



Subject Text

Meeting materials
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File #: 16-063, Version: 1

Title

Domestic Violence: New and Updated Forms to Reflect Recent Legislative Changes for Restraining Orders (Action Required)

Summary

The Family and Juvenile Law Advisory Committee recommended that the Judicial Council adopt, approve, or revise nine forms to implement legislative changes made to the Domestic Violence Prevention Act. Family Code sections 6305(a)(1), 6347(f), and 6343(b)(2) require the Judicial Council to develop or modify rules and forms to implement (1) a new remedy that will provide the court with the authority to transfer a wireless phone number from the restrained person to the protected person, (2) additional requirements when the court orders the restrained person to complete a batterer intervention program, and (3) notice of a new requirement in matters involving mutual restraining orders. These changes must be implemented by July 1, 2016.

Recommendation

The Family and Juvenile Law Advisory Committee recommended that the Judicial Council, effective July 1, 2016:

1. Adopt and revise forms used to request and order the transfer of wireless telephone numbers:
 - a. Adopt form DV-900 as the court order directed at the wireless service provider to transfer wireless telephone number;
 - b. Adopt form DV-901 as a mandatory form for use by protected persons to provide contact information to the wireless service provider;
 - c. Revise form DV-100 to include a request to transfer wireless telephone number, and make technical and minor substantive changes in response to suggestions received during the public comment period and suggestions made by the committee;
 - d. Revise form DV-120 to include a response to a request to transfer wireless telephone number; and
 - e. Revise forms DV-110 and DV-130 to include the court order to transfer wireless telephone number, and make technical and minor substantive changes in response to suggestions received during the public comment period and suggestions made by the committee.
2. Adopt, approve, and revise forms used to order and report compliance with a court's order to complete a batterer intervention program:
 - a. Adopt form DV-805 as a mandatory form for use by restrained persons ordered to complete a batterer intervention program;
 - b. Approve form DV-815 as an optional form for use by restrained persons ordered to report to the court on progress; and
 - c. Revise form DV-130 to include all orders statutorily mandated by Family Code section 6343.
3. Revise forms to provide notice required under Family Code section 6305:
 - a. Revise form DV-120 and DV-120-INFO to reference other forms for more information on how to seek a domestic violence restraining order; and
 - b. Revise form DV-120-INFO to make substantive changes in response to suggestions received during the public comment period.

