



Judicial Council of California

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Subject Details (With Text)

Meeting materials are available through

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9/20/2022	1	Judicial Council	approved	Pass

Title

Rules and Forms | Domestic Violence: Rule and Form Changes to Implement New Laws (Action Required)

Summary

The Family and Juvenile Law Advisory Committee recommends adopting five new Judicial Council forms and revising 19 forms to implement new laws enacted by Senate Bill 320 (Rubio; Stats. 2021, ch. 685), Assembly Bill 1621 (Gipson; Stats. 2022, ch. 76), Senate Bill 374 (Min; Stats. 2021, ch. 135), Senate Bill 24 (Caballero; Stats. 2021, ch. 129), Senate Bill 538 (Rubio; Stats. 2021, ch. 686), and Assembly Bill 277 (Valladares; Stats. 2021, ch. 457). The committee also recommends revoking one form, which will be combined with an existing form, and repealing rule 5.495 of the California Rules of Court, which has been codified by SB 320.

Recommendation

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

1. Repeal rule 5.495 of the California Rules of Court;
2. Adopt five Judicial Council forms:
 - *City and State Where Children Lived* (form DV-105(A));
 - *Response to Request for Child Custody and Visitation Orders* (form DV-125);
 - *Prohibited Items Finding and Orders* (form DV-820);
 - *Noncompliance With Firearms and Ammunition Order, or Warrant* (form DV-830);
 - *Notice of Compliance Hearing for Firearms and Ammunition* (form DV-840/FL-840);
3. Revise 19 Judicial Council forms:
 - *Request for Domestic Violence Restraining Order* (form DV-100);
 - *Request for Child Custody and Visitation Orders* (form DV-105);
 - *Request for Order: No Travel With Children* (form DV-108), retitled as *Request for Orders to Prevent Child Abduction*;
 - *Notice of Court Hearing* (form DV-109);
 - *Temporary Restraining Order (Domestic Violence Prevention)* (form DV-110);
 - *Order on Request to Continue Hearing (Temporary Restraining Order)* (form DV-116);

- *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);
 - *Child Custody and Visitation Order* (form DV-140);
 - *Order: No Travel With Children* (form DV-145), retitled as *Order to Prevent Child Abduction*;
 - *Proof of Personal Service* (form DV-200);
 - *Can a Domestic Violence Restraining Order Help Me?* (form DV-500-INFO);
 - *How Do I Ask for a Temporary Restraining Order?* (form DV-505- INFO), retitled as *How to Ask for a Domestic Violence Restraining Order*;
 - *Get Ready for the Restraining Order Court Hearing* (form DV-520- INFO), retitled as *Get Ready for Your Restraining Order Court Hearing*;
 - *How to Enforce Your Restraining Order* (form DV-530-INFO);
 - *Proof of Firearms Turned In, Sold, or Stored* (form DV-800/JV-252), retitled and renumbered as *Receipt for Firearms, Firearm Parts, and Ammunition* (form DV-800/JV-270);
 - *How Do I Turn In, Sell, or Store My Firearms?* (form DV-800- INFO/JV-252-INFO), retitled and renumbered as *How Do I Turn In, Sell, or Store Firearms, Firearm Parts, and Ammunition?* (form DV-800-INFO/JV-270-INFO);
 - *Emergency Protective Order* (form EPO-001); and
4. Revoke one form: *Supervised Visitation and Exchange Order* (form DV-150).