



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: September 24, 2019

Title

Protective Orders: New Forms for Protecting
Minors' Information

Rules, Forms, Standards, or Statutes Affected

Approve forms CH-160-INFO and
DV-160-INFO

Recommended by

Family and Juvenile Law Advisory
Committee

Hon. Jerilyn L. Borack, Cochair

Hon. Mark A. Juhas, Cochair

Civil and Small Claims Advisory Committee

Hon. Ann I. Jones, Chair

Agenda Item Type

Action Required

Effective Date

January 1, 2020

Date of Report

September 3, 2019

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Executive Summary

The Family and Juvenile Law Advisory Committee and the Civil and Small Claims Advisory Committee jointly recommend that the Judicial Council adopt two information sheets to help litigants understand a new law that enables courts to make confidential certain information regarding a minor in civil harassment and domestic violence restraining order proceedings. The new law went into effect on January 1, 2018, under [Assembly Bill 953](#) (Stats. 2017, ch. 384). New Judicial Council forms to implement this law went into effect January 1, 2019.

Recommendation

The Family and Juvenile Law Advisory Committee and the Civil and Small Claims Advisory Committee jointly recommend that the Judicial Council, effective January 1, 2020:

1. Adopt form CH-160-INFO, *Privacy Protection for a Minor*, in the Civil Harassment Prevention series; and

2. Adopt form DV-160-INFO, *Privacy Protection for a Minor*, in the Domestic Violence Prevention series.

Relevant Previous Council Action

Assembly Bill 953 added section 6301.5 to the Family Code and amended section 527.6(v) of the Code of Civil Procedure. Under the new law, a minor or minor's legal guardian may ask the court to make information relating to a minor confidential when issuing a domestic violence or civil harassment restraining order. In 2018, the Judicial Council approved a proposal to implement the new law by adopting rules 3.1161 and 5.382 of the California Rules of Court and eight new forms (a set of four in the DV series and a set of four in the CH series), effective January 1, 2019. During the comment period, a commenter suggested that an information sheet be created to provide information regarding this new law. The committees agreed and responded that an information sheet would be proposed in a future cycle to allow for public comment.

Analysis/Rationale

In civil harassment restraining order and domestic violence restraining order cases, the vast majority of litigants are self-represented. Understanding the court process, the law, and the steps involved in any case is a daunting task, especially if the litigant is in the middle of a crisis or suffering from trauma. The council has made many attempts to make the law more accessible, including providing protective order forms in plain language. Information sheets are an additional tool that courts can use to help provide access to litigants. Having information sheets to explain the process for this request is important because the law that governs these requests is complicated. Providing this information would advance the Judicial Council's goal of improving access to the court system.

The proposed forms contain the following information:

- An overview of the legal process for these requests;
- Actionable steps that litigants should take to make a request;
- Tips on how to understand and comply with the court's orders; and
- Actionable steps to accomplish legal service, when applicable.

The committees included icons to help individuals more quickly and accurately understand the information provided. The use of checklists and flowcharts on pages 2 through 4 make the forms more interactive and user-friendly.

Differences between form CH-160-INFO and form DV-160-INFO

Both proposed information forms have almost identical content. Differences between the forms include references to form numbers, information on filing fees, and outside agencies listed as resources.¹

Unlike domestic violence proceedings, civil harassment proceedings require a filing fee unless the person qualifies for an income-based fee waiver² or the allegations include violence, threats of violence, stalking, or any event that placed the moving party in reasonable fear of violence.³ Information regarding fees is on page 1 of both forms.

Several of the INFO forms in the Domestic Violence Prevention series provide information for the National Domestic Violence Hotline, as does the Judicial Council's website. The committees believe this information is important to include as a resource on DV-160-INFO, especially for individuals whose requests are denied. The hotline provides support for domestic violence victims 24 hours a day, seven days a week, including an advocate to speak to about safety planning.⁴ On form CH-160-INFO, the committees recommend including the contact information for the National Sexual Assault Hotline, National Human Trafficking Hotline, and stalking hotline of the VictimConnect Resource Center (a program of the National Center for Victims of Crime), because these resources are more likely to be used by minors involved in these case types.

Policy implications

There are no policy implications for this proposal. The information sheets are to inform litigants of a new remedy created by recently enacted legislation.

Comments

This proposal went out for public comments from April 11 to June 10, 2019. The committees received comments from nine commenters including the Superior Courts of Los Angeles, Orange, San Bernardino, San Diego, and Ventura Counties; the Joint Rules Subcommittee (JRS) of the Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC); the Family Violence Law Center; and a paralegal student from Washington, D.C. Nine commenters responded to the proposal. Four commenters agreed with the proposal, two commenters agreed with the proposal if modified, two commenters did not indicate a position, and one commenter opposed the proposal. The commenter that opposed the proposal did not directly comment on the substance of the proposal but shared their personal experience with the court system as a litigant in a domestic violence proceeding.

¹ These resources are listed in the "Other help" section of the forms.

² Individuals who submit a completed *Request to Waive Court Fees* (form FW-001) and qualify for a fee waiver based on Gov. Code, §§ 68630–68641.

³ Code Civ. Proc., § 527.6(y).

⁴ The National Domestic Violence Hotline, "What to Expect When You Contact the Hotline," www.thehotline.org/help/what-to-expect-when-you-contact-the-hotline/ (as of Mar. 6, 2019).

A few comments provided suggestions clarifying the role of self-help centers. One commenter suggested clearly stating that self-help staff do not help with redactions in a situation where a self-represented litigant is ordered by the court to prepare redacted documents. Two commenters suggested including that self-help centers provide legal information and not legal advice. The committees carefully considered these comments and decided to not accept these revisions. Self-help centers provide a variety of services, including preparing proposed orders. While some self-help centers may not prepare the redacted documents, staff can assist by explaining what redaction means, what the judge's orders are, and give examples of how a document can be redacted. The committees included the following language to clarify the role of self-help center staff: "Self-help center staff will not act as your lawyer but can give you information to help you decide what to do in your case."

One commenter suggested that it would be beneficial for the CH-160-INFO and DV-160-INFO forms to include information on what the party may do if the court denies their sealing request (request for confidentiality). The committees agree with the commenter and added the following language to the forms, "If the judge does not approve your request, you may have other legal options available to you. Visit your local court's self-help center or talk with a lawyer."

The committees posed specific questions in the Invitation to Comment, including the following: "Do you have any suggestions for improving the usability or readability?" There were several specific comments with suggestions for improving the readability of the forms. The specific comments and changes in the forms are noted on the comment chart. There were some changes made to lower the reading level in specific places, although there are some words, like "domestic violence restraining order," which bring the reading level up to a ninth-grade reading level.

Alternatives considered

As mentioned above, the committees considered whether to include self-help centers as a resource for help preparing redacted documents. The committees believe it is appropriate to list self-help centers as a resource.

While the draft forms in the Invitation to Comment did not include information regarding service of court papers, the committees decided to add this information to the proposal. Service of process is a particularly hard concept for litigants to understand. While including the information substantially lengthened the forms, the committees believe this information will help litigants comply with service requirements.

Fiscal and Operational Impacts

The advisory committees anticipate that any cost associated with implementation (e.g., printing costs) would be offset by cost savings associated with providing more readily available information for self-represented litigants.

Attachments and Links

1. Forms CH-160-INFO and DV-160-INFO, at pages 6–13
2. Chart of comments, at pages 14–23.
3. Link A: Assembly Bill 953,
[http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB953.](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB953)



Can I keep information about a minor confidential?

Yes. In a civil harassment restraining order case, you can ask a judge to make information about a minor confidential. Confidential means that the public is unable to see the information, because the information is kept private. This is important because most papers in your court case are available for the public to see. This means anyone can view information on your papers, including information about a minor. If the judge grants your request, the public will not be able to see the minor's information on your paperwork.

Who can make this request?

Several people can make this request, including a minor's parent or legal guardian.



Any minor protected by a restraining order can make this request, as well. Also, any person, including a minor, who is the accused person in a case may make this request.

A minor can make this request without the help of an adult. This depends on the minor's age, though. If the minor is 12 years old or younger, the judge may want an adult to help the minor make this request.

For more information on who can make this request, contact your local self-help center or a lawyer.

What information can I ask the judge to make confidential?

A judge can make any information about a minor confidential. That means that you can ask to make confidential, the minor's name, address, any statements about the minor's abuse, or any abuse the minor witnessed.

If you only want to protect the minor's address, you do not have to make this request. Instead, you can use a different address on your restraining order request, such as a mailing address that is not where the minor lives, a P.O. box, or someone else's address. If you use someone else's address, be sure to get their permission first.

Whatever address you use, make sure you will get your mail regularly. This is important, because the address you use is the address the court and other party will use to send you papers for your case.

Does this request cost money?

That depends on the type of harassment. If the person you want to restrain used or threatened to use violence against you or stalked you, you do not have to pay a filing fee. Otherwise, you must pay a filing fee.

If you cannot afford to pay the filing fee, ask the court clerk how to apply for a fee waiver. You will need to fill out [form FW-001](#).

If the order is based on prior acts of violence, a credible threat of violence, or stalking, the sheriff or marshal must serve your order for free. Also, if you are eligible for a fee waiver, you can ask the sheriff or marshal to serve the order for free. If you are not eligible for free service, you must pay the sheriff or marshal to serve the order.

I need an interpreter. How can I get help?



You may use [form INT-300](#) to request an interpreter. Ask court staff for information.

I have a disability. How can I get help?

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

Do I need a lawyer to make this request?

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

Where can I find a self-help center?



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



Where can I find other help?

For safety tips or other help, call or visit the following hotlines online:

National Human Trafficking Hotline, 1-888-373-7888; TTY: 711, humantraffickinghotline.org

National Sexual Assault Hotline, 1-800-656-4673, www.rainn.org

Stalking Hotline, 1-855-484-2846, victimconnect.org/statistics/stalking/

What do I have to do to make information about a minor confidential?**Step 1: Complete the forms**

You will need to complete these forms to make your request:

[Form CH-160](#)

[Form CH-165](#) (complete items 1 and 2 only)

You can find these forms online at www.courts.ca.gov/forms.

▶ See tips to complete the forms.

To request a restraining order, you need to complete different forms. See form [CH-100-INFO](#) for a list of forms you need to complete to request a restraining order.



You can use these steps as a checklist.

Tips for Step 1: Complete the forms

I only want to protect the minor's address: If you only want to protect the minor's address, you do not have to make this request. See "What information can I make confidential?" on page 1 for more information.

I want to protect multiple minors. Only an adult who is the minors' parent or legal guardian may make a request to protect multiple minors' information.

My right to cancel my restraining order request: If you are the party asking for the civil harassment restraining order and the judge does not grant your confidentiality request, you have the right to cancel your civil harassment restraining order request.

To have your civil harassment restraining order request canceled, check the box on [form CH-160](#), item 7(a), and [form CH-160](#), item 8(d)(1), if it applies.



If you cancel your civil harassment restraining order request, you will **not** receive a civil harassment restraining order at this time.

If, **after** canceling your civil harassment restraining order request, you want to ask for a civil harassment restraining order based on the same facts, you must start the process over. See [form CH-100-INFO](#) for more information.

Step 2: Take the forms to your court clerk to file

Find out which courthouse to take your forms to by calling your local court or searching online at www.courts.ca.gov/find-my-court.htm.

Step 3: Understand the judge's order

The judge will write your orders on [form CH-165](#).

The judge will **grant** or **deny** your request.

▶ See page 3 for what this means.

Step 4: Give court papers to other parties

In some cases, you will need to have your server give court papers to the other parties in your case. This process is called service.

▶ See page 4 for tips to complete service.



**► Tips for Step 3:
Understand the judge's order**

Look at [form CH-165](#) to see what the judge decided.

**What if the judge granted my request?**

Look closely at [form CH-165](#), pages 2–5, to see what information the judge made confidential in your case. If the judge granted your request to keep information confidential, the information the judge decided to keep confidential will not be available to the public. The information will only be available to the parties in the case.

At times, the judge may make information confidential from the other party in your case. If this happens, the judge will complete box 9(b) on [form CH-165](#).

Now, take a close look at item 10 on [form CH-165](#). This tells you who is responsible for redacting the information on your paperwork and deadline for filing it with the court.

Redacting means to hide (blacken or whiten out) information so it cannot be seen. If the judge makes you responsible for redacting the information, your local self-help center may be able to help you.

**What if the judge did not grant (denied) my request?**

This means that if you move forward with your case, the minor's information will not be confidential on your paperwork. This is important, because anyone can go to your local courthouse and ask to see the documents you filed in this case.

If the judge does not grant your request, you may have other legal options available to you. Visit your local court's self-help center or talk with a lawyer.

► What if I asked to cancel my restraining order request?

If you checked box 7(a) or 8(d)(1) on [form CH-160](#) and the judge denied your request, the paperwork you turned in with this request will not be available to the public, except for page 1 of [form CH-165](#). This includes [form CH-100](#) and any proposed order forms. The court will either return these forms to you, destroy them, or delete them from their records unless you give the court permission to file the forms.

► What if I file documents with the court in the future?

If you file documents with the court in the future, be sure to use [form CH-175](#) as a cover sheet and follow the instructions at the top of the form.

► Is there a penalty for disclosing confidential information?

Misusing or giving out confidential information can result in a fine of up to \$1,000 or other court penalties. Confidential information may be given to the police to help them enforce the judge's order.



► Tips for Step 4: Give court papers to all parties in your case

In some cases, the judge will order you to serve your court papers. Look at [form CH-165](#) to see what the judge decided.



What did the judge decide in your case?

The judge **granted** my request to keep some of the minor's information confidential.

**Your papers must be served.
Follow steps 1–5 below.**

The judge **denied** (did not grant) my request to keep some information confidential. I did not cancel my request for a restraining order. The **case is still open**.

**If this is your situation, forms CH-160 and CH-165 must be served by mail or in-person.
Follow steps 3–5 below.**

The judge **denied** (did not grant) my request to keep some information confidential. I **canceled** my request for a restraining order and there is **no other issue** in this case for a judge to decide on.

**Your papers do not need to be served.
You may stop here.**

Step 1: Find out which papers you need to serve

The judge will check which papers you need to serve to the other parties in your case on [form CH-165](#), item 13.

Step 2: Find out whether you need to serve the other parties personally or by mail.

The judge will check how you need to serve your court papers to the other parties in your case on [form CH-165](#), item 13.

If the judge checks item 13(a), you will need to have your server personally serve (give) your court papers to the other parties in your case.

If the judge checks item 13(b), you will need to have your server mail your court papers.

Step 3: Choose a server

The person who serves your papers is called a server. Your server must be at least 18 years old, not protected by the restraining order, and not involved in your case. **You are not allowed to serve your own court papers.**



Some situations may be dangerous. Think about people's safety when deciding who you choose to serve your court papers.

A sheriff or marshal will serve your court papers for free. Another option is a process server.

A process server is a business you pay to deliver court papers. To hire a process server, look for "process server" on the internet or in the yellow pages.

Step 4: Have your server give your court papers to all parties

For personal service, give your server your court papers as well as [form CH-200](#).

For service by mail, give your server your court papers as well as [form CH-250](#).

Step 5: File proof with the court

The court needs proof that your papers were served. After your server completes [form CH-200](#) or form [POS-040](#), take it to the court to file in your case.

If the sheriff or marshal served your papers, they may use another form for proof instead of [form CH-200](#). Make sure a copy is filed with the court and that you get a copy.

For more information, read [form CH-200-INFO](#) or ask your local court's self-help center for help.

DV-160-INFO**Privacy Protection for a Minor (Person Under 18 Years Old)
Domestic Violence Prevention****Can I keep information about a minor confidential?**

Yes. In a domestic violence restraining order case, you can ask a judge to make information about a minor confidential. Confidential means that the public is unable to see the information, because the information is kept private. This is important because most papers in your court case are available for the public to see. This means anyone can view information on your papers, including information about a minor. If the judge grants your request, the public will not be able to see the minor's information on your paperwork.

Who can make this request?

Several people can make this request, including a minor's parent or legal guardian.



Any minor protected by a restraining order can make this request, as well. Also, any person, including a minor, who is the accused person in a case may make this request.

A minor can make this request without the help of an adult. This depends on the minor's age, though. If the minor is 12 years old or younger, the judge may want an adult to help the minor make this request.

For more information on who can make this request, contact your local self-help center or a lawyer.

What information can I ask the judge to make confidential?

A judge can make any information about a minor confidential. That means that you can ask to make confidential, the minor's name, address, any statements about the minor's abuse, or any abuse the minor witnessed.

If you only want to protect the minor's address, you do not have to make this request. Instead, you can use a different address on your restraining order request, such as a mailing address that is not where the minor lives, a P.O. box, or someone else's address. If you use someone else's address, be sure to get their permission first.

Whatever address you use, make sure you will get your mail regularly. This is important, because the address you use is the address the court and other party will use to send you papers for your case.

Does this request cost money?

No, this request is free.

I need an interpreter. How can I get help?

You may use [form INT-300](#) to request an interpreter. Ask court staff for information.

I have a disability. How can I get help?

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

Do I need a lawyer to make this request?

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

**Where can I find a self-help center?**

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

Where can I find other help?

The National Domestic Violence Hotline provides free and private safety tips and help in over 100 languages. Call them at 1-800-799-7233; 1-800-787-3224 (TTY); or visit online at www.thehotline.org.

What do I have to do to make information about a minor confidential?

If you're ready to start the process for this request, go to page 2 to see a checklist of steps you need to complete in order to ask the judge to make information about a minor confidential.



What do I have to do to make information about a minor confidential?**○ Step 1: Complete the forms**

You will need to complete these forms to make your request:

- [Form DV-160](#)
- [Form DV-165](#) (complete items 1 and 2 only)

You can find these forms online at www.courts.ca.gov/forms.

▶ See tips to complete the forms.

To request a restraining order, you need to complete different forms. See form [DV-505-INFO](#) for a list of forms you need to complete to request a restraining order.



You can use these steps as a checklist.

▶ Tips for Step 1: Complete the forms

I only want to protect the minor's address: If you only want to protect the minor's address, you do not have to make this request. See "What information can I make confidential?" on page 1 for more information.

I want to protect multiple minors. Only an adult who is the minors' parent or legal guardian may make a request to protect multiple minors' information.

My right to cancel my restraining order request: If you are the party asking for the domestic violence restraining order and the judge does not grant your confidentiality request, you have the right to cancel your domestic violence restraining order request.

To have your domestic violence restraining order request canceled, check the box on [form DV-160](#), item 7(a), and [form DV-160](#), item 8(d)(1), if it applies.



If you cancel your domestic violence restraining order request, you will **not** receive a domestic violence restraining order at this time.

If, **after** canceling your domestic violence restraining order request, you want to ask for a domestic violence restraining order based on the same facts, you must start the process over. See [form DV-505-INFO](#) for more information.

○ Step 2: Take the forms to your court clerk to file

Find out which courthouse to take your forms to by calling your local court or searching online at www.courts.ca.gov/find-my-court.htm.

○ Step 3: Understand the judge's order

The judge will write your orders on [form DV-165](#). The judge will **grant** or **deny** your request.

▶ See page 3 for what this means.

○ Step 4: Give court papers to other parties

In some cases, you will need to have your server give court papers to the other parties in your case. This process is called service.

▶ See page 4 for tips to complete service.



**► Tips for Step 3:
Understand the judge's order**

Look at [form DV-165](#) to see what the judge decided.

**What if the judge granted my request?**

Look closely at [form DV-165](#), pages 2–5, to see what information the judge made confidential in your case. If the judge granted your request to keep information confidential, the information the judge decided to keep confidential will not be available to the public. The information will only be available to the parties in the case.

At times, the judge may make information confidential from the other party in your case. If this happens, the judge will complete box 9(b) on [form DV-165](#).

Now, take a close look at item 10 on [form DV-165](#). This tells you who is responsible for redacting the information on your paperwork and deadline for filing it with the court.

Redacting means to hide (blacken or whiten out) information so it cannot be seen. If the judge makes you responsible for redacting the information, your local self-help center may be able to help you.

**What if the judge did not grant (denied) my request?**

This means that if you move forward with your case, the minor's information will not be confidential on your paperwork. This is important, because anyone can go to your local courthouse and ask to see the documents you filed in this case.

If the judge does not grant your request, you may have other legal options available to you. Visit your local court's self-help center or talk with a lawyer.

► What if I asked to cancel my restraining order request?

If you checked box 7(a) or 8(d)(1) on [form DV-160](#) and the judge denied your request, the paperwork you turned in with this request will not be available to the public, except for page 1 of [form DV-165](#). This includes [form DV-100](#) and any proposed order forms. The court will either return these forms to you, destroy them, or delete them from their records unless you give the court permission to file the forms.

► What if I file documents with the court in the future?

If you file documents with the court in the future, be sure to use [form DV-175](#) as a cover sheet and follow the instructions at the top of the form.

► Is there a penalty for disclosing confidential information?

Misusing or giving out confidential information can result in a fine of up to \$1,000 or other court penalties. Confidential information may be given to the police to help them enforce the judge's order.



► **Tips for Step 4: Give court papers to all parties in your case**



In some cases, the judge will order you to serve your court papers. Look at [form DV-165](#) to see what the judge decided.

What did the judge decide in your case?

The judge **granted** my request to keep some of the minor's information confidential.

**Your papers must be served.
Follow steps 1–5 below.**

The judge **denied** (did not grant) my request to keep some information confidential. The **case is still open** because there are other issues for a judge to decide on, like divorce or custody.

**If this is your situation, forms DV-160 and DV-165 must be served by mail or in-person.
Follow steps 3–5 below.**

The judge **denied** (did not grant) my request to keep some information confidential. I **canceled** my request for a restraining order and there is **no other issue** in this case for a judge to decide on.

**Your papers do not need to be served.
You may stop here.**

Step 1: Find out which papers you need to serve

The judge will check which papers you need to serve to the other parties in your case on [form DV-165](#), item 13.

Step 2: Find out whether you need to serve the other parties personally or by mail.

The judge will check how you need to serve your court papers to the other parties in your case on [form DV-165](#), item 13.

If the judge checks item 13(a), you will need to have your server personally serve (give) your court papers to the other parties in your case.

If the judge checks item 13(b), you will need to have your server mail your court papers.

Step 3: Choose a server

The person who serves your papers is called a server. Your server must be at least 18 years old, not protected by the restraining order, and not involved in your case. **You are not allowed to serve your own court papers.**



Some situations may be dangerous. Think about people's safety when deciding who you choose to serve your court papers.

A sheriff or marshal will serve your court papers for free. Another option is a process server.

A process server is a business you pay to deliver court papers. To hire a process server, look for "process server" on the internet or in the yellow pages.

Step 4: Have your server give your court papers to all parties

For personal service, give your server your court papers as well as [form DV-200](#).

For service by mail, give your server your court papers as well as [form DV-250](#).

Step 5: File proof with the court

The court needs proof that your papers were served. After your server completes [form DV-200](#) or [form DV-250](#), take it to the court to file in your case.

If the sheriff or marshal served your papers, they may use another form for proof instead of [form DV-200](#). Make sure a copy is filed with the court and that you get a copy.

For more information, read [form DV-200-INFO](#) or ask your local court's self-help center for help.

SPR19-38

Protective Orders: New INFO Form on Protecting Minor's Information (Approve forms CH-160-INFO and DV-160-INFO)

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

	Commenter	Position	Comment	Committee Responses
1.	Family Violence Law Center By Cory Hernandez Staff Attorney	AM	<ol style="list-style-type: none"> 1. We believe it would be beneficial for the CH-160-INFO and DV-160-INFO forms to include information on what the party may do if the court denies their sealing request. 2. We appreciate including contact information for various agencies and organizations providing social services and assistance. 3. In general, we like the drafted CH-160-INFO and DV-160-INFO forms. However, we have concerns that the average minor will not be able to fully understand the information. We believe the average reading level of an adult in this state is about 8th grade, and for a minor who's likely to go through this type of case, it'd be more like 5th grade. For instance, when discussing disability accommodations on page 2, we wonder whether the average minor would know what "accommodation" means. 4. On page 2, for both forms (CH-160-INFO & DV-160-INFO), in the paragraph, "My right to cancel restraining order," the forms should explain the consequences of cancelling the request. 5. On page 2, for both forms, we would recommend clarifying, in the "Self-Help center" paragraph, that self-help centers do not provide legal advice or representation, they just provide 	<ol style="list-style-type: none"> 1. The committees agree and have added the following language, "If the judge does not approve your request, you may have other legal options available to you. Visit your local court's self-help center or talk with a lawyer." 2. No response required. 3. The committees agree and have made changes to simplify the language. Most of the form is at a fourth-grade reading level. However, using the phrase "domestic violence restraining order" brings the reading level up to ninth grade. Given that the forms are referred to as "domestic violence restraining orders," the committees believe it is important to continue to use consistent terminology. 4. The committees agree and have included this on the forms. 5. The committees have changed the language on the forms to read, "Self-help center staff will not act as your lawyer but can give you

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			<p>information and help with completing some forms.</p> <p>6. On page 2, in the last sentence of the “What If the judge approved (granted) my request?,” the definition of “redacting” should be clarified to read: “Redacting means to hide (blacken or whiten out) the information so it cannot be seen.” (Emphasis added to suggested edits/revisions.)</p> <p>7. On page 2, in the first paragraph for “What if the judge denied (did not approve) my request?,” it should be clear what the minor can do with that denial—e.g., petitioning for a writ or appealing the decision after the case is over.</p> <p>8. In the second paragraph for this same section on page 2, there are some grammatical errors with commas missing, like after the word “denied” and between “public and except” toward the end of that sentence. Fixing this will help with readability.</p>	<p>information to help you decide what to do in your case.”</p> <p>6. The committees have made this suggested revision.</p> <p>7. As stated above, the committees have added language to refer litigants to resources in order to explore potential legal remedies.</p> <p>8. The committees have made these suggested revisions.</p>
2.	Herman Paralegal Student District of Columbia Tracy, CA 95376	N	<p>*This comment has been paraphrased to limit personal information from being released in the public record.</p> <p>Commenter recounted personal experience with the court system as a litigant in a domestic violence proceeding.</p>	This comment is outside of the scope of this proposal.
3.	Superior Court of California,	A	Request for Specific Comments:	The committees appreciate the comments.

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	<p>County of Los Angeles 111 N. Hill Street Los Angeles, CA 90012</p>		<p>Does the proposal appropriately address the stated purpose? Yes, the proposal addresses the stated purpose.</p> <p>Are the forms easy for users to understand? Yes, the forms are easy for users to understand.</p> <p>1. Do you have any suggestions for improving their usability or readability? We suggest removing or rewording the section titled: “Does this request cost money?” The Request to Keep Minor’s Information Confidential is free.</p> <p>2. Should other information be included on the INFO sheets? We suggest providing information on when it would be appropriate to apply for a Guardian Ad Litem of a minor.</p> <p>3. Also, we suggest adding under the Self-help Center section that they will not assist with redacting (blackening out) information.</p>	<p>1. In civil harassment cases, there are filing fees unless fees are expressly waived. The committee added a detailed explanation of the options for litigants in this section.</p> <p>2. Under the section, “Who can make the request?” there is information about the possibility of the judge requiring an adult to help the minor with the request. This keeps the language simpler and therefore more accessible to minors, who are the target audience.</p> <p>3. The committees considered this comment but decided not to make this addition because California Rules of Court, rules 3.1161 and 5.382 expressly require the court to decide who should be responsible for redaction, which includes whether the requesting party has immediate access to a self-help center. Self-help centers provide a number of services to self-represented litigants</p>

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			<p>4. Should other resources be listed in the "Other help" section, on page 2?</p> <p>No other resources should be listed.</p>	<p>including drafting orders, explaining what orders mean, and how to comply with the orders.</p> <p>4. No response required.</p>
4.	<p>Superior Court of California, County of Orange By Cynthia Beltrán Administrative Analyst Family Law and Juvenile Court Superior Court of California, County of Orange</p>	NI	<p><input type="checkbox"/> Privacy Protection for a Minor (Person Less Than 18 Years Old) (DV-160-INFO)</p> <p>1. <input type="checkbox"/> On page 1, revise the first sentence to, “A judge can make information about a minor confidential when issuing a domestic violence protective order”. This would comply with Family Code section 6301.5, which references that the minor’s information and circumstances surrounding the protective order may be made confidential.</p> <p>2. <input type="checkbox"/> On page 1, revise the sentence to, “If there is sensitive information about a minor that you do not want the public to see, you may ask a judge to make the information confidential.”</p> <p>3. <input type="checkbox"/> On page 1, in the Complete the forms section, add “In addition to your DV-100, you will need to complete:” This sentence should indicate there are other restraining order forms that need to be filed.</p>	<p>The committees appreciate the thoughtful comments.</p> <p>1. The committees agree that it should be made clear that information about a minor may be made confidential in a civil or domestic violence restraining order proceeding. The committees have revised this paragraph to the following, “Can I keep information about a minor confidential? Yes. In a domestic violence restraining order case, you can ask a judge to make information about a minor confidential.”</p> <p>2. In response to another comment, the committees have proposed new language in this paragraph.</p> <p>3. Thank you. The committees have added language to make this point.</p>

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			<p>4. <input type="checkbox"/> On page 2, in the My right to cancel restraining order section, update the sentence to read, “If you want to cancel your request upon denial, check the box on form DV-160, item 7(a) and DV-160, item 8(d)(1), if it applies.”</p> <p>5. <input type="checkbox"/> On page 2, in the Self-help center section, update the sentence to read, “Find your local court’s self-help center at www.courts.ca.gov/selfhelp.”</p> <p>6. <input type="checkbox"/> On page 2, in the What if the judge approved (granted) my request? section, it is recommended that the last sentence be revised to read:</p> <p>In limited situations, the judge may make information confidential from the other party in your case, if this is the case then box 9(b) would be completed by the judge.</p> <p>7. <input type="checkbox"/> Also, update the last sentence of the What if the judge approved (granted) my request? section to read:</p> <p>If the judge makes you responsible for redacting all the paperwork, your local self-help center or other legal assistance office may be able to assist you.</p> <p>8. <input type="checkbox"/> On page 2, the What if the judge denied (did not approve) my request section, update the sentence to read, “This means that anyone can go to your</p>	<p>4. In response to other comments, the committees have rewritten this paragraph to simplify the language and explain the effect of canceling a request for restraining order.</p> <p>5. The committees agree and have made this change.</p> <p>6. The committees have made changes in line with this suggestion but with some simpler language to improve readability.</p> <p>7. In many cases, redaction will have to happen quickly; therefore, the committees prefer referring litigants to court-based resources versus referring litigants to resources that may take more time to access or that they may not be eligible for.</p> <p>8. The language was revised in line with the comment but with minor edits.</p>

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			<p>local courthouse and ask to see the documents you filed in this case.”</p> <p>9. Also, update the last sentence to clarify that the court will not keep the remaining pages 2-5 of the form DV-165. Currently, the sentence reads that the public will only have access to page 1 of the DV-165 if the request is denied.</p> <p>10. I wanted to provide a comment on the Request to Keep Minor’s Information Confidential (DV-160). Section 5a of the form, indicates that the restrained person and law enforcement must be given the minor’s name. However, that contradicts with section 8 of the form, which allows the person completing the form to request for the minor’s name to be kept confidential and not given to the restrained person.</p> <p>5 Information to Be Kept Confidential from the Public I want the information checked below to be made confidential and NOT available to the public. Check ALL that apply: a. <input type="checkbox"/> Minor’s name <i>(Note: If your request is granted, the public will not have access to your name in this case, but the restrained person and law enforcement must be given this information.)</i></p> <p>8 Information to Be Kept Confidential from the Restrained Person <i>(Note: The restrained person must be given information necessary to comply with the restraining order and to respond to the restraining order request.)</i> I do not want the restrained person to have access to some of the information checked in item 5. a. What information do you want to be confidential and not given to the restrained person? (1) <input type="checkbox"/> Minor’s name (2) <input type="checkbox"/> Minor’s address (3) <input type="checkbox"/> Other information relating to the minor from item 5 (specify): _____ _____</p>	<p>9. The committees do not believe that litigants need to know that pages 2 through 5 will not be filed.</p> <p>10. The committees will note this suggestion for a future forms cycle.</p>

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5.	Superior Court of California, County of Orange Sean E. Lillywhite On behalf of the Civil, Small Claims and Probate division of Orange County Superior Court Administrative Analyst/Officer Training & Analyst Group (TAG)	NI	SPR19-38 Protective Orders: New INFO Form on Protecting Minor’s Information The info sheet may need to further clarify how service works, as the 3 rd party providing service of a restraining order may not be aware of the redaction orders. While not necessarily relevant to the INFO form here, some general guidance and language in regards to minor’s confidentiality might be helpful on personal service forms.	Forms CH/ DV-170, <i>Notice of Order Protecting Information of Minor</i> , should be attached to the front of any unredacted document that needs to be served. This would also give the server notice that information has been made confidential.
6.	Superior Court of California, County of San Bernardino Executive Office	A	<ul style="list-style-type: none"> • Does the proposal appropriately address the stated purpose? <ol style="list-style-type: none"> 1. Yes • Are the forms easy for users to understand? <ol style="list-style-type: none"> 2. Yes • Do you have any suggestions for improving their usability or readability? <ol style="list-style-type: none"> 3. None • Should other information be included on the INFO sheets? <ol style="list-style-type: none"> 4. Include information on processing subsequent filings and use of DV-170 and DV-175 	<p>The committees appreciate the comments.</p> <p>The committees agree and have included this information.</p>
7.	Superior Court of California, County of San Diego By: Mike Roddy, Executive Officer Central Courthouse	AM	<p>Q: Does the proposal appropriately address the stated purpose? Yes.</p> <p>Q: Are the forms easy for users to understand? Yes.</p> <p>Q: Do you have any suggestions for improving their usability or readability?</p>	The committees thank you for your comments.

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			<p>Yes, see general comments.</p> <p>Q: Should other information be included on the INFO sheets? No, the information contained is sufficient.</p> <p>Q: Should other resources be listed in the “Other help” section, on page 2? No. It may be helpful to include language regarding Family Code § 3044 here, particularly to the extent custody/mediation will be scheduled, to ensure they have notice of the presumption pursuant to § 3044(h). The language regarding custody and limiting time with the child seems minimal.</p> <p>GENERAL COMMENTS: CH/DV-160-INFO: Page 2 Propose changing “Understand the Judge’s Order” to “Understanding the Judge’s Order.”</p>	<p>The committees understand the importance of this language but recommend keeping the information on this form specific to the subject of minor’s confidentiality.</p> <p>The committees decline to make this change, preferring that the heading of this section to parallel the titles of the other steps.</p>
8.	TCPJAC/CEAC Joint Rules Subcommittee (JRS) on behalf of the Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC)	A	The JRS notes that the proposal is required to conform to a change of law.	No response required.
9.	Julie Camacho Court Manager, Family Law Superior Court of California, County of Ventura	A	Agree with the necessity of a new information sheet to assist filer’s through this process and recommend the following modifications: CH-160-INFO –	

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			<ol style="list-style-type: none"> 1. Page 1 in the box titled “What do I have to do to make the information about a minor confidential?” 2. Box #1 -Complete the forms – recommend adding language in the box if the party seeking confidentiality is also the person asking of the restraining order, they can submit the restraining orders forms simultaneously with the CH-160 request. Suggest adding: “If you are the party requesting a restraining order, you can make your request at the same time by completing forms CH-100, CH-109 and CH-110.” 3. Box #3 – Change the title of this box to “Read the judge’s order” – this wording is easier for a self-represented party to understand (Same change is recommended for the DV-160-INFO) 4. Page 1 – paragraph titled “Does this request cost money?” – This section is confusing because it addresses the fees for filing the request for civil harassment restraining order, not the 	<ol style="list-style-type: none"> 1. The committees believe that the current language, “What do I have to do to make information about a minor confidential?” is grammatically correct. 2. The committees agree and have incorporated the suggestion with edits to the language. 3. Thank you for your comment. The committees agree with the importance of using words that are easier for self-represented litigants to understand. However, the committees believe it is important to stress the importance of understanding the orders and not just reading them. The orders may be complicated and not understanding the orders may lead to inadvertent disclosure of confidential information. 4. The language has been modified to speak to the law regarding filing fees in civil harassment proceedings. The committees did not make the language specific to requests for confidentiality because a person may be filing

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			<p>request to keep the minor’s information confidential. Recommend that this is explained in the paragraph.</p> <p>5. Page 2 of the form should be worded in a fashion that addresses a request made by the party asking for the restraining order as well as the responding party. Paragraph 2 could be re-worded to address this issue: “If you are the party requesting the restraining order and the judge does not approve your request to keep certain information confidential...”</p> <p>6. Page 2 – paragraph titled “What if the judge denied (did not approve) my request?” - recommend changing to state “It means that information in this case will NOT be confidential. This means that anyone can go to your local courthouse and ask to see the documents you filed in this case.”</p> <p>7. In addition, move paragraph 2 regarding the petitioning party’s right to cancel the restraining order request after this paragraph.</p>	<p>a civil harassment restraining order at the same time as the request for confidentiality.</p> <p>5. The committees agree and have suggested changes to language consistent with this suggestion with minor modifications.</p> <p>6. The committees agree and have suggested changes to language consistent with this suggestion with minor modifications.</p> <p>7. The committees do not agree with this suggested revision because the person seeking a restraining order must decide at the time of completing CH/DV-160 whether they want to cancel their request for restraining order in the event the request for confidentiality is denied. Information regarding the right to cancel has been added to the form.</p>

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