



Judicial Council of California

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

www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

Item No.: 24-157

For business meeting on September 20, 2024

Title

Protective Orders: Implementation of Body
Armor Restrictions Under Assembly Bill 92

Rules, Forms, Standards, or Statutes Affected

Revise forms CLETS-001, DV-100, DV-109,
DV-110, DV-120, DV-120-INFO, DV-130,
DV-500-INFO, and EPO-001

Recommended by

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

Agenda Item Type

Action Required

Effective Date

January 1, 2025

Date of Report

August 27, 2024

Contact

Frances Ho, 415-865-7662
frances.ho@jud.ca.gov

Executive Summary

Effective January 1, 2024, under Assembly Bill 92 (Stats. 2023, ch. 232) a person prohibited from possessing firearms under state law is also prohibited from possessing, owning, or buying body armor. To implement AB 92, the Family and Juvenile Law Advisory Committee recommends revisions to several domestic violence restraining order forms to include body armor prohibitions.

Recommendation

The Family and Juvenile Law Advisory Committee recommends that the Judicial Council, effective January 1, 2025, revise nine existing Judicial Council forms to implement Assembly Bill 92:

- *Confidential Information for Law Enforcement* (form CLETS-001);
- *Request for Domestic Violence Restraining Order* (form DV-100);
- *Notice of Court Hearing* (form DV-109);
- *Temporary Restraining Order* (form DV-110);

- *Response to Request for Domestic Violence Restraining Order* (form DV-120);
- *How Can I Respond to a Request for Domestic Violence Restraining Order* (form DV-120-INFO);
- *Restraining Order After Hearing (Order of Protection)* (form DV-130);
- *Can a Domestic Violence Restraining Order Help Me?* (form DV-500-INFO); and
- *Emergency Protective Order (CLETS–EPO)* (form EPO-001).

The proposed forms are attached at pages 7–59.

Relevant Previous Council Action

Under the Domestic Violence Prevention Act, the Judicial Council must provide forms and instructions for use in domestic violence restraining order matters. The council has approved revisions to the forms when changes to the law required revisions and in response to feedback from user testing and suggestions made by the public, judicial officers, and court professionals. With the exception of form DV-105(A), all the existing forms contained in this proposal were last revised in 2024 to implement new laws and make other improvements to the forms. Form DV-105(A) has not been revised since it was adopted in 2023.

Analysis/Rationale

This proposal is needed to implement AB 92. Because most litigants in domestic violence restraining order proceedings represent themselves, it is particularly important for the council to act quickly to ensure that litigants are provided up-to-date information about available remedies and court procedures.

Effective January 1, 2024, under AB 92 a person prohibited from possessing firearms under state law is also prohibited from possessing, owning, or buying body armor.¹ When advising a person of their firearm prohibition, courts must also advise them of the prohibition from possessing, owning, or buying body armor.² The new law also requires the prohibited person to relinquish body armor that they possess.³ However, unlike the relinquishment procedures for firearms and ammunition under the Domestic Violence Prevention Act, no relinquishment procedure is outlined in the new law.

A number of revisions are needed to the forms to implement AB 92. Those changes, as well as other changes needed to conform the forms to other laws or make the forms easier to read, are described below.

Form CLETS-001

In light of a comment received by the California Department of Justice on the forms that were circulated, the committee recommends revising this form as well, adding “body armor” to item 1,

¹ Pen. Code, § 31360(b)(1).

² Pen. Code, § 31360(b)(2).

³ *Ibid.*

allowing the petitioner to indicate whether they have knowledge of body armor in the restrained person's possession or control. According to the Department of Justice, including this information could help officer safety. The committee agrees with the commenter and recommends a January 1, 2025, effective date without prior circulation because of the safety concerns raised. The committee believes that adding "body armor" to an optional item on the form represents a minor revision. Furthermore, this form is not filed with the court; therefore, revising the form without circulation should have a limited impact on court operations. Nevertheless, under California Rules of Court, rule 10.22(d) the committee anticipates recommending circulation of this form in the spring of 2025. The committee believes it will recommend additional and more significant revisions at that time and seek public input on those changes as well as the changes recommended for adoption in this report.

Form DV-100

The Automatic Orders section at page 12 has been updated to add the new body armor restriction (item 30) and to simplify the language in that section.⁴ Also, additional lines were added to item 23, allowing the petitioner to list up to four expenses, and to item 28, allowing the petitioner to include up to four phone numbers.

Form DV-109

At item 3, the committee recommends adding the advisement required under Family Code sections 6340(a) and 6341(a) that the court must consider whether failure to make any of the orders requested would jeopardize the petitioner or any children for whom visitation is sought.⁵

Form DV-110

The new body armor prohibition has been added as item 8. Additionally, an instruction to the clerk on providing free copies under Family Code section 6387 has been added to the last page of the order.

Form DV-120

The new body armor prohibition has been added to item 27. Additionally, at item 26, an advisement has been added that federal firearm prohibitions may still apply even if the judge grants a firearm exemption under California law. A similar advisement is currently provided on *Restrained Order After Hearing* (form DV-130).

Form DV-120-INFO

Information regarding the new body armor prohibition has been added to this form at pages 1 and 2.

⁴ Form DV-100, items 29 and 31.

⁵ Although this form does not require any changes to implement AB 92, it was included in this proposal to add the same advisement as the one being proposed for form DV-130 at item 7.

Form DV-130

The new body armor prohibition has been added as item 12. An advisement similar to that proposed for form DV-109 (noted above) is proposed for this form as item 7. Lastly, an instruction to the clerk about providing free copies under Family Code section 6387 has been added to the last page of the order.

Form DV-500-INFO

Body armor has been included as a prohibited item on page 1, under “How can a restraining order help me?”

Form EPO-001

The new body armor prohibition has been added as item 3f, and a reference to the Penal Code section that defines body armor has been included on page 2. The committee has also reformatted items 1, 2, 9, and 13 to make these items easier to see and distinguish from other items. Changes were also made to the Spanish translation on page 2 to correct grammar, to use “agente” to describe “officer” to be consistent internally and with other forms, and to link to the equivalent Spanish pages on the self-help website.

Policy implications

In addition to implementing legislative changes, this recommendation helps implement Goal I—Access, Fairness, Diversity, and Inclusion—of *The Strategic Plan for California’s Judicial Branch* by helping to make forms easier to complete and understand for self-represented litigants.

Comments

This proposal, other than the proposed revisions to form CLETS-001, was available for public comment from April 2 through May 3, 2024. Twelve commenters responded to the proposal. Four commenters agreed with the proposal, six agreed if it was modified, and two did not indicate a position; no commenter disagreed. Commenters were the Superior Courts of Los Angeles, Orange, San Diego, and Tulare Counties; the California Department of Justice; Community Legal Aid SoCal; the California Lawyers Association; the Family Violence Appellate Project; the Giffords Law Center to Prevent Gun Violence; the Orange County Bar Association; the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee; and a member of the public.

In the invitation to comment,⁶ the committee sought comment on a proposal to implement AB 92 and Senate Bill 599 (Stats. 2023, ch. 493). SB 599 amended the Family Code in a number of ways, including providing a definition of “virtual visitation” and requiring the court to consider virtual visitation as an option when a restraining order has been granted against a parent. As a result of comments received on that part of the proposal, the committee is deferring the proposal

⁶ Judicial Council of Cal., *Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92* (SPR24-25), www.courts.ca.gov/documents/spr24-25.pdf.

to implement SB 599⁷ and continuing in this report with recommendations to implement only AB 92.

In general, commenters supported the changes to implement AB 92. Some comments suggested that body armor be treated similarly to other prohibited items (firearms and ammunition). However, because the legal requirements are different for body armor and the new law does not provide a relinquishment procedure for body armor, the committee did not accept suggestions to treat body armor like other prohibited items.

As noted above, the committee recommends revising form CLETS-001 to add body armor and will seek public comment on this revision in spring of 2025, when other more substantive changes will be proposed for this form.

The committee thanks all commenters for reviewing this proposal. All comments and the committee's responses are provided in the attached chart of comments at pages 60–78.

Alternatives considered

The committee considered moving forward with the proposed changes to forms DV-105 and DV-140 to implement the other requirements of SB 599 unrelated to virtual visitation but decided against this approach because it would require changing the forms twice in a short period of time, requiring more time for implementation by courts and providers. Instead, the committee recommends deferring the entire proposal to implement SB 599 for one year.⁸

Fiscal and Operational Impacts

Commenting courts noted that resources would be needed to provide training, revise internal procedures, and update form packets and case management systems. One court indicated that six months for implementation might be needed to update guided interviews (programs available online to help litigants complete court forms). The committee does not recommend delaying implementation because the recommended revisions reflect changes in the law that have already taken effect.

⁷ In response to the proposal to include virtual visitation in the forms, two commenters pointed out that the proposal did not fully incorporate virtual visitation into the forms. These commenters believe that litigants and judges would benefit from incorporating virtual visitation into *Request for Child Custody and Visitation Orders* (form DV-105) and *Child Custody and Visitation Order* (form DV-140). One of these commenters added that *not* to have virtual visitation as distinct options on both forms would be confusing and noted that the request form (form DV-105) currently provides no place for the litigant to ask for virtual visitation. The committee agrees with these commenters that virtual visitation should be incorporated into the request and order forms for domestic violence (DV), as well as the family law (FL) forms. However, to incorporate virtual visitation into both sets of forms, the committee would need public comment on the proposed changes. Therefore, the committee is deferring the proposal for implementation of SB 599 and other proposed changes to form DV-140. A new proposal to implement SB 599 in the DV and FL forms will circulate in the winter of this year.

⁸ The anticipated effective date of the forms in a new proposal would be January 1, 2026.

Attachments and Links

1. Forms CLETS-001, DV-100, DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-500-INFO, and EPO-001, at pages 7–59
2. Chart of comments, at pages 60–78
3. Link A: Sen. Bill 599,
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202320240SB599
4. Link B: Assem. Bill 92,
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB92

CLETS-001 Confidential Information for Law Enforcement

Instructions: If you are asking for a restraining order, you must complete this form and give it to the court clerk, along with the other court forms required in your case. If the judge grants the restraining order, information you give on this form will be entered into a database (called CLETS) to help law enforcement enforce the order. If information changes later, you may complete this form again and turn it in to the court.

To Court Clerk: Do not file this form. The information on this form must be entered into the protective order registry in CLETS.

Court fills in case number when form is received.

Case Number: _____

Date received by court: _____

Information that has a star (*) next to it is required. All other information is helpful.

1 Person You Want a Restraining Order Against

*Name: _____

Other names used: _____

Marks, scars, or tattoos: _____ SSN: _____

Telephone: _____ Driver's license (number and state): _____

Vehicle type: _____ Model: _____ Year: _____ Plate number: _____

Name of employer and address: _____

Does the person speak English? Yes I don't know No (list language): _____

Does the person have any firearms (guns), firearm parts, ammunition, or **body armor**?

No I don't know

Yes (Give any information you have below, like the type, amount, or location of **any items**, if known.)

2 *Your Name: _____

(Skip 3 and 4 if you are asking for a gun violence restraining order (form GV-100).)

3 Your Information

*Age: _____ Date of Birth (month, day, year): _____ *Gender: M F X (nonbinary)

Race: _____ Telephone: _____

Do you speak English? Yes No (list language): _____

4 Other People You Want Protected

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

Check here if you have more people to list. Write them on a separate piece of paper, write "Item 4" at the top, and attach it to this form.

This is not a Court Order—Do not place in court file.

Clerk stamps date here when form is filed.

6.27.24

Draft- Not approved by the Judicial Council

Instructions

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

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

1 Person Asking for Protection

a. Your name: _____

b. Your age: _____

c. ! Address where you can receive court papers

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

Address: _____

City: _____ State: _____ Zip: _____

d. ! Your contact information (optional)

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

Telephone: _____ Fax: _____

Email Address: _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

2 Person You Want Protection From

a. Full name: _____

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

c. Date of birth (if known): _____

d. Gender: M F Nonbinary

e. Race: _____

This is not a Court Order.



3 Your Relationship to the Person in 2

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

(Check all that apply)

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

4 Other Restraining Orders and Court Cases

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

This is not a Court Order.



Describe Abuse

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

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

5 Most Recent Abuse

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

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

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

This is not a Court Order.



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

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

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

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

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

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

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

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

This is not a Court Order.



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

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

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

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

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

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

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

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

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

This is not a Court Order.



8 Other Protected People

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

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

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

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

(2) Why do these people need protection?

9 Does person in (2) have firearms (guns), firearm parts, or ammunition?

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

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

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

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

This is not a Court Order.



Choose the Orders That You Want a Judge to Make

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

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

10 **Order to Not Abuse**

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

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

11 **No-Contact Order**

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

12 **Stay-Away Order**

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

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

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

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

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

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

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

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

This is not a Court Order.



13 **Order to Move Out**

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

(Give address): _____

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

(Check all that apply)

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

14 **Other Orders**

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

15 **Child Custody and Visitation**

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

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

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

This is not a Court Order.



16 **Protect Animals**

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

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

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

(Check all that apply)

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

17 **Control of Property**

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

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

18 **Health and Other Insurance**

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

19 **Record Communications**

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

This is not a Court Order.



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

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

21 **Extend my deadline to give notice to person in 2**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

- No Yes

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

This is not a Court Order.



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

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

(23) Pay Expenses Caused by the Abuse

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

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

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

(Check all that apply)

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

(25) Spousal Support

(You must be married or a registered domestic partner with person in (2).)

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

(26) Lawyer's Fees and Costs

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

This is not a Court Order.



27 **Batterer Intervention Program**

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

28 **Transfer of Wireless Phone Account**

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

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

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

Automatic Orders if the Judge Grants Restraining Order

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

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

- Cannot own, possess, or buy firearms (guns), firearm parts, and ammunition.
- Must turn in, sell, or store any firearms (guns), firearm parts, or ammunition that they have or control.

30 **No Body Armor**

- Cannot own, possess, or buy body armor.
- Must relinquish any body armor in their possession.

31 **Cannot Look for Protected People**

Cannot look for the address or location of any person protected by the restraining order, unless the court finds good cause not to make this order.

This is not a Court Order.

32 Additional Pages

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

33 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

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

Date: _____

Lawyer's name



Lawyer's signature

Your Next Steps**1 You must complete at least three additional forms:**

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

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

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

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

This is not a Court Order.

Clerk stamps date here when form is filed.

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

Draft- Not Approved by the
Judicial Council
6.27.24

① Person Asking for Protection

Name: _____

Fill in court name and street address:

Superior Court of California, County of

② Person to Be Restrained

Name: _____

Court fills in case number when form is filed.

Case Number:

③ Notice of Hearing

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



Name and address of court if different from above: _____

Date: _____ Time: _____

Dept.: _____ Room: _____

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

At the hearing, the court must consider whether failure to make any of the orders requested by the person in ① might risk the safety of the person in ① or any children listed on form DV-105. If child or spousal support was requested, the court must consider whether failure to make support orders would risk the safety of the person in ① or any children listed on form DV-105.

To the person in ②:

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



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

- a. Temporary Restraining Orders (*any order requested under Family Code section 6320*): (check one)
 - (1) All **granted** until the court hearing.
 - (2) All **denied** until the court hearing. (*Reasons for denial are given below in b.*)
 - (3) Partly **granted** and partly **denied** until the court hearing. (*Reasons for denial are given in b.*)
- b. Reasons for denial of some or all of the orders requested on form DV-100.
 - (1) The facts given in the request (form DV-100) do not show reasonable proof of a past act or acts of abuse. (Family Code sections 6300, 6320, and 6320.5.)
 - (2) The facts given in the request do not give enough detail about the most recent incidents of abuse, including what happened, the dates, who did what to whom, or any injuries or history of abuse.
 - (3) Other reasons for denial: _____

5 Confidential Information Regarding Minor

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

6 Service of Documents by the Person in 1

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

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

Judge's Signature

Date: _____

Judicial Officer



To the Person in ① :

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

To the Person in ② :

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

**Request for Accommodations**

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

(Clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

Original Order Amended Order

Clerk stamps date here when form is filed.

6.27.24
Draft- Not Approved by the
Judicial Council

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

① **Protected Person (name):** _____

② **Restrained Person**

*Full Name: _____

*Gender: M F Nonbinary *Race: _____

*Age: _____ (estimate, if age unknown) Date of Birth: _____

Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

Relationship to person in ①: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

Firearms, firearm parts, or ammunition that restrained person may have:
(Include information from form DV-100, item 9)

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

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____

③ **Other Protected People**

In addition to the person named in ①, the people listed below are protected by the orders listed in ⑨ through ⑫.

Full name	Relationship to person in ①	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

(The court will complete the rest of this form)

④ **Your Hearing Date (Court Date)**



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

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

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

This is a Court Order.



To the Person in ②: The judge has granted temporary orders. See ⑤ through ②1. If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine. It is a felony to take or hide a child in violation of this order.

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

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

⑥ Restrained person has prohibited items

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

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

b. Ammunition

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

This is a Court Order.



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

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



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

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

8 **No Body Armor**

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

9 **Cannot Look for Protected People**

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

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

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

This is a Court Order.



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 visit with your children for court-ordered contact or visits.
 - (3) Other (explain): _____

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

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

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

This is a Court Order.



15 Child Custody and Visitation Not requested Denied until the hearing Granted as follows:
 Granted on the attached form [DV-140](#), *Child Custody and Visitation Order*, and
 (list other form): _____.

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

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

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

17 Control of Property Not requested Denied until the hearing Granted as follows:
 Until the hearing, **only** the person in ① can use, control, and possess the following property:

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

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

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

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

This is a Court Order.



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

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

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

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

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

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

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

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

23 No Fee to Serve (Notify) Restrained Person

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

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

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

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.



Certificate of Compliance With VAWA

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

Warnings and Notices to the Restrained Person in ②

Your Address to Receive Court Orders

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

Child Custody, Visitation, and Support

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

Firearms (Guns), Firearm Parts, and Ammunition

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

This is a Court Order.



Instructions for Law Enforcement

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

Duties of Officer Serving This Order

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

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

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

Arrest Required if Order Is Violated

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

If the Protected Person Contacts the Restrained Person

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

Child Custody and Visitation

Child custody and visitation orders are listed on form DV-140 or another attached form. If the judge made these orders, look at (11) and (12) of this order to see if the judge granted an exception for brief and peaceful contact with the person in (1) as needed to follow court-ordered visits. Contact by the person in (2) that is **not** brief and peaceful is a violation of this order. **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

This is a Court Order.



Conflicting Orders—Priorities for Enforcement

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

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item **(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.)

Instructions to Clerk: You must give up to three free (certified, stamped, and endorsed) copies of this order to the protected party.

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

6.27.24

Draft-Not approved by the
Judicial Council

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

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

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

1 Name of Person Asking for Protection:

(See form DV-100, item 1):

2 Your Name:

! Address where you can receive court papers

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

Address: _____

City: _____ State: _____ Zip: _____

! Your contact information (optional)

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

Email Address: _____ Telephone: _____ Fax: _____

Your lawyer’s information (if you have one)

Name: _____ State Bar No.: _____

Firm Name: _____

3 Your Hearing Date (Court Date)



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

This is not a Court Order.



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

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

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

5 Your Relationship to the Person in ①

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

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

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

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

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

7 Other Protected People

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

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

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

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

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

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

This is not a Court Order.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

(1) I agree to the orders requested.

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

This is not a Court Order.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

23 **Lawyer's Fees and Costs**

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

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

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

This is not a Court Order.



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

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

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

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

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

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

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

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

(Check all that apply):

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

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

This is not a Court Order.



30 **My Out-of-Pocket Expenses**

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

For: _____	Because: _____	Amount: \$ _____
For: _____	Because: _____	Amount: \$ _____
For: _____	Because: _____	Amount: \$ _____

31 **Additional Pages**

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

32 **Your Signature**

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

Date: _____

Type or print your name



Sign your name

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

Date: _____

Lawyer's name



Lawyer's signature

Your Next Steps

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

This is not a Court Order.

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

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

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

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

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

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

What is a Domestic Violence Restraining Order?

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

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

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

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

What can a restraining order do?

A restraining order can include orders for you to:

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

How long does the order last?

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

What if I don't obey the order?

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

What if I want to leave the county or state?

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



What do I do next?

Part 1: Turn in or sell prohibited items

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



Prohibited items include:

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

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

Part 2: Relinquish body armor

If there is a temporary restraining order against you (see form DV-110), you must relinquish any body armor that you have or own.

Note: If you need to have and use body armor for your work, livelihood, or safety, you may ask for an exception with a chief of police or sheriff in the county where you will have and use the body armor (see Penal Code section 31360(c)).

Part 3: Respond in writing (optional)

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

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

Part 4: Get ready and go to your court hearing

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



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

Do I need a lawyer?

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

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

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

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

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

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

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

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

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

Where can I find a self-help center?

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

Information about the court process is also available online

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

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

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

What if I need an interpreter?



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

Request for Accommodations

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



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

Restraining Order After Hearing (Order of Protection)

Original Order Amended Order

Clerk stamps date here when form is filed.

6/27/24 Draft- Not approved by Judicial Council

1 Protected Person (name):

2 Restrained Person

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

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in case number when form is filed.

Case Number:

3 Other Protected People

In addition to the person in 1, the following persons are protected by orders as indicated in 13 through 16.

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

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

4 Expiration Date

This restraining order, except the orders noted below,* end on: (date): at (time): a.m. p.m. or midnight. Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. Custody, visitation, and child support orders usually end when the child is 18. If no date is written, the restraining order ends three years after the date of the hearing in 5a. If no time is written, the restraining order ends at midnight on the expiration date.

This order must be enforced throughout the United States. See page 10.

This is a Court Order.



5 **Future Court Hearing**



The person in ① person in ② must attend court on:
 Date: _____ Time: _____ a.m. p.m.
 Department: _____ Room: _____
 to review (*list issues*): _____

6 **Hearing**

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

7 **Court's Decision**

In making this order, the court has considered whether failure to make any of the orders requested might risk the safety of the person in ① or any children listed on form DV-105. If child or spousal support was requested, the court has considered whether failure to make support orders would risk the safety of the person in ① or any children listed on form DV-105.

To the Person in ② :

The court has granted a long-term restraining order. See ⑦ through ③1 . 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.

This is a Court Order.



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

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

9 Restrained person has prohibited items

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

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

This is a Court Order.



9 The court finds that you have the following prohibited items:

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): _____

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

10 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 9.

b. Notify Law Enforcement

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

c. Notify Prosecutor

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

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

You must attend the court hearing in 5 to prove that you have properly turned in, sold, or stored all prohibited items (described in 8b) you still have or own, including any items listed in 9. If you do not attend the court hearing listed in 5, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.

12 **No Body Armor**

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

This is a Court Order.



13 Cannot Look for Protected People

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

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

14 Order to Not Abuse

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

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

15 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 15a:

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

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

This is a Court Order.



16 **Stay-Away Order**

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

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

b. Exception to 16a:

The stay-away orders do not apply:

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

17 **Order to Move Out**

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

18 **Other Orders**

19 **Child Custody and Visitation Order**

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

20 **Protect Animals**

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

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

This is a Court Order.



21 **Control of Property**

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

22 **Health and Other Insurance**

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

23 **Record Communications**

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

24 **Property Restraint**

The person in ① in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. (If the court granted the order in ⑮, the person in ② must not contact the person in ①. To notify the person in ① of new or big expenses, have a server mail or personally give the information to the person in ① or contact their lawyer, if they have one.)

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

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

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

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

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

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

This is a Court Order.



26 **Pay Expenses Caused by the Abuse**

You must pay the following:

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

27 **Child Support**

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

28 **Spousal Support**

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

29 **Lawyer's Fees and Costs**

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

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

30 **Batterer Intervention Program**

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

31 **Transfer of Wireless Phone Account**

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

This is a Court Order.



32 Service (check a, b, or c)

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

33 No Fee to Serve (Notify) Restrained Person

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

34 Attached Pages

All of the attached pages are part of this order.

- a. Number of pages attached to this 11-page form: _____
- b. Attachments include forms (check all that apply):
 - DV-140 DV-145 DV-900 FL-341(C) FL-342 FL-343 Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.



Certificate of Compliance With VAWA

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

Instructions for Law Enforcement

Start Date and End Date of Orders

This order starts on the earlier of the following dates:

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

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

Duties of Officer Serving This Order

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

- Ask if the Restrained Person is in possession of any of the prohibited items listed in (8)b, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer’s name and law enforcement agency.

Enforcing the Restraining Order in California

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

Notice/Proof of Service

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

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

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person attended the hearing (see (32)) or was informed of the order by an officer. (Family Code section 6383; Penal Code section 836(c)(2).) An officer can obtain information about the contents of the order in the California Restraining and Protective Order System (CARPOS). (Family Code section 6381(b)–(c).)

This is a Court Order.



Arrest Required if Order Is Violated

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

If the Protected Person Contacts the Restrained Person

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

Child Custody and Visitation

Child custody and visitation orders are listed on form DV-140 or another attached form. If the judge made these orders, look at (15) and (16) of this order to see if the judge granted an exception for brief and peaceful contact with the person in (1) as needed to follow court-ordered visits. Contact by the person in (2) that is **not** brief and peaceful is a violation of this order.

Conflicting Orders—Priorities for Enforcement

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

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item (15) 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.)

Instructions to Clerk: You must give up to three free (certified, stamped, and endorsed) copies of this order to the protected party.

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

DV-500-INFO Can a Domestic Violence Restraining Order Help Me?

What is a “domestic violence restraining order”?

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

How can a restraining order help me?

A judge can order the restrained person to:

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

Does this request cost money to file?

No, filing this request with the court is free.

How long can a restraining order last?

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

How soon can I get the order?

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

How old must I be to ask for one?

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

What if I don't have a green card?

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

Can a restraining order protect my children?

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

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

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



Am I eligible?

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

Required relationship

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

Abuse

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

What does disturbing the peace mean?

It means to destroy someone's mental or emotional calm. Disturbing the peace includes coercive control. Coercive control means a number of acts that unreasonably limit the free will and individual rights of any person. Examples include:

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

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

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

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

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

How do I ask for a domestic violence restraining order?

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

Will I have a court hearing (court date)?

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



Do I need a lawyer to make this request?

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

Where can I find a self-help center?

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

What if I need an interpreter?

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

I have a disability. How can I get help?

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

Request for Accommodations

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

Confidential Address Program

If you are a victim of domestic violence or live with a victim of domestic violence, there is a special program called Safe At Home that you can apply for. It is a free program that would help you keep your address private. To learn more about the program, go to <https://www.sos.ca.gov/registries/safe-home/>.

Note that it may take several weeks to be approved.

For more information on other steps of the process

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

Information about the court process is also available online

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

Where can I find other help?

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

EPO-001

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

LAW ENFORCEMENT CASE NUMBER:

EMERGENCY PROTECTIVE ORDER (See reverse for important notices.)

1. PROTECTED PERSONS (name and gender (M, F, X) of all people protected by this order)

2. RESTRAINED PERSON

Name: Gender: [] M [] F [] X Race: Age: Date of birth: Ht.: Wt.: Hair color: Eye color:

3. TO THE RESTRAINED PERSON:

- a. YOU MUST NOT harass, attack, strike, threaten, assault... b. YOU MUST NOT contact... c. YOU MUST stay away at least... d. YOU MUST NOT take any action... e. YOU MUST NOT own, possess, purchase... f. YOU MUST NOT own, possess, or buy body armor.

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

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

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

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

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

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

- 10. Firearms or ammunition were (check all that apply): [] observed [] reported [] physically searched for [] seized. 11. The persons in 1 and 2 live together. The person in 1 asks that the person in 2 immediately move out from the address in 3c. 12. The person in 1 has minor children in common with the person in 2, and a temporary custody order is requested because of the facts alleged in item 9. A custody order [] does exist [] does not exist.

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

Agency: Telephone No.: Badge No.:

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

14. At the time of service, I was at least 18 years of age and not a party to this cause. [] I am a California law enforcement officer. My address, and telephone number are (this does not have to be server's home telephone number or address):

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

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

EMERGENCY PROTECTIVE ORDER WARNINGS AND INFORMATION

EPO-001

To the restrained person: You must follow this order until it expires (see item 5). If you have firearms, firearm parts, or ammunition, follow the orders in item 3e. After you have turned in or sold your items, you must file a receipt with the court that proves that all items listed in 3e have been turned in or sold. You may use form [DV-800, Receipt for Firearms, Firearm Parts, and Ammunition](#). You must also **relinquish any body armor you own or have** (see Penal Code section 16288 for definition of body armor). If you violate the order, you can be arrested, charged with a crime, and/or fined. If you are served with another restraining order, you must follow the order. You may want advice from a lawyer. If you were served with more court papers, contact one as soon as possible. Free help may be available at your court's local self-help center. To find your local self-help center, go to www.selfhelp.courts.ca.gov/find.

A la persona restringida: Tiene que cumplir con esta orden hasta su fecha de vencimiento (vea el punto 5). Si tiene armas de fuego, componentes de armas de fuego, o municiones, cumpla con las órdenes del punto 3e. Después de haber entregado o vendido todos estos artículos, tiene que presentar un recibo a la corte comprobando que todos los artículos indicados en el punto 3e han sido entregados o vendidos. Puede usar el formulario [DV-800, Recibo por armas de fuego, componentes de armas de fuego y municiones](#). También tiene que entregar o vender todo blindaje personal en su posesión o del cual usted es dueño (vea la definición de blindaje personal en la sección 16288 del Código Penal). Si contraviene la orden, puede ser arrestado, acusado de un delito, y/o multado. Si recibe por entrega legal otra orden de restricción, tiene que cumplir con esa orden. Es posible que quiera los consejos de un abogado. Si recibió por entrega legal más documentos de la corte, contáctese con un abogado lo más pronto posible. Es posible que el centro de ayuda de su corte local ofrezca un servicio de ayuda gratuita. Puede localizar su centro de ayuda local en <https://selfhelp.courts.ca.gov/es/self-help/find-self-help>

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

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

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

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

This emergency protective order is effective when made and must be enforced by all law enforcement officers in the State of California who are aware of or shown a copy of this order. The terms and conditions of this order are enforceable regardless of the acts of the parties; the order may be changed only by the court (Penal Code section 13710(b)). A law enforcement officer shall use every reasonable means to enforce this order. An officer acting in good faith to enforce the order will not be held liable. The provisions of this emergency protective order take precedence in enforcement over provisions of other existing protective orders between the same protected and restrained persons if the provisions of this order are more restrictive. The provisions in another existing protective order remain in effect and take precedence if they are more restrictive than the provisions in this emergency protective order. The availability of an emergency protective order must not be affected by the fact that the endangered person has vacated the household to avoid abuse.

Esta orden de protección de emergencia entra en vigencia al emitirse y tiene que hacerse cumplir por todos **los agentes** de orden público del estado de California que tengan conocimiento de, o a quienes se les muestre una copia de esta orden. Los términos y condiciones de esta orden pueden hacerse cumplir a pesar de las acciones de las partes; la orden solo puede ser modificada por la corte (Código Penal, sección 13710(b)). Un agente del orden público tiene que usar todo recurso razonable para hacer cumplir esta orden. Un agente que actúe de buena fe para hacer cumplir esta orden quedará exento de toda responsabilidad civil o penal. Las disposiciones de la presente orden de protección de emergencia tendrán prioridad sobre las disposiciones de otras órdenes de protección existentes entre las mismas partes si las disposiciones de la presente orden son más restrictivas. Las disposiciones de otras órdenes se mantienen en vigencia y tendrán prioridad si son más restrictivas que las disposiciones de la presente orden de protección de emergencia. La disponibilidad de una orden de protección de emergencia no será afectada por el hecho de que la persona en peligro haya desocupado el hogar para evitar el maltrato.

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
1.	California Department of Justice by Brittany Phillips	AM	<p>The EPO-001, as proposed, has been updated to add body armor to the firearm provision, but does not include the penal code which defines body armor.*</p> <p>CA DOJ recommends that the EPO-001 section 3f of the form be updated to read: “YOU MUST NOT own, possess, or buy body armor (as defined in Penal Code section 16288). You must relinquish any body armor that you have in your possession.” CA DOJ would like this modification to the verbiage to match the anticipated California Restraining and Protective Order System (CARPOS) verbiage change in the Firearms Provision (FAP) field of the database. CARPOS will apply the FAP language across the multiple types of orders included in the various form proposals and for consistency, recommend that the Penal Code section be added.</p> <p>The CLETS-001 was not included in the update to add body armor. The CLETS-001 is a form used to capture additional information that may be entered into CARPOS. CA DOJ recommends that the CLETS-001 section 1 of the form be updated to read: “Does the person have any firearms (guns), firearm parts, ammunition, or body armor?” CA DOJ would like this modification as the information presented in this section of the form is reflected in the CARPOS Restrained Firearm Group (RFG) data field. By ensuring body armor is included here, users will update the RFG field, and therefore any inquiring law enforcement</p>	<p>Thank you for your response. Because space is limited on page 1, the committee recommends adding the citation to Penal Code section 16288 to the Warnings and Information section on page 2.</p> <p>The committee agrees with this suggested change and recommends adding form CLETS-001 to the proposal to include body armor in item 1.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>agency will have the information regarding body armor and its whereabouts for officer safety purposes.</p>	
			<p>The DV-110 did not update section 6 to include body armor.* CA DOJ recommends that the DV-110 section 6 include a section for body armor. The information presented in this section of the form is reflected in the CARPOS RFG data field. By ensuring body armor is included here, users will update the RFG field, and therefore any inquiring law enforcement agency will have the information regarding body armor and its whereabouts for officer safety purposes. While we recognize relinquishment is not required to have the same process, the suggestion is to add a section “c” which will provide at least two lines for Body Armor description, amount if known, and location if known.</p>	<p>The committee did not make this change as the item on the restrained person having prohibited items reflects the requirements under Family Code section 6322.5 which provides that the court make certain findings related to firearms and ammunition, not body armor.</p>
			<p>The DV-130 did not update section 8 to include body armor.* CA DOJ recommends that the DV-130 section 8 include a section for body armor. The information presented in this section of the form is reflected in the CARPOS RFG data field. By ensuring body armor is included here, users will update the RFG field, and therefore any inquiring law enforcement agency will have the information regarding body armor and its whereabouts for officer safety purposes. While we recognize relinquishment is not required to have the same process, the suggestion is to add a section “c” which will provide at least two</p>	<p>Same response as above.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			lines for Body Armor description, amount if known, and location if known.	
2.	California Lawyers Association, The Executive Committee of the Family Law Section (FLEXCOM) by Saul Bercovitch, Associate Executive Director, Governmental Affairs	A	FLEXCOM agrees with this proposal.	Thank you for your response. In light of comments received, the committee is deferring recommending implementation of SB 599 and other proposed changes to form DV-140. The proposal will recirculate for comment in the winter of this year, together with a proposal to implement virtual visitation into family law (FL forms).
3.	Community Legal Aid SoCal by Pablo Schlueter-Corey, Supervising Attorney Family Law	AM	No specific comment regarding body armor restrictions except to defer to expert opinion.	Thank you for your response.
			Agree that proposed order appropriately addresses the stated purpose so as not to delay starting monitored visitation by allowing monitor to provide availability.	In light of comments received, the committee is deferring recommending implementation of SB 599 and other proposed changes to form DV-140. The proposal will recirculate for comment in the winter of this year, together with a proposal to implement virtual visitation into family law (FL forms).
			Would professional supervised visitation providers and parties benefit from the proposed revisions to item 9, on form DV-140. Should more information or other options be provided in this item? Yes. The proposal provides the specific amount of hours of monitored visits each week while providing flexibility as to the monitor and parents. A con to this change would be a monitor who cannot provide consistent times every week in a high conflict case that could affect consistency with visitation or a potential stalemate if the parties cannot agree on the days and times.	See above.

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>Is the language proposed in item 14 (“Mandatory Findings”), on form DV-140, sufficient to help the court identify any applicable factors that it must consider when making orders under Family Code sections 3011, 3044, and 3100? Not completely. We suggest the DV140 include some of the major factors to be considered by the court under #11.</p>	<p>See above.</p>
4.	Family Violence Appellate Project by Jodi Lewis, Senior Managing Attorney	NI	<p>DV-100, request for Domestic Violence Restraining Order On page 12, under Automatic Orders if the Judge Grants restraining Order, it might be helpful to use consistent or similar language throughout. Proposed changes: 29. No Firearms (Guns), Firearm Parts, or Ammunition</p> <ul style="list-style-type: none"> • Cannot own, possess, or buy firearms (guns), firearm parts, or ammunition • Must turn in, sell, or store any firearms (guns), firearm parts, or ammunition that they have or control <p>30. No Body Armor</p> <ul style="list-style-type: none"> • Cannot own, possess, or buy body armor • Must relinquish (turn in) any body armor in their possession <p>31. Cannot Look for Protected People</p> <ul style="list-style-type: none"> • Cannot look for the person protected... 	<p>The committee made the changes proposed by commenter, except to add “(turn in)” for relinquishment of body armor. Because the law does not define relinquishment it is not clear what it requires and who body armor would be turned in to.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p><i>DV-105, Request for Child Custody and Visitation Orders</i></p> <p>Although the committee decided against adding a specific item to child custody forms for virtual visitation (see SPR24-25), it may be clearer to litigants and judges that virtual visitation may be requested and ordered if it is added as a specific option on forms. Self-represented litigants in particular may not understand that they can request virtual visits and there is nowhere on the proposed DV-105 to make “other” types of visitation request. Virtual visitation could be added to question 10 on page 4 so it has the options of: No; Yes, I ask the judge to order that the person in 2 have in-person visits; Yes, I ask the judge to order that person in 2 only have virtual visits; Yes, I ask that judge to order that the person in 2 have both virtual and in-person visits. Either a new section would then be added regarding virtual visitation or, in the alternative, there could be added language to existing sections to make it clear when something does or does not apply to virtual visitation (e.g. if you are requesting only virtual visitation, you should not fill out the section “who will bring the children to and from visit or location of drop-off/pick up” in the chart for schedule of visits).</p>	<p>In light of comments received, the committee is deferring recommending implementation of SB 599 and other proposed changes to form DV-140. The proposal will recirculate for comment in the winter of this year, together with a proposal to implement virtual visitation into family law (FL forms).</p>
			<p><i>DV-105-INFO, What Are Child Custody and Visitation Orders</i></p>	<p>See above.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>On page 1, under non-professional provider, the sentence that reads “If it would be dangerous for your child to be alone with the other parent, this may not be the best option” might be confusing for self-represented litigants because the child would not be alone if a third party was present.</p> <p><i>DV-120-INFO</i> Though there is not a relinquishment procedure outlined in the new law for body armor, it would be helpful to add under the “What do I do next?” section that a person must also relinquish body armor to properly inform restrained parties of everything that they must relinquish.</p> <p><i>DV-140, Child Custody and Visitation Order</i> Although the committee decided against adding a specific item to child custody forms for virtual visitation (see SPR24-25), it may be clearer to litigants and judges that virtual visitation may be requested and ordered if it is added as a specific option on forms rather than something that can be written in under “other” orders.</p>	<p>This change has been made.</p> <p>As stated above, the committee is deferring recommending implementation of SB 599 and other proposed changes to form DV-140.</p>
5.	Giffords Center to Prevent Gun Violence by Julia Weber, Esq., MSW	AM	Giffords appreciates the proposed changes to DV-100 informing parties about the requirement to relinquish body armor and other modifications designed to implement both SB 599 and AB 92. Additionally, we believe it would be helpful to petitioners if there was a form with photos of various types of firearms so that petitioners could provide better descriptions of the firearms in	Thank you for your comments. The committee will consider the possibility of recommending such a form in the future.

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			filings (Florida provides an example and the brochure has been given to Judicial Council staff).	
			On page 8 at #15 of the DV-100, we suggest including information about the option of virtual visitation pursuant to the changes made by SB 599. This could be done by adding “No in person visits” or the option “Virtual visitation.” As circulated, the DV-100 does not include the virtual visitation option.	In light of comments received, the committee is deferring recommending implementation of SB 599 and other proposed changes to form DV-140. The proposal will recirculate for comment in the winter of this year, together with a proposal to implement virtual visitation into family law (FL forms).
			Additionally, the proposed DV-105-INFO talks about virtual visitation, but the DV-105 doesn't provide a clear virtual visitation option, which will cause confusion and prevent petitioners from asking the court to make this type of order designed to reduce risk and increase safety. DV-105 at both 12 and 13 should allow petitioners to specifically indicate that virtual visits are preferable to in person contact so that the court can make appropriate and protective orders. Inclusion of the virtual visitation option could be accomplished by including a check box on both the supervised and unsupervised visitation sections, for example: “Do you want the visits to be limited to virtual visitation instead of in-person visits?”	See above.
			We also suggest flipping the professional and non-professional options within DV-105 at both 12 and 13. The more protective option of professional supervision should be listed before the less protective option of non-professional supervision.	See above.

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>DV-105-INFO states under “Virtual Visits” that “Virtual visits require the child and visiting parent to have access to the internet during the visit.” We propose removing the references to the internet because the law does not explicitly require internet access. The proposed inclusion could unnecessarily eliminate acceptable communication methods and have the unintended consequence of reducing safe, appropriate contact between a parent and child.</p>	<p>See above.</p>
			<p>DV-120, page 6, #26(c): We recommend adding the word "particular" to the first line; "I ask for an exception to carry a particular firearm for work only." Per Family Code section 6389, the exception applies to a particular firearm, not all firearms. The current version might be misunderstood to mean firearms, generally.</p>	<p>The committee notes that the order itself (form DV-130) requires the court to indicate the particular firearm that the exemption applies to but agrees that more information could be helpful on form DV-120. The committee will consider changing this item in a future cycle, which could also include asking the respondent for details of the firearm for which the exemption is sought (e.g., serial number, make of firearm).</p>
			<p>DV-130, page 3, #8: We recommend adding “body armor” to the list of prohibited items.</p>	<p>The committee did not make this change as the item on the restrained person having prohibited items reflects the requirements under Family Code section 6322.5 which provides that the court make certain findings related to firearms and ammunition, not body armor.</p>
			<p>DV-140, both #9 and #10 should include a box for the option of having these visits be virtual visits, per DV-105-INFO.</p>	<p>As stated above, the committee is deferring recommending implementation of SB 599 and other proposed changes to form DV-140.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>Additionally, professional supervision should be listed first as the more protective option. Non-professional supervision may not provide the same level of security, for example, when there are concerns about access to firearms and there is no metal detector or other provisions in place to decrease risk.</p> <p>#10(b)(2) indicates the location will be determined by the provider, however, if virtual visitation is ordered by the court, that is not necessarily the case. We suggest considering whether it can state that providers will work with the party to identify an appropriate location for the visit, including the specifics associated with virtual visitation. For example: the supervisor monitoring a supervised virtual visitation could be located anywhere. Meanwhile, the parties may benefit from suggestions or specific agreements or guidelines regarding where they will be located physically for such a visit. Such agreements could benefit from some level of agreed upon flexibility.</p>	
			<p>DV-140, page 6, regarding “mandatory findings” should provide more information for parties and the courts. For example, the mandatory findings section could include a checkbox for Family Code section 3044 findings, such as “the court finds 3044 applies, the factors have been reviewed, and the court finds the presumption has (checkbox) or has not (checkbox) been rebutted.” For FC 3100 findings, it could read as follows: “The court makes findings required under FC 3100(d) as</p>	<p>See above.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>follows (specify which findings are being made).” Another checkbox for Family Code section 3011(5)(A) and (B) could also be included as follows: “The court finds that for the following reasons, sole or joint custody or unsupervised visits to person #2 is in the best interest of the child and protects the safety of the parties and the child. Additionally the order is specific as to time, day, place, and manner of transfer of the child. [checkbox] court has reviewed the stipulation and finds it is in compliance with FC 3011(5)(B).”</p>	
			<p>Giffords also recommends ongoing training for court staff and judicial officers to support the implementation of these changes to ensure orders can be enforced and are as protective as possible. This should include addressing what constitutes firearm parts, processes for relinquishment, procedures for addressing non-compliance, and approaches to ensure risks associated with firearm access in domestic violence cases and matters involving children are handled as effectively and safely as possible.</p>	<p>Thank you for your comment.</p>
6.	Orange County Bar Association by Christina Zabat-Fran, President	A	<p>Does the proposal appropriately address the stated purpose? Yes</p>	<p>Thank you for your response.</p>
			<p>Would professional supervised visitation providers and parties benefit from the proposed revisions to item 9, on form DV-140. Should more information or other options be provided in this item?</p>	<p>In light of comments received, the committee is deferring recommending implementation of SB 599 and other proposed changes to form DV-140. The proposal will recirculate for comment in the winter of this year, together with a proposal to</p>

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

SPR24-25

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			Yes, the proposed revisions would benefit providers and parties. No apparent additional information needed.	implement virtual visitation into family law (FL forms).
			Is the language proposed in item 14 (“Mandatory Findings”), on form DV-140, sufficient to help the court identify any applicable factors that it must consider when making orders under Family Code sections 3011, 3044, and 3100? It appears the reference to Family Code sections 3011, 3044, and 3100 is sufficient to help the court identify applicable factors. Family Law courts will presumably be familiar with these statutes, which address factors and considerations fundamental to this area of law.	See above.
7.	Superior Court of Los Angeles by Bryan Borys, Director of Research and Data Management	AM	The Los Angeles Superior Court (Court) agrees with the proposal in SPR24-25, “Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92,” if modified.	Thank you for commenting on this proposal.
			Regarding DV-140, it is suggested that items 7(c)(3) and 11(a)(3) remove the parenthetical comment “ask court for transcript” because trial courts differ as to the availability and costs of transcripts. The Court also agrees that item 9(b)(2)(A)(2) on the DV-140 form should remain as a non-mandatory requirement.	In light of comments received, the committee is deferring recommending implementation of SB 599 and other proposed changes to form DV-140. The proposal will recirculate for comment in the winter of this year, together with a proposal to implement virtual visitation into family law (FL forms).
			Regarding DV-130, it is suggested that item 8 include a surrender of body armor verification.	For item 8, the committee does not recommend including body armor as that item implements Family Code section 6322.5 which only applies to

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>Also, item 11 provides that body armor should be relinquished, but it does not indicate to whom it should be relinquished.</p> <p>As a general comment regarding the formatting of Domestic Violence restraining order forms (and related restraining orders, such as Elder Abuse, Civil Harassment, Workplace and Gun Violence restraining orders) for this round of edits and for any future edits, it is suggested that: 1) the ordering convention for each item/category be uniform across all forms and restraining order types; and 2) the numbering convention for item/category be uniform across all forms and restraining order types. As the restraining orders get more complex and the forms get longer, it has become necessary for the reviewer to go back and forth while reviewing the request form in order to fill out the temporary and permanent orders. No longer are all the requests set forth in the same linear fashion and on the same pages; instead, a judicial officer has to flip back to a prior page for a section that comes later in the order to determine what is being requested. This can make it more difficult and time consuming to ensure that the temporary and permanent orders are filled out properly and items are not missed, particularly in courts that have high volume or that use temporary judges at the hearings. For example, the category of Other Persons sought to be protected is in paragraph 8 on page 6 of the DV-100, but it is in paragraph 3 on page 1 of the DV-110. As another</p>	<p>firearms and ammunition. For item 11, the committee did not include information on whom body armor should be relinquished to, as the new law does not provide a relinquishment procedure.</p> <p>Thank you for your comment. In organizing the forms, the committee considers a number of factors, including consistency, ease of use for judicial officers, and ease of use for self-represented litigants. Many of the changes made in recent years were made in response to user-testing results/clinic observations, in an effort to make the forms more user-friendly for self-represented litigants who may be in the midst of a traumatic event. The committee notes that the discretionary orders, with the exception of the additional protected persons and order to extend time for notice, are in the same sequence across all three forms (DV-100, DV-110 and DV-130).</p> <p>In response to commenter, the committee has reformatted the Stay-Away Order section on DV-100, to be consistent with form DV-110 and DV-130.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>example, the DV110 paragraph 9 ‘Order to Not Abuse’ is less visible and may be inadvertently left unchecked as it is set forth on a separate page from the No Contact and Stay Away orders, while the DV-100 has those three very important paragraphs all on the same page. Also, the Stay-Away paragraph in DV-100 has three columns, but the DV-110 and DV-130 have two columns with fewer items in each. As a final example, DV-100 paragraph 21 regarding extending a deadline to give notice seems oddly placed in the middle of two substantive requests (property restraint and pay debt (bills) owed for property) and may be missed when the judicial officer is determining how many days for service should be given in the DV-109. For these reasons, it is suggested that categories be placed on the same respective page (or at minimum, in the same order) on each of the restraining order request/temporary order forms so that when a judicial officer reviews the petition and is ruling on a TRO, the review and order are consistent page by page or in the same order.</p>	
			<p>Regarding use of the same numbering and consistency over different forms, this is helpful to ensure that when a judicial officer refers to a particular number in a subsequent order, it is consistent across all the forms. For example, when filling out the DV-109 form (Notice of Hearing), it can be ambiguous whether the judicial officer is referring to items in the DV-100 (request) or the DV-110 (the temporary orders.) When the court sets forth those orders that were NOT given in</p>	<p>Thank you for your comment. We strive to make the forms as uniform across protective order types as possible, given the statutory constraints.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>paragraph 4, and wishes to express that it did not order a certain item, such as debts or bills to be paid, in the temporary order, the court would have to say they are not ordering the amounts requested in paragraph 22 of the DV-100 or paragraph 20 of the DV-110, because this item is in different paragraphs on the two forms. As another example, the EA-100 request for Elder Abuse Restraining Order, the paragraph 12 on Stay-Away requests has useful subsections such as (a)(1) etc. while the analogous DV-100 paragraph 12 does not have such subsections which make it harder to refer to these items, if needed, in other orders. For these reasons, it is suggested that restraining order request forms, temporary orders, and final order after hearing forms use the same numbers across all the forms for the same category. Even if there is a need for more numbers on one form than another, the Judicial Council could keep the numbering uniform, and simply indicate on the relevant form that Paragraphs 3-7, for example, are intentionally left blank, to eliminate confusion.</p>	
			<p>As for implementation, three months may not be sufficient time. Programming updates to incorporate these changes into guided interview applications will require six months.</p>	<p>The committee does not recommend delaying implementation. While additional time may be needed to update guided interviews, the committee believes that it is important to have the required forms available as soon as possible, as the law went into effect on January 1, 2024.</p>
			<p>We appreciate the Judicial Council’s consideration of these recommendations and formatting concerns. Restraining order forms are filled out at</p>	<p>Thank you for your response.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			critical times when people’s lives may be at risk. We hope that whenever the Judicial Council considers substantive changes to these forms, it will also consider these suggestions to enhance consistency and the same progression of items requested and ordered, so that judicial officers can more efficiently and accurately fill out the orders based on the requests made.	
8.	Superior Court of Orange by Katie Tobias, Operations Analyst	NI	<p>Does the proposal appropriately address the stated purpose? Yes, the proposal appropriately addresses the stated purpose.</p> <p>Would professional supervised visitation providers and parties benefit from the proposed revisions to item 9, on form DV-140. Should more information or other options be provided in this item? Yes, both professional supervised visitation providers and parties will benefit from the proposed revisions on item #9 on form DV-140. No more information or options should be provided on this item.</p> <p>Is the language proposed in item 14 (“Mandatory Findings”), on form DV-140, sufficient to help the court identify any applicable factors that it must consider when making orders under Family Code sections 3011, 3044, and 3100? Yes, all has been clearly stated in the proposal of the revised form, DV-140 as to item #14, Mandatory Findings.</p>	<p>Thank you for your response.</p> <p>In light of comments received, the committee is deferring recommending implementation of SB 599 and other proposed changes to form DV-140. The proposal will recirculate for comment in the winter of this year, together with a proposal to implement virtual visitation into family law (FL forms).</p> <p>See above.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>Would the proposal provide cost savings? If so, please quantify. No, the proposal does not appear to provide any cost savings.</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? Implementation would require revising procedures, providing communication to judicial officers and staff, conducting staff training (approximately 2-4 hours), and updating the case management system.</p>	<p>Thank you for the information.</p>
			<p>Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? Yes, three months would provide sufficient time for implementation in Orange County.</p>	<p>The committee agrees that three months would be sufficient to implement this proposal.</p>
			<p>How well would this proposal work in courts of different sizes? Our court is a large court, and this could work for Orange County.</p>	<p>Thank you for your response.</p>
<p>9.</p>	<p>Superior Court of San Diego by Mike Roddy</p>	<p>A</p>	<p>Does the proposal appropriately address the state purpose? Yes.</p>	<p>Thank you for your response.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			<p>Would professional supervised visitation providers and parties benefit from the proposed revisions to item 9, on form DV-140. Yes. It appears that the proposed changes are sufficient.</p>	<p>In light of comments received, the committee is deferring recommending implementation of SB 599 and other proposed changes to form DV-140. The proposal will recirculate for comment in the winter of this year, together with a proposal to implement virtual visitation into family law (FL forms).</p>
			<p>Is the language proposed in item 14 (“Mandatory Findings”), on form DV-140, sufficient to help the court identify any applicable factors that it must consider when making orders under Family Code sections 3011, 3044, and 3100? Yes.</p>	<p>See above.</p>
			<p>Would the proposal provide cost savings? If so, please quantify. No.</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? Implementation will require updating the case management system, local packets, and procedures to include revised forms and training business office and courtroom staff.</p>	<p>Thank you for your response.</p>
			<p>Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p>	<p>The committee agrees that three months would provide sufficient time for implementation.</p>

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

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			Yes, provided the final versions of the forms are provided to the court at that time. This will ensure the court is able to provide training to staff, update its internal procedures and local packets, and obtain printed stock.	
			How well would this proposal work in courts of different sizes? This proposal should work well, regardless of the size of the court.	Thank you for your response.
10.	Superior Court of Tulare by Sara Whitney, Court Document Examiner	AM	While no proposal for changes to the DV-108 (Request for Orders to Prevent Child Abduction) or DV-145 (Order to Prevent Child Abduction) is pending, it should be noted that the current forms do not match (last revised on January 1, 2023). The DV-108 #3d includes "threatening to take away or hide our children from me;" however, the DV-145 #3b(4) does not include this as a choice under "Court's Decision."	Thank you for your comment. The committee will consider recommending this change to form DV-145 the next time it is revised.
11.	Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee Joint Rules Subcommittee	A	The JRS notes that the proposal is required to conform to a change of law. The JRS also notes the following: Courts will incur costs to implement the revised forms due to training requirements and implementing forms into the paper and electronic processes. Depending on the size of the court, the costs would potentially be up to 20 to 40 hours of court time to accomplish implementation (training, updating case management systems, updating CMS coding,	Thank you for your response.

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

SPR24-25

Protective Orders: Changes to Domestic Violence Forms to Implement New Laws SB 599 and AB 92 (approve form DV-105-INFO, DV-100, DV-105, DV-105(A), DV-109, DV-110, DV-120, DV-120-INFO, DV-130, DV-140, DV-500-INFO, EPO-001)

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

	Commenter	Position	Comment	Committee Response
			physical distribution, replacing outdated forms). Courts would be better served if the time for implementation was at least 45 days from approval.	
12.	Norman J Valdez McArthur	AM	The ownership of body armor by a minor or an adult should not be a restriction under the law. There are many places throughout* California that Gun Violence* is out of control. as such the court would be denying* a person some personal safety. same comment as SPR24-22	Thank you for your comment. The council’s role is to implement laws enacted by the Legislature that impact court forms and processes. The council does not take a position on whether this new prohibition should be in place. Commenter may contact the Legislature with this concern.

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