



Judicial Council of California

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Subject Details (With Text)

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Title

Protective Orders: Requests for the Possession and Protection of Animals (Action Required)

Summary

To implement the recent statutory changes made by Assembly Bill 494 (Stats. 2015, ch. 401) to Code of Civil Procedure section 527.6 and Welfare and Institutions Code sections 213.5 and 15657.03, the Civil and Small Claims Advisory Committee recommends revisions to the Judicial Council forms for civil harassment and elder and dependent adult abuse protective orders to include orders regarding the possession and protection of animals; and the Family and Juvenile Law Advisory Committee recommends revisions to the Judicial Council juvenile protective order forms to include such orders.

Recommendation

To add a new item (see number in parentheses) to provide for orders for the possession and protection of animals, effective January 1, 2017, the Judicial Council is asked by:

1. The Civil and Small Claims Advisory Committee to revise:
 - a. CH-100, Request for Civil Harassment Restraining Orders (item 15);
 - b. CH-110, Temporary Restraining Order (civil harassment) (item 8);
 - c. CH-120, Response to Request for Civil Harassment Restraining Orders (item 7);
 - d. CH-130, Civil Harassment Order After Hearing (item 10);
 - e. EA-100, Request for Elder or Dependent Adult Abuse Restraining Orders (item 19);
 - f. EA-110, Temporary Restraining Order (elder and dependent adult abuse) (item 10);
 - g. EA-120, Response to Request for Elder or Dependent Adult Abuse Restraining Orders (item 8);
 - h. EA-130, Elder or Dependent Adult Abuse Restraining Order After Hearing (item 11); and
2. The Family and Juvenile Law Advisory Committee to revise:
 - a. JV-245, Request for Restraining Order-Juvenile (item 8h);
 - b. JV-250, Notice of Hearing and Temporary Restraining Order-Juvenile (item 10); and
 - c. JV-255, Restraining Order-Juvenile (item 9); and
3. The Family and Juvenile Law Advisory Committee, because of differences in form structure and the law, further to revise order forms JV-250 and JV-255:
 - a. To require the court to indicate the name of the protected person who is granted an order for

- possession; and
- b. To include language that the order for possession could be made for an animal that is in the residence or household of a person protected by the order.