age unknown.)</i></p>	<p>The committee concluded this item should mirror the language on the DVPA forms: “Give estimate, if age unknown”</p>
			<p><b>JV-265, p. 1</b></p> <p>Item 2: Suggested edits –</p> <p><b>(Information that has marked with a star (*) next to it is required to add this order into a California police database. ...</b></p>	<p>The committee concluded that the existing format is easier to understand.</p>

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	Commenter	Position	Comment	Committee Response
			<p><b>JV-265, p. 1</b></p> <p>Item 3: Change “items 7 through 10” to “items 11 through 14.”</p> <p>Boxed sentence below item 4: Change 4 to 5 – “See page 4-5.”</p>	<p>The committee agrees with these suggestions and has incorporated them, with slight modification, into the revisions that it is recommending for adoption.</p>
			<p>Item 4: Change – “This restraining order, <del>except the orders noted below,*</del> ends on:</p>	<p>The committee concluded that this item should be consistent with form JV-255 and recommends adding “*Custody and visitation orders remain in effect after the restraining order ends. Custody and visitation orders usually end when the child is 18.”</p>
			<p><b>JV-265, p. 2</b></p> <p>Item 5: Question – Is item 5c necessary in light of the information requested in item 6? If not, it can be deleted.</p> <p>Item 7d: Suggested edit; also, correct title of form –</p> <p>... you must file a receipt with the court that proves all prohibited items have been turned in, stored, or sold.</p>	<p>The committee agrees with these suggestions and has incorporated them into the revisions that it is recommending for adoption.</p>
			<p><b>JV-265, p. 2</b></p> <p>Item 7e: Suggested edits (see items 2 and 3 on form DV-800-INFO/JV-270-INFO) –</p>	<p>The committee recommends substantial revisions to this form. Where the revisions contain this commenter’s suggestions to improve grammar, the committee has incorporated them into the revisions that it is recommending for adoption.</p>



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	Commenter	Position	Comment	Committee Response
			<p>If a law enforcement officer served you with <b>the this</b> restraining order, you must immediately surrender any prohibited items you have <b>upon when the officer</b> requests <b>them by the officer</b>. Within 48 hours, you must file a receipt with <b>the court and a copy of the receipt with</b> the law enforcement agency <b>that proves to prove that</b> all prohibited items have been turned in, <b>stored,</b> or sold.</p>	
			<p><b>JV-265, p. 3</b>                      Item 8: For consistency with JV-255, change as indicated —                       “The court finds that you have the following <b>firearms, firearm parts, or ammunition:</b>”</p>	<p>The committee concluded that this item should read: “The court finds that have the following prohibited items:”</p>
			<p>Question: Item 8 on the JV-255 does not include the check box with the text “Check here if you need more space...,” Should this be deleted from the JV-265?</p>	<p>The committee has added a check box and text where the person filling out the restraining order can indicate they need more space.</p>
			<p>Item 9: Suggested edit –                       Restrained Person Has Not <b>Complied With Surrendering</b> Prohibited Items                       Item 9a: Suggested edit –                       “<b>The R</b>estrained person ...”</p>	<p>To be consistent with the DV forms, the committee concluded that this item should read: Restrained Person Has Not Complied With Surrendering Prohibited Items</p>

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	Commenter	Position	Comment	Committee Response
			<p>Item 9b: Suggested edits (“within two days of today’s hearing” might be confusing if the hearing precedes a weekend or holiday) –                      If you do not provide a receipt or proof of compliance <b>within two days of today's hearing</b>, by: <i>(date and time)</i>: _____, the court will notify the _____ <i>(name of prosecuting agency)</i>: _____.</p> <p><b>JV-265, p. 4</b></p> <p>Item 12: For consistency with JV-250, suggested changes:</p> <p><b>You must not <del>threaten, stalk or disturb the peace of</del> do the following things to the person in 1 and any person listed in 3.:</b></p> <p><b>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.</b></p> <p>Question: Why are there no items for stay-away orders or move-out orders? (See WIC § 213.5(b) [orders enjoining a person from “contacting ... by mail or otherwise, <b>coming within a specified distance of ...</b> the child or any other child in the household; (2) <b>excluding a person</b> from the</p>	<p>The committee recommends substantial modifications to this form. Where the revisions contain text that this commenter’s suggestions address, the committee has incorporated them into the form that it is recommending for adoption.</p> <p>This form is for a restraining order against a child in a juvenile delinquency case. The orders a judge can make in that case are limited under Welfare and Institutions Code section 213.5(b) to orders enjoining the child from contacting, threatening, stalking, or disturbing the peace of a person the court finds to be at risk from the conduct of the child. For that reason, only those actions are listed in the form.</p>

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			<p>dwelling of the person who has care, custody, and control of the child; or (3) enjoining the child from contacting ... a person the court finds to be at risk from the conduct of the child, or with whom association would be detrimental to the child], § 213.5(d) [orders after hearing]; see also JV-255, items 14 and 15).</p> <p>Note: If these items are added, the subsequent items will need to be renumbered.</p>	
			<p><b>JV-265, p. 4</b></p> <p>Item 14b: Insert “listed below” after “against the animals.”</p>	<p>The committee agrees with this suggestion and has incorporated it into the form that it is recommending for adoption.</p>
			<p><b>JV-265, p. 5</b></p> <p>Item 15b(1): Change “JV-251” to “JV-260” in the 2<sup>nd</sup> sentence; insert “a copy of this order” after “(given)” in the 3<sup>rd</sup> sentence.</p> <p>Item 15b(2): Change “JV-251” to “JV-260” in the 2<sup>nd</sup> sentence.</p> <p>Item 15b(3)(B): Insert space between “in” and “2”; delete space between “2” and “s” (2’s).</p> <p>Item 16b: Change “their” to “the person’s” (“<b>their</b> the person’s name”).</p>	<p>The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Start Date and End Date: suggested edit –</p> <p>... If no date is listed, they end three years from the hearing date <b>in item 5(a) on page 2.</b></p>	
			<p><b>JV-265, p. 5</b></p> <p>Certificate of Compliance with VAWA: In the last sentence, change “an order of that jurisdiction” to “the order of the enforcing jurisdiction.” (See 8 U.S.C. § 2265(a).)</p>	<p>See response to this point above.</p>
			<p><b>JV-265, p. 6</b></p> <p>Clerk’s certificate: Insert “(<i>Juvenile</i>)” after “<i>Against Child</i>” in title of form (“I certify that ...”).</p>	<p>The committee agrees with this suggestion and has incorporated the full title into the form that it is recommending for adoption.</p>
			<p><b>JV-268</b></p> <p>Item 3, 2<sup>nd</sup> bullet point:</p> <p>Not be listed in items 1, <b>2</b>, or <b>3-4</b> of form JV-245, <i>Request for Juvenile Restraining Order</i> or <b>items 1, 2, of 5 of form</b> JV-258, <i>Request for Juvenile Restraining Order Against a Child</i>.</p>	<p>The committee concluded that the existing item is clearer.</p>
			<p><b>JV-272, p. 1</b></p> <p>First line: Change “JV-254” to “JV-255” and add a check box for JV-265.</p> <p>Item 1: Suggested edits –</p> <p>The court finds that <b>you have the restrained person has the</b> firearms, ...</p>	<p>The committee agrees with these suggestions and has incorporated them into the form that it is recommending for adoption.</p>

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	Commenter	Position	Comment	Committee Response
			<p>Left footer: Add a section symbol (§) after “Family Code.”</p> <hr/> <p><b>JV-272, p. 1</b> Item 2: Suggested edit –</p> <p>Name and address of court, if different than from court address listed on the front of this order first page of the temporary restraining order or order after hearing.</p> <hr/> <p><b>JV-272, p. 2</b> Item 3: Suggested edit –</p> <p><b>Restrained Person Has Not Complied With Surrendering Prohibited Items</b></p> <p>Item 3b: Suggested edits (“within two days of today’s hearing” might be confusing if the hearing precedes a weekend or holiday) –</p> <p>If you do not provide a receipt or proof of compliance within two days of today's hearing, by: (date and time): _____, the court will notify the _____ (name of prosecuting agency): _____.</p> <hr/> <p><b>JV-274, p. 1</b> Title: Insert “Notice of” before “Noncompliance” for consistency with title in footers.</p>	<p>The committee concluded that the existing item is clearer.</p> <hr/> <p>To be consistent with the DV forms that the committee is recommending to the council, the committee concluded that this item should read: Restrained Person Has Not Complied With Surrendering Prohibited Items</p> <p>For that same reason, the committee concluded that this item should read: The court will notify the following prosecuting agency of this violation (prosecuting agency): _____ ”</p> <hr/> <p>The committee recommends that the form name be consistent with the name of the DV order that it is recommending to the council, and does not</p>

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	Commenter	Position	Comment	Committee Response
			<p>Item 4: Suggested edits –</p> <p>... A copy of tThe restraining order granted by the court is attached to this form.</p> <p>Notice of the warrant(s) is provided-given to the agency listed below ... .</p>	<p>recommend adding “Notice of” at the beginning of the forms. It agrees with the other suggestions and has incorporated them into the form that it is recommending for adoption.</p>
			<p>Item 3: Suggested edits –</p> <p>Restrained Person Has Not Complied With Surrendering Firearms, Firearm Parts, and Ammunition Prohibited Items</p>	<p>To be consistent with the DV forms that the committee is recommending to the council, the committee concluded that this item should read: Restrained Person Has Not Complied With Surrendering Prohibited Items</p>
			<p>Item 3: Suggested edits –</p> <p>... A copy of tThe restraining order granted by the court is attached to this form.</p> <p>Notice is given to the prosecuting agency or agencies (name(s) of agency or agencies): _____ as provided under Family Code ...</p>	<p>The committee agrees with this suggestion and has incorporated them into the form that it is recommending for adoption.</p> <p>The committee recommends following the DV forms that the committee is recommending to the council, and identifying a single agency for prosecution on this form.</p>
			<p><b>JV-274, p. 2</b></p> <p>Clerk’s certificate: Suggested edits –</p> <p>I certify that I am not a party to this case and that a true copy of the Notice of Non-</p>	<p>The committee will make the form names consistent.</p>

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	Commenter	Position	Comment	Committee Response
			<p><del>Compliance</del> <del>Noncompliance</del> with Firearms, and Ammunition, <del>or Warrant</del> Order (form JV-274); ...</p> <p>Question: Should another block of check boxes and blanks be provided in case service is made to more than one prosecuting agency (e.g., city attorney and district attorney of city/county)</p>	<p>The committee recommends keeping this consistent with the DV forms that the committee is recommending to the council, which provide for only one prosecuting agency.</p>