



Judicial Council of California

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Subject Details (With Text)

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Title: Protective Orders: Entry of Interstate and Tribal Protective Orders, Canadian Protective Orders, and Gun Violence Restraining Orders into CLETS (Action Required)

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Title

Protective Orders: Entry of Interstate and Tribal Protective Orders, Canadian Protective Orders, and Gun Violence Restraining Orders into CLETS (Action Required)

Summary

The Family and Juvenile Law Advisory Committee and the Civil and Small Claims Advisory Committee recommend amending two rules of the California Rules of Court relating to protective orders to (1) include the registration of interstate and tribal court protective orders, Canadian protective orders, and gun violence restraining orders as protective orders that must be submitted to the court with a completed California Law Enforcement and Telecommunications System (CLETS) confidential information form; and (2) add records in gun violence prevention proceedings to the list of electronic court records that are accessible only at the courthouse and not remotely. These changes implement new statutory requirements. The Family and Juvenile Law Advisory committee also recommends the adoption of a new mandatory form to implement the requirements of Senate Bill 204 (Stats. 2017, ch. 98), which allows domestic violence protection orders issued in a Canadian civil court to be registered and enforced in California.

Recommendation

The Family and Juvenile Law Advisory Committee and the Civil and Small Claims Advisory Committee recommend that the Judicial Council, effective January 1, 2019:

1. Amend rule 1.51 to include interstate and tribal court protective orders, Canadian protective orders, and gun violence restraining orders as requiring submission to the court of a completed Confidential CLETS Information form;
2. Amend rule 2.503 to include gun violence prevention proceedings to the list of records that may not be accessed remotely; and
3. Adopt a new mandatory form, Order to Register Canadian Domestic Violence Protective/Restraining Order (form DV-630), to implement the requirements of Senate Bill 204.