SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE

Self-Help Services
www.occourts.org/self-help

DOMESTIC VIOLENCE RESTRAINING ORDER (WITH CHILDREN)

SELF-HELP FORM PACKET

SHC-DV-08 (Rev. 02/08/2024)

If you have questions regarding restraining orders, or if you would like your completed forms reviewed before you file them, please reach out to the Domestic Violence Assistance Program:

PHONE: 714-935-6175
LOCATION: 341 The City Drive, Orange, CA 92868
7th Floor, Room 705

To file, go to the Lamoreaux Justice Center, 341 The City Drive, Orange, CA 92868. The forms are filed in the Family Law Clerk's Office on the 7th Floor, Room 706.

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, or ammunition;
- 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).

DV-505-INFO How to Ask for a Domestic Violence Restraining Order

Part 1: Complete court forms

You will need to complete at least three forms to ask for a domestic violence restraining order:

Required forms:

- Form DV-100;
- Form DV-109;
- Form DV-110; and
- Form CLETS-001.

Optional forms:

If you have a child or children with the other side, you can ask for additional protection, like child custody orders. To make these requests, you must complete two more forms:

- Form DV-105; and
- Form DV-140.

If you want to ask for child support or spousal support, make the request on form DV-100 (see item 24 or 25) and complete one more form:

- Form FL-150.

Most court forms are public documents. What does "public" mean?

When you file papers with the court, those papers become "public." This means that anyone may ask the court to see the information you put on your papers. Also, the person you are asking for protection from will see all the information on your court papers, because you will have to have these papers personally delivered to the them. This is called "personal service," and more information is available on form DV-200-INFO, *What Is "Proof of Personal Service"?*

How old must I be to ask for my own restraining order against someone?

To ask for a restraining order, 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.

Tips for completing form DV-100

Required relationship

At item 3, you must have one of the listed relationships between you and the person you want protection from. If none apply, go to *https://selfhelp.courts.ca.gov/restraining-orders*. for information on other types of restraining orders you might qualify for.

Describe the abuse

At items 5–7, you must describe the abuse that happened. This part is important, because a judge will decide whether to give you a restraining order based on the information you give. For more information of what abuse means under the law, see form DV-500-INFO, *Can A Domestic Violence Restraining Order Help Me?*

I don't want people to see my address

You may not want someone to be able to see certain information, like your address. You do not have to give the address to where you live on form DV-100, item 1. You can use a different address, like a friend's address or P.O. box. Just be sure to get the person's permission to use their address first, because any papers the court or other side mails to you will go to the address you list in item 1. And make sure that person will tell you right away if you get mail from the court.

I don't want people to see information I provide about a child (minor)

You can ask the court to make some of the information you provide about a child private (confidential). If the court makes information about a child private, the public will not be able to see this information on your court papers. See form DV-160-INFO for help with asking the court to make a child's information private.

What if the other side has firearms (guns) or ammunition?

In item 9, list information you have about any firearms (guns), firearm parts, or ammunition that the other side might own or have access to. This information is important to the judge. The judge can notify law enforcement about any firearms, including illegal or untraceable firearms called “ghost guns.” Once notified, law enforcement must do what they can to get the firearms if there is a restraining order in place.

What does "Other orders" (item 14) mean?

This section allows you to make any special requests that you need to prevent more abuse by the other side.

What is the difference between "Pay Debts Owed for Property (item 22) and "Pay Expenses Caused by the Abuse (item 23)?

If you want the other side to pay a debt owed for property, like a car or mortgage, you can make this request at item 22. If you want the other person to pay you back for damage that happened because of their abuse, like breaking your cellphone or for medical bills, you can make this request at item 23.

What is "Spousal Support" (item 25)?

If you are married to the person you want protection from or in a registered domestic partnership, you can ask a judge to order them to pay you spousal support. The amount of spousal support depends on different factors, including how much you make versus how much the other side makes. It is important to know that in California, you cannot get spousal support for "common law" marriages, where parties have lived like a married couple but never legally married. California does not recognize "common law" marriage.

What is a "Batterer Intervention Program" (item 27)?

In most cases, it is a year-long program that helps a person recognize abusive behavior so that they will stop the abuse. Unlike anger management programs, the goal of batterer intevention programs is to stop a person from using power and control in their relationships. If ordered to complete the program by a judge, the restrained person will have to pay program fees. The program will keep track of progress and attendance.

Part 2: File your court papers

Filing is when you turn in your completed court papers to the court. To file your court papers, you can call the court clerk to see find out which courthouse to go to. If you want to file online (e-file), check your local court's website for more information. To find your local court or their website, go to:
www.courts.ca.gov/find-my-court.htm.

Part 3: Get your papers from court

After you turn in your court papers, you will need to get them back from the court. Your papers will be ready the same day or the next business day. Ask the court clerk when your court papers will be ready. You may have to return to the courthouse to pick up your papers if the court cannot return them to you electronically. Look at your papers to see if the judge granted you a temporary restraining order, on form DV-110.

- If the judge **granted** you temporary protection and you want it to last longer, make sure you attend your court hearing (listed on form DV-109).
- If the judge **did not** grant you a temporary restraining order, the judge can grant you a restraining order at your court hearing (listed on form DV-109).

Part 4: Have someone serve your papers

You must have an adult personally give a copy of all your court papers to the person you want a restraining order against. It cannot be you or anyone listed on the restraining order. Serving papers can be a dangerous situation. If you want the sheriff to serve your papers, they will do so for free. For more information on service, read form DV-200-INFO, *What Is "Proof of Personal Service"?*

Part 5: Get ready for and go to your court hearing

At your court hearing, the judge will decide whether to grant you a long-term restraining order that can last up to five years. 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 for a new court date. Read form DV-115-INFO, *How to Ask For a New Hearing Date*, for more information.

Information about the process is also available online

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

Where can I find free help?

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.

What if I am worried about my safety?

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).

DV-160-INFO Privacy Protection for a Minor (Person Under 18 Years Old) Domestic Violence Prevention

Can I keep information about a minor confidential?

Yes. In a domestic violence restraining order case, you can ask a judge to make information about a minor confidential. Confidential means that the public is unable to see the information, because the information is kept private. This is important because most papers in your court case are available for the public to see. This means anyone can view information on your papers, including information about a minor. If the judge grants your request, the public will not be able to see the minor's information on your paperwork.

Who can make this request?

Several people can make this request, including a minor's parent or legal guardian. Any minor protected by a restraining order can make this request, as well. Also, any person, including a minor, who is the accused person in a case may make this request.

A minor can make this request without the help of an adult. This depends on the minor's age, though. If the minor is 12 years old or younger, the judge may want an adult to help the minor make this request.

For more information on who can make this request, contact your local self-help center or a lawyer.

What information can I ask the judge to make confidential?

A judge can make any information about a minor confidential. That means that you can ask to make confidential the minor's name, address, any statements about the minor's abuse, or any abuse the minor witnessed.

If you want to protect the minor's address only, you do not have to make this request. Instead, you can use a different address on your restraining order request, such as a mailing address that is not where the minor lives, a P.O. box, or someone else's address. If you use someone else's address, be sure to get their permission first.

Whatever address you use, make sure you will get your mail regularly. This is important, because the address you use is the address the court and other party will use to send you papers for your case.

Does this request cost money?

No, this request is free.

I need an interpreter. How can I get help?

You may use form INT-300 to request an interpreter. Ask court staff for information.

I have a disability. How can I get help?

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

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.courts.ca.gov/selfhelp. 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.

Where can I find other help?

The National Domestic Violence Hotline provides free and private safety tips and help in over 100 languages. Call them at 1-800-799-7233; 1-800-787-3224 (TTY); or visit online at www.thehotline.org.

What do I have to do to make information about a minor confidential?

If you're ready to start the process for this request, go to page 2 to see a checklist of steps you need to complete in order to ask the judge to make information about a minor confidential.

What do I have to do to make information about a minor confidential?

Step 1: Complete the forms.

You can use these steps as a checklist.

You will need to complete these forms to make your request:

- ◯ Form DV-160
- ◯ Form DV-165 (complete items 1 and 2 only)

You can find these forms online at www.courts.ca.gov/forms.

► See tips to complete the forms.

To request a restraining order, you need to complete different forms. See form DV-505-INFO for a list of forms you need to complete to request a restraining order.

Step 2: Take the forms to your court clerk to file.

Find out which courthouse to take your forms to by calling your local court or searching online at *www.courts.ca.gov/find-my-court.htm*.

Step 3: Understand the judge's order.

The judge will write your orders on form DV-165. The judge will **grant** or **deny** your request.

► See page 3 for what this means.

Step 4: Give court papers to other parties.

In some cases, you will need to have your server give court papers to the other parties in your case. This process is called service.

► See page 4 for tips to complete service.

▶Tips for Step 1: Complete the forms

I only want to protect the minor's address. If you only want to protect the minor's address, you do not have to make this request. See "What information can I ask the judge to make confidential?" on page 1 for more information.

I want to protect more than one minor. Only an adult who is the minors' parent or legal guardian may make a request to protect more than one minors' information.

I want to give the minor's school or other people copies of court orders from this case.
If the court grants your request to make information regarding a minor confidential, you may want to ask the court for permission to give other people copies of certain documents in your case. For example, if the minor's name was made confidential and the restraining order protects the minor, you may want the minor's school to have a copy that is unredacted (shows the minor's name). You can make this request at item 9 on form DV-160.

My right to cancel my restraining order request.

You have the right to cancel your request for a restraining order if the judge does not grant your request to make information confidential. This right only applies if you are asking for a restraining order at the same time as your request to make information confidential. To cancel your request for a restraining order, check the box on form DV-160, item 7a, and item 8d(1), if it applies.

If you cancel your request for a restraining order, you will **not** receive a domestic violence restraining order at this time.

If, **after** canceling your request for a restraining order, you want to ask for a restraining order based on the same facts, you must start the process over. See form DV-505-INFO for more information.

◆Tips for Step 3: Understand the judge's order.

Look at form DV-165 to see what the judge decided.

What if the judge granted my request?

Look closely at form DV-165, items 7 and 8, to see what information the judge made confidential in your case. If the judge granted your request to keep information confidential, the information the judge decided to keep confidential will not be available to the public. The information will be available only to the parties in the case.

At times, the judge may make information confidential from the other party in your case. If this happens, the judge will complete box 8b on form DV-165.

Now, take a close look at item 10 on form DV-165. This tells you who is responsible for redacting the information on your paperwork and deadline for filing it with the court.

Redacting means to hide (blacken or whiten out) information so it cannot be seen. If the judge makes you responsible for redacting the information, your local self-help center may be able to help you.

What if the judge did not grant (denied) my request?

This means that if you move forward with your case, the minor's information will not be confidential on your paperwork. This is important because anyone can go to your local courthouse and ask to see the documents you filed in this case.

If the judge does not grant your request, you may have other legal options available to you. Visit your local court's self-help center or talk with a lawyer.

▷ **What if I asked to cancel my restraining order request?**

If you checked box 7a or 8d(1) on form DV-160 and the judge denied your request, the paperwork you turned in with this request will not be available to the public, except for page 1 of form DV-165. This includes form DV-100 and any proposed order forms. The court will either return these forms to you, destroy them, or delete them from its records unless you give the court permission to file the forms.

▷ **What if I file documents with the court in the future?**

If you file documents with the court in the future, be sure to use form DV-175 as a cover sheet and follow the instructions at the top of the form.

Is there a penalty for disclosing confidential information?

Misusing or giving out confidential information can result in the court ordering you to pay up to $1,000 or other court penalties. You will not be penalized if you:

- Give information to police to help them enforce the judge's orders, or
- If you are the minor who has claimed abuse.

▶Tips for Step 4: Give court papers to all parties in your case.

In some cases, the judge will order you to serve your court papers. Look at form DV-165 to see what the judge decided.

What did the judge decide in your case?

The judge **granted** my request to keep some of the minor's information confidential.

Your papers must be served. Follow steps 1–5 below.

The judge **denied** (did not grant) my request to keep some information confidential. I **canceled** my request for a restraining order and there is **no other issue** in this case for a judge to decide on.

Your papers do not need to be served. You may stop here.

The judge **denied** (did not grant) my request to keep some information confidential. The **case is still open** because there are other issues for a judge to decide on, like divorce or custody.

If this is your situation, forms DV-160 and DV-165 must be served by mail or in person. Follow steps 3–5 below.

◯ Step 1: Find out which papers you need to serve.

The judge will check which papers you need to serve to the other parties in your case on form DV-165, item 13.

◯ Step 2: Find out whether you need to serve the other parties personally or by mail.

The judge will check how you need to serve your court papers to the other parties in your case on form DV-165, item 13.

If the judge checks item 13a, you will need to have your server personally serve (give) your court papers to the other parties in your case.

If the judge checks item 13b, you will need to have your server mail your court papers.

◯ Step 3: Choose a server.

The person who serves your papers is called a server.Your server must be at least 18 years old, not protected by the restraining order, and not involved in your case. **You are not allowed to serve your own court papers.**

! Some situations may be dangerous. Think about people's safety when deciding who you choose to serve your court papers.

A sheriff or marshal will serve your court papers for free. Another option is a process server.

A process server is a business you pay to deliver court papers. To hire a process server, look for "process server" on the internet or in the yellow pages.

◯ Step 4: Have your server give your court papers to all parties.

For personal service, give your server your court papers as well as form DV-200.

For service by mail, give your server your court papers as well as form DV-250.

◯ Step 5: File proof with the court.

The court needs proof that your papers were served. After your server completes form DV-200 or form DV-250, take it to the court to file in your case.

If the sheriff or marshal served your papers, they may use another form for proof instead of form DV-200. Make sure a copy is filed with the court and that you get a copy.

For more information, read form DV-200-INFO or ask your local court's self-help center for help.

DV-100 Request for Domestic Violence Restraining Order

Clerk stamps date here when form is filed.

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.

Case Number:

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.

Case Number:

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.

Case Number:

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.

Case Number:

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.

Case Number:

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):*

(1) Full name	Age	Relationship to you	Lives with you?
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ 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.)*

	Describe Firearms (Guns), Firearm Parts, or Ammunition	Number or Amount	Location, if known
(1)			
(2)			
(3)			
(4)			
(5)			
(6)			

This is not a Court Order.

Case Number:

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)

☐ Me.
☐ My home.
☐ My job or workplace.
☐ My vehicle.
☐ My school.
☐ Each person in 8.
☐ My children's school or childcare.
☐ Other *(please explain):* _____

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.
- ☐ My name is on the lease.
- ☐ I live at this address with my child(ren).
- ☐ I have lived at this address for _____years, _____ months.
- ☐ I pay for some or all the rent or mortgage.
- ☐ 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
- Stop person in 2 from accessing your child's school or medical information
- No 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.

Case Number:

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.

Case Number:

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: $ _____

24 ☐ Child Support *(this only applies 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 *(this only applies if you are 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.)

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): _____

This is not a Court Order.

Case Number:

Automatic Orders if the Judge Grants Restraining Order

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

If the judge grants you a restraining order, the person in 2 must turn in, sell, or store any firearms (guns), firearm parts, or ammunition that they have or control. The person in 2 would also be prohibited from buying firearms (guns), firearm parts, and ammunition.

30 Cannot Look for Protected People

If the judge grants you a restraining order, the person in 2 will not be allowed to 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.

31 Additional pages

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

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

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.

DV-101 Description of Abuse

Case Number:

This form is attached to DV-100, *Request for Domestic Violence Restraining Order* .

1 **Name of person asking for protection:** _____

2 **Name of person you want protection from:** _____

3 **Describe abuse to you or your children.**

a. Date of abuse: _____

b. Who was there? _____

Describe how the person in 2 abused you or your children:

_____

d. Describe any use or threatened use of guns or other weapons:

_____

e. Describe any injuries: _____

_____

f. Did the police or other law enforcement come? ☐ No ☐ Yes

If yes, did they give you or the person in 2 an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know

The Emergency Protective Order protects ☐ You ☐ The person in 2

Attach a copy of the Emergency Protective Order if you have one.

Case Number:

4 **Describe abuse to you or your children.**

Has the person in 2 abused you (or your children) other times?

a. Date of abuse: _____

b. Who was there? _____

c. Describe how the person in 2 abused you or your children:

_____

d. Describe any use or threatened use of guns or other weapons:

_____

e. Describe any injuries: _____

f. Did the police or other law enforcement come? ☐ No ☐ Yes

If yes, did they give you or the person in 2 an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know

The Emergency Protective Order protects ☐ You ☐ The person in 2

Attach a copy of the Emergency Protective Order if you have one.

5 **Describe abuse to you or your children.**

_____

☐ *Check here if you need more space. Attach a sheet of paper and write "DV-101—Description of Abuse" for a title.*

DV-105 Request for Child Custody and Visitation Orders

Case Number:

This form is attached to form DV-100. *(Use this form to request orders for children you have with the person in 2.)*

1 Your Information

Name: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other *(describe)*: _____

2 Person You Want Protection From

Name: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other *(describe)*: _____

3 Children Under 18 Years Old *(list from oldest to youngest)*

a. Name: _____ Date of birth: _____

b. Name: _____ Date of birth: _____

c. Name: _____ Date of birth: _____

d. Name: _____ Date of birth: _____

☐ *(Check here if you need more space. Write "DV-105, Children" at the top and attach it to this form.)*

4 City and State Where Children Lived

a. Have all the children listed in 3 lived together for the last five years?

☐ Yes *(Complete section 4b.)*

☐ No *(If no, do not complete the section below. Instead, use form DV-105(A)).*

b. List where the child or children have lived for the last five years. Start with their current location.

Dates (month/year)	City, State, and Tribal Land	Children lived with *(check all that apply)*: Me	Person in 2	Other*
From: _____ To present	_____ ☐ Check here if you want to keep your current location private. List the state only.	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐
From: _____ Until: _____	_____	☐	☐	☐

Other* *(relationship to child)*: _____

This is not a Court Order.

Case Number:

5 History of Court Cases Involving Your Children

a. Do you know about any other case involving any child listed in 3?

☐ No

☐ Yes *(If yes, complete section below.)*

(Check all that apply. List where it was filed (city, state, or tribe), year it was filed, and case number, if known.)

☐ Custody _____

☐ Divorce _____

☐ Juvenile Court *(child welfare, juvenile justice)* _____

☐ Guardianship _____

☐ Criminal _____

☐ Other *(example: child support case)* _____

b. Is there a current order for custody or visitation in effect?

☐ No

☐ Yes *(Complete the section below.)*

What did the judge order? *(Examples: who has custody of the children and what is the visitation schedule)*

_____

_____

_____

_____

_____

(Attach a copy of the order, if you have one.)

Why do you want to change the order?

_____

_____

_____

_____

_____

c. If there is another parent or legal guardian besides you and the person in 2, complete the section below.

Name: _____ ☐ Parent ☐ Legal Guardian

This is not a Court Order.

Case Number:

Orders a Judge Can Make to Protect Your Children

To ask for orders to protect your children, answer the questions below.

6 Do you want to limit where the person in 2 can travel with your children?

☐ No

☐ Yes *(Complete the section below):*

I ask the judge to order that the person in 2 must have written permission from me, or a court order, to take the children outside:

☐ The county of *(list):* _____

☐ California

☐ Other places *(list):* _____

7 Do you want the person in 2 to have access to the children's records or information?

☐ Yes

☐ No *(Complete the section below):*

a. I ask the judge to order that the person in 2 **not** access or have access to the records or information for:

☐ All the children listed in 3.

☐ Only the children listed here *(names):* _____

b. For the following records or information *(check all that apply):*

☐ Medical, dental, and mental health

☐ School and daycare

☐ Extracurricular activity, including summer camps and sports teams

☐ Child's employment (including volunteer and unpaid positions)

☐ Other *(describe):* _____

(If the judge makes this order, providers will not be able to release the protected information to the person in 2.)

8 Do you believe the person in 2 might abduct (kidnap) your children?

☐ No

☐ Yes (To ask for orders to help prevent abduction, you must complete form DV-108, *Request for Orders to Prevent Child Abduction,* and attach it to this form.)

This is not a Court Order.

Child Custody

You can ask a judge to make custody orders for your children. There are two types of custody in California: legal and physical custody.

- **Legal custody** means the person that makes decisions about the child's health, education, and welfare.
- **Physical custody** means the person that the child regularly lives with.

For both types of custody, parents can share custody (joint) or one parent can have full custody (sole).

9 Do you want the judge to make child custody orders?

☐ No

☐ Yes *(Complete the section):*

Legal Custody *(check one):*

☐ Sole to me
☐ Sole to person in 2
☐ Jointly (shared) by me and person in 2.
☐ Other *(describe):*

_____

Physical Custody *(check one):*

☐ Sole to me
☐ Sole to person in 2
☐ Jointly (shared) by me and person in 2.
☐ Other *(describe):*

_____

Visitation (Parenting Time) with Children

You can ask a judge to make decisions about when your child spends time with the person in 2. This is called parenting time or visitation. It means the schedule and exact times each parent spends with the child. If a parent does not get custody, that parent can have parenting time with the child if a judge believes it is safe and in the child's best interest. Answer the questions below to tell the judge what parenting time you want right now for person in 2. Any orders the judge makes are temporary for now. They last until the court date (about three weeks away). On your court date, the judge can change or extend the orders.

10 Do you want the person in 2 to have visits (parenting time) with the children?

☐ No, I ask the judge to order that person in 2 have no visits. (*Stop here. You have finished completing this form.*)

☐ Yes (*Go to* 11.)

11 Do you want visits with the children to be supervised (monitored) by a third-party?

(To learn about supervised visitations, go to: *https://selfhelp.courts.ca.gov/guide-supervised-visitation*.)

☐ Yes (*Go to* 12.)

☐ No (*Go to* 13.)

Case Number:

12 Details of Supervised (Monitored) Visits

(Complete a and b):

a. Who do you want to supervise the visits?

(Check one):

☐ Nonprofessional, like a trusted relative or friend *(list name, if known):* _____

☐ Professional *(list name, if known):* _____

Professional fees paid by: Me ____ % Person in 2 ____ % Other: _____ ____ %

b. How often and how long should the visits be?:

(Check one):

☐ Once a week, for *(number of hours):* _____

☐ Twice a week, for *(number of hours):* _____ each visit.

☐ Other *(describe):* _____

☐ Check here if you want to use the chart listed below for a schedule.

Schedule for Supervised Visits

*(List the days and times the **person in** 2 should visit with the children.)*

	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start:		
	End, if applies:		
Tuesday	Start:		
	End, if applies:		
Wednesday	Start:		
	End, if applies:		
Thursday	Start:		
	End, if applies:		
Friday	Start:		
	End, if applies:		
Saturday	Start:		
	End, if applies:		
Sunday	Start:		
	End, if applies:		

Follow the schedule listed above *(check one):*

☐ Every week ☐ Every other week ☐ Other _____

Start date for visits *(month, day, year)* _____

(! If you completed 12, you are done completing this form. Do not complete 13.)

Case Number:

13 Details of Unsupervised Visits

(Complete a and b):

a. If the judge allows the person in 2 to have unsupervised visits with your children, you will have to tell the judge how you want to handle drop-off and pick-up of the children, also called child exchanges. Do you want child exchanges to be supervised by a third-party?

☐ No

☐ Yes *(Complete the section below):*

Who do you want to supervise the exchanges? *(Check one):*

☐ Nonprofessional, like a trusted relative or friend *(list name, if known):* _____

☐ Professional *(list name, if known):* _____

Professional fees paid by: Me _____ % Person in 2 _____ % Other: _____ _____ %

b. Describe the parenting time you want the person in 2 to have with the children.

(Use the lines **or** chart below to explain what days and times the person in 2 should visit with the children. Give details including when visits will happen, how often the visits should be, and who will be responsible for transporting the children.)

_____

_____

_____

Schedule for Unsupervised Visits

	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start:		
	End, if applies:		
Tuesday	Start:		
	End, if applies:		
Wednesday	Start:		
	End, if applies:		
Thursday	Start:		
	End, if applies:		
Friday	Start:		
	End, if applies:		
Saturday	Start:		
	End, if applies:		
Sunday	Start:		
	End, if applies:		

Follow the schedule listed above *(check one):*

☐ Every week ☐ Every other week ☐ Other _____

Start date for visits *(month, day, year)* _____

DV-108 Request for Orders to Prevent Child Abduction

Case Number:

This form is attached to DV-105, *Request for Child Custody and Visitation Orders.*

(Use this form to ask for protection if you believe that the person in 2 might take the children without your permission and hide them from you.)

1 **Your Name:** _____

2 **Name of Person You Want Protection From:** _____

3 **Reasons I Am Afraid of Child Abduction**

(In this section, explain to the judge why you believe there is a risk that the person in 2 will take your children without your permission and hide them from you. The judge will use the information below to decide whether to grant any orders you request on page 2.)

The person in 2 *(check all that apply):*

a. ☐ Has violated or threatened to violate a custody or visitation order.

b. ☐ Does not have strong ties to California.

c. ☐ Has done things recently that make it easy to take our children, like *(check all that apply):*

- ☐ Quit a job
- ☐ Closed a bank account
- ☐ Sold or gotten rid of property
- ☐ Sold a home or ended a lease
- ☐ Applied for a passport, birth certificate, or school or medical records
- ☐ Hidden or destroyed documents
- ☐ Other *(explain):* _____

d. ☐ Has a history of:

- ☐ Abusing me
- ☐ Child abuse
- ☐ Abusing other partners
- ☐ Taking away or hiding our children from me
- ☐ Threatening to take away or hide our children from me
- ☐ Not cooperating with me in parenting

e. ☐ Has a criminal record

f. ☐ Has strong ties in:

- ☐ Another county in California *(list county):* _____
- ☐ Another state *(list state):* _____
- ☐ Another country *(list country):* _____

g. ☐ Is a citizen of another country *(list country or countries):* _____

Does the person in 2 have strong family, cultural, or emotional ties to that country? ☐ Yes ☐ No

Give examples or reasons for your answers above:

_____

_____

_____

_____

The statements made above are made under penalty of perjury as declared on the request form (DV-100, 32).

This is not a Court Order.

Case Number:

Orders a Judge Can Make to Prevent Abduction

In this section, you can ask for orders to prevent the person in 2 from abducting (kidnapping) your children.

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

4 ☐ **Do Not Move With Children Without Permission**

I ask the judge to order that the person in 2 not move with our children without my written permission or the judge's permission.

5 ☐ **Turn In and Do Not Apply for Passports or Other Important Documents**

I ask the judge to order the person in 2 to not apply for passports or other documents that can be used for travel, like visas and birth certificates, and to turn in the following documents:_____

by *(date):* _____ to *(name of person to give documents to):* _____

6 ☐ **Provide Travel Plan and Documents**

If the person in 2 is allowed to travel with our children, the person in 2 should be ordered to give me:

(Check all that apply.)

☐ Children's travel schedule
☐ Copies of round-trip airline tickets
☐ Addresses and telephone numbers where the children can be reached
☐ An open airline ticket for me in case the children are not returned.
☐ Other *(describe):* _____

7 ☐ **Notify Other State of Travel Restrictions**

I ask the judge to order the person in 2 to register this order with *(list county and state):* _____ before the children can travel to that state for visits.

8 ☐ **Notify Foreign Embassy or Consulate of Passport Restrictions**

I ask the judge to order the person in 2 to notify *(name of embassy or consulate):* _____ of this order and to file proof of the notification with the court by *(date):* _____

9 ☐ **Foreign Custody and Visitation Order**

I ask the judge to order the person in 2 to get a custody and visitation order equal to the most recent U.S. order before the child can travel to *(list country):* _____ for visits.
(Note that foreign orders may be changed or enforced depending on the laws of the country.)

10 ☐ **Post a Bond**

I ask the judge to order the person in 2 to post a bond for $ _____.
If the person in 2 takes the children without my permission, I can use this money to bring the children back.

This is not a Court Order.

PARTY WITHOUT ATTORNEY OR ATTORNEY	STATE BAR NUMBER:	FOR COURT USE ONLY
NAME:		
FIRM NAME:		
STREET ADDRESS:		
CITY:	STATE: ZIP CODE:	
TELEPHONE NO.:	FAX NO.:	
E-MAIL ADDRESS:		
ATTORNEY FOR (*name*):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
PETITIONER:		
RESPONDENT:		
OTHER PARTY/PARENT/CLAIMANT:		
INCOME AND EXPENSE DECLARATION		CASE NUMBER:

1. **Employment** *(Give information on your current job or, if you're unemployed, your most recent job.)*

Attach copies of your pay stubs for last two months (black out Social Security numbers).

a. Employer:
b. Employer's address:
c. Employer's phone number:
d. Occupation:
e. Date job started:
f. If unemployed, date job ended:
g. I work about hours per week.
h. I get paid $ gross (before taxes) ☐ per month ☐ per week ☐ per hour.

(If you have more than one job, attach an 8 1/2-by-11-inch sheet of paper and list the same information as above for your other jobs. Write "Question 1—Other Jobs" at the top.)

2. **Age and education**
   a. My age is *(specify):*
   b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed *(specify):*
   c. Number of years of college completed *(specify):* ☐ Degree(s) obtained *(specify):*
   d. Number of years of graduate school completed *(specify):* ☐ Degree(s) obtained *(specify):*
   e. I have: ☐ professional/occupational license(s) *(specify):*
      ☐ vocational training *(specify):*

3. **Tax information**
   a. ☐ I last filed taxes for tax year *(specify year):*
   b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately
      ☐ married, filing jointly with *(specify name):*
   c. I file state tax returns in ☐ California ☐ other *(specify state):*
   d. I claim the following number of exemptions (including myself) on my taxes *(specify):*

4. **Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at *(specify):* $
   This estimate is based on *(explain):*

(If you need more space to answer any questions on this form, attach an 8 1/2-by-11-inch sheet of paper and write the question number before your answer.) Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date: _____

_____ (TYPE OR PRINT NAME)

▶ _____ (SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:

Attach copies of your pay stubs for the last two months and proof of any other income. Take a copy of your latest federal tax return to the court hearing. *(Black out your Social Security number on the pay stub and tax return.)*

5. **Income** *(For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)*

	Last month	Average monthly
a. Salary or wages (gross, before taxes)	$	
b. Overtime (gross, before taxes)	$	
c. Commissions or bonuses	$	
d. Public assistance (for example: TANF, SSI, GA/GR) ☐ currently receiving	$	
e. Spousal support ☐ from this marriage ☐ from a different marriage ☐ federally taxable*	$	
f. Partner support ☐ from this domestic partnership ☐ from a different domestic partnership	$	
g. Pension/retirement fund payments	$	
h. Social Security retirement (not SSI)	$	
i. Disability: ☐ Social Security (not SSI) ☐ State disability (SDI) ☐ Private insurance	$	
j. Unemployment compensation	$	
k. Workers' compensation	$	
l. Other (military allowances, royalty payments) *(specify):*	$	

6. **Investment income** *(Attach a schedule showing gross receipts less cash expenses for each piece of property.)*

a. Dividends/interest	$	
b. Rental property income	$	
c. Trust income	$	
d. Other *(specify):*	$	

7. **Income from self-employment, after business expenses for all businesses** ..... $ _____ _____

I am the ☐ owner/sole proprietor ☐ business partner ☐ other *(specify):*

Number of years in this business *(specify):*

Name of business *(specify):*

Type of business *(specify):*

Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your Social Security number. If you have more than one business, provide the information above for each of your businesses.

8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months *(specify source and amount):*

9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because *(specify):*

10. **Deductions**

	Last month
a. Required union dues	$
b. Required retirement payments (not Social Security, FICA, 401(k), or IRA)	$
c. Medical, hospital, dental, and other health insurance premiums *(total monthly amount)*	$
d. Child support that I pay for children from other relationships	$
e. Spousal support that I pay by court order from a different marriage ☐ federally tax deductible*	$
f. Partner support that I pay by court order from a different domestic partnership	$
g. Necessary job-related expenses not reimbursed by my employer *(attach explanation labeled "Question 10g")*	$

11. **Assets**

	Total
a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts	$
b. Stocks, bonds, and other assets I could easily sell	$
c. All other property, ☐ real and ☐ personal *(estimate fair market value minus the debts you owe)*	$

* Check the box if the spousal support order or judgment was executed by the parties and the court before January 1, 2019, or if a court-ordered change maintains the spousal support payments as taxable income to the recipient and tax deductible to the payor.

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:

12. **The following people live with me:**

Name	Age	How the person is related to me *(ex: son)*	That person's gross monthly income	Pays some of the household expenses?
a.				☐ Yes ☐ No
b.				☐ Yes ☐ No
c.				☐ Yes ☐ No
d.				☐ Yes ☐ No
e.				☐ Yes ☐ No

13. **Average monthly expenses** ☐ Estimated expenses ☐ Actual expenses ☐ Proposed needs

a. Home:
(1) ☐ Rent or ☐ mortgage..... $ _____
If mortgage:
(a) average principal: $ _____
(b) average interest: $ _____
(2) Real property taxes..... $ _____
(3) Homeowner's or renter's insurance (if not included above)..... $ _____
(4) Maintenance and repair..... $ _____

b. Health-care costs not paid by insurance..... $ _____
c. Child care..... $ _____
d. Groceries and household supplies..... $ _____
e. Eating out..... $ _____
f. Utilities (gas, electric, water, trash)..... $ _____
g. Telephone, cell phone, and e-mail..... $ _____
h. Laundry and cleaning..... $ _____
i. Clothes..... $ _____
j. Education..... $ _____
k. Entertainment, gifts, and vacation..... $ _____
l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.)..... $ _____
m. Insurance (life, accident, etc.; do not include auto, home, or health insurance)..... $ _____
n. Savings and investments..... $ _____
o. Charitable contributions..... $ _____
p. Monthly payments listed in item 14 *(itemize below in 14 and insert total here)*..... $ _____
q. Other *(specify):* $ _____
r. **TOTAL EXPENSES** (a–q) *(do not add in the amounts in a(1)(a) and (b))* $ _____
s. **Amount of expenses paid by others** $ _____

14. **Installment payments and debts not listed above**

Paid to	For	Amount	Balance	Date of last payment
		$	$	
		$	$	
		$	$	
		$	$	
		$	$	
		$	$	

15. **Attorney fees** *(This information is required if either party is requesting attorney fees):*
a. To date, I have paid my attorney this amount for fees and costs *(specify):* $
b. The source of this money was *(specify):*
c. I still owe the following fees and costs to my attorney *(specify total owed):* $
d. My attorney's hourly rate is *(specify):*

I confirm this fee arrangement.

Date: _____

_____
(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:

CHILD SUPPORT INFORMATION
(NOTE: Fill out this page only if your case involves child support.)

16. **Number of children**
    a. I have *(specify number):* children under the age of 18 with the other parent in this case.
    b. The children spend percent of their time with me and percent of their time with the other parent.
    (If you're not sure about percentage or it has not been agreed on, please describe your parenting schedule here.)

17. **Children's health-care expenses**
    a. ☐ I do ☐ I do not have health insurance available to me for the children through my job.
    b. Name of insurance company:
    c. Address of insurance company:

    d. The monthly cost for the **children's** health insurance is or would be *(specify):* $
    (Do not include the amount your employer pays.)

18. **Additional expense for the children in this case**

	Amount per month
a. Childcare so I can work or get job training.....	$ _____
b. Children's health care not covered by insurance.....	$ _____
c. Travel expenses for visitation.....	$ _____
d. Children's educational or other special needs *(specify below):*.....	$ _____

19. **Special hardships.** I ask the court to consider the following special financial circumstances *(attach documentation of any item listed here, including court orders):*

	Amount per month	For how many months?
a. Extraordinary health expenses not included in 18b.....	$ _____	_____
b. Major losses not covered by insurance *(examples: fire, theft, other insured loss)*.....	$ _____	_____
c. (1) Expenses for my minor children who are from other relationships and are living with me.....	$ _____	_____
(2) Names and ages of those children *(specify):*		
(3) Child support I receive for those children.....	$ _____	

The expenses listed in a, b, and c create an extreme financial hardship because *(explain):*

20. **Other information I want the court to know concerning support in my case** *(specify):*

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form Save this form Clear this form

PERSON COMPLETING THIS FORM:			FOR COURT USE ONLY
NAME:			
STREET ADDRESS:			
CITY:	STATE:	ZIP CODE:	
TELEPHONE NO.:	FAX NO.:		
EMAIL ADDRESS:			
STATE BAR NUMBER (IF APPLICABLE):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: 341 The City Drive South MAILING ADDRESS: Orange, CA 92868 CITY AND ZIP CODE: BRANCH NAME: LAMOREAUX JUSTICE CENTER			
CASE NAME:			
NOTIFICATION OF MILITARY/VETERAN/RESERVE/ACTIVE STATUS			CASE NUMBER:

1. This form is about *(name):* who is a party in this case.

2. The person listed in item 1 is:
   - ☐ A current member of the state or federal armed services or reserves.
   - ☐ A veteran of the state or federal armed services or reserves.
     Discharge Date:

3. I am
   - ☐ the person listed in item 1.
   - ☐ an attorney in the above entitled case.
   - ☐ other *(specify):*

I am providing this notification to the court based on information and belief.

Date:

(TYPE OR PRINT NAME OF PERSON FILING THIS FORM) (SIGNATURE)

Notice

This form can be filed in any case type. If this form is being submitted in a criminal case, the court will send copies of the form to the county veterans service officer and the Department of Veterans Affairs.

Local County Veterans
Services Office Information
(to be provided by local court):

For court use only

No Filing Fee

No filing fee or court costs are to be charged for this form.

Form Approved for Optional Use
Judicial Council of California
MIL-100 [Rev.January 1, 2021]

Penal Code, §§ 858, 1001.80, 1170.9, 1170.91
50 U.S.C. §§ 3901–4043
www.courts.ca.gov

YOU SHOULD TALK WITH YOUR ATTORNEY (IF YOU HAVE ONE) ABOUT THE FOLLOWING INFORMATION

If you are a current or former member of the state or federal armed services or reserves, you may be entitled to certain rights under the law. Filling out form MIL-100 is a way you can let the court know about your military experience. This information may help the court consider possible benefits and protections in your case. This form can be used for any type of case and can be filled out at any time. Giving this information to the court is voluntary. The MIL-100 only needs to be filled out with the court one time per case.

NONCRIMINAL CASES

If you are a party to a noncriminal case (i.e., civil, family, juvenile, etc.), be sure to complete all the appropriate forms needed for your case.

For example, filing of this form does not substitute for the filing of other required forms or petitions in cases where you are filing**:**

- For relief from financial obligation during military service;
- A notification of military deployment and request to modify a support order; or
- For other relief under the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901–4043).

Please see *Notice of Petition and Petition for Relief From Financial Obligation During Military Service* (form MIL-010) and *Notice of Activation of Military Service and Deployment and Request to Modify a Support Order* (form FL-398).

CRIMINAL CASES

If you are a party to a criminal case, you are not required to have an honorable discharge, to have combat service, or to be accepted into or involved in a Veterans Court to be eligible for the possible rights and protections under the law.

If you are a current or former member of the state or federal armed services or reserves who may be suffering from sexual trauma, also known as military sexual trauma (MST), traumatic brain injury (TBI), posttraumatic stress disorder (PTSD), substance abuse, or mental health issues as a result of your military service, and charged with a crime, you may be eligible for certain rights under the law. Some examples of benefits of a defendant in a criminal case who is a veteran or is on active duty or in the reserves include possible consideration for alternative sentencing, restoration relief such as sealing your record, and diversion in misdemeanor cases.

Below is a brief description of possible rights and protections under the following California laws:

California Penal Code section 1170.9
- Treatment instead of prison or jail time for certain crimes;
- A greater chance of receiving probation;
- Conditions of probation deemed satisfied early, other than any victim restitution ordered;
- Felonies reduced to misdemeanors;
- Restoration of rights, dismissal of penalties, and/or setting aside of conviction for certain crimes;

California Penal Code section 1001.80
- Pretrial diversion program instead of trial and potential conviction and incarceration;
- Dismissal of eligible criminal charges following satisfactory performance in program;
- Arrest deemed to have "never occurred" as part of restoration of rights following successful completion of program;

California Penal Code section 1170.91
- The court must consider circumstances from which the defendant may be suffering as a result of military service as a factor in mitigation during felony sentencing, which could result in a more lenient sentence.

If you submit this form in a criminal case, you must file it with the court and serve a copy of it on the prosecuting attorney and defense counsel.

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form | Save this form | Clear this form

CONFIDENTIAL

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name & Address)*: TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR *(Name)*: BAR NO.:	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE Lamoreaux JUSTICE CENTER: - 341 The City Drive, Orange, CA 92868-3205	
CASE NAME:	
CONFIDENTIAL – PARTY IDENTIFICATION AND NOTICE OF RELATED CASE(S)	CASE NUMBER:

Pursuant to Orange County Local Rules of Court 701.5, in order to avoid duplicate cases, conflicting orders and unnecessary hearings, parties must disclose all related cases when a Family Law case is filed or when a party discovers there is a related case in Orange County or another county. **A related case means one or both parties and/or minor children of the parties are involved in other cases.** Examples of related cases include; another Family Law case, a domestic violence case, a child support case, a criminal case, and a juvenile case involving a minor child of one or both of the parties.

1. **PARTIES TO THE CASE**: For the case number listed above, specify identifying information for any adult, parent and/or guardian who is a party to the case:

   Provide as much information as possible. If information is not available, please write **UNKNOWN**.

   a. ☐ PETITIONER/PLAINTIFF ☐ RESPONDENT/DEFENDANT ☐ OTHER PARTY:

   Name: _____ Date of Birth: _____

   Gender: ☐ Male ☐ Female ☐ Nonbinary Email Address: _____

   Other name(s) used: _____

   b. ☐ PETITIONER/PLAINTIFF ☐ RESPONDENT/DEFENDANT ☐ OTHER PARTY:

   Name: _____ Date of Birth: _____

   Gender: ☐ Male ☐ Female ☐ Nonbinary Email Address: _____

   Other name(s) used: _____

2. **Have you or a member of your family ever served in the military regardless of discharge status?**

   ☐ Yes ☐ No

3. ☐ **THERE ARE NO RELATED CASES.**

4. **RELATED CASES:** If you, your minor children, or the minor children of any other party to this Family Law proceeding have been involved in another court action with any of the persons listed on this form, provide the case information below. If any information is unknown, leave the section blank.

	Case Number	Case Name	Person Involved	Court Location
a.				
b.				
c.				

Date:

_____ _____

(TYPE OR PRINT NAME OF PARTY OR ATTORNEY) (SIGNATURE OF PARTY OR ATTORNEY)

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name & Address)*: TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR *(Name)*: BAR NO.:	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE JUSTICE CENTER: ☐ Central – 700 Civic Center Dr. West, Santa Ana, CA 92701-4045 ☐ Lamoreaux – 341 The City Drive South, Orange, CA 92868-3205	
PETITIONER/PROTECTED PARTY: RESPONDENT/RESTRAINED PARTY:	
DECLARATION RE: NOTICE OF EX-PARTE APPLICATION (FAMILY LAW)	CASE NUMBER:

1. **What is the emergency?** _____

_____

_____

_____

2. **What orders are you requesting?** _____

_____

_____

_____

3. ☐ **I informed the other party** in this action, *(list party)*: _____

on *(date)*_____ at *(time)*_____ that I would be seeking ☐ a domestic violence temporary restraining order or ☐ ex-parte specified above. I informed the other party that I would file the ex-parte application on *(date)*_____ at *(time)* _____ at the Lamoreaux Justice Center.

How informed:

☐ (1) By telephone *(name)*: _____

☐ (2) By telephone to the attorney *(name)*: _____

☐ (3) By personally informing *(name)*: _____

☐ (4) Other: _____

4. ☐ **I have not given notice to the other party** in this action for the following reason (Include any attempts made, if you were unable to serve): _____

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

Date: _____

(SIGNATURE OF DECLARANT)

INFORMATION SHEET—EX-PARTE MATTERS

NOTICE REQUIREMENTS

ALL NON-DOMESTIC VIOLENCE RESTRAINING ORDER EX-PARTE APPLICATIONS.

Notice must be given by telephone or in writing to the self-represented party or to the opposing attorney so that it is received not later than **10:00 a.m.** on **the court day before the ex-parte matter will be presented to the judicial officer**. A party may request the notice be waived by writing a declaration signed under penalty of perjury which explains facts showing good cause not to give the notice. A judicial officer may approve a waiver of notice for good cause.

Ex-parte requests that are filed by **10:00 a.m.** on a court day will be reviewed by the court on the same day. Ex-partes that are filed after **10:00 a.m.** will be reviewed by the court on the next court day.

The court will rule on requests that are timely submitted no later than **5:00 p.m.** on the day of the submission. If an email address is provided, the court will send the ruling by email to all parties. Otherwise, rulings will be mailed to the parties.

EX-PARTE APPLICATIONS FOR A DOMESTIC VIOLENCE TEMPORARY RESTRAINING ORDER

Notice must be given by telephone or in writing to the self-represented party or to the opposing attorney so that it is received not later than **four (4) hours** before the time **the ex-parte matter will be presented to the judicial officer.** A party may request the notice be waived by writing a declaration signed under penalty of perjury which explains facts showing good cause not to give the notice. A judicial officer may approve a waiver of notice for good cause.

Ex-parte requests that are filed by **3:00 p.m.** on a court day will be reviewed by the court on the same day. Ex-partes that are filed after **3:00 p.m.** will be reviewed by the court on the next court day.

ALL EX-PARTE APPLICATIONS

1. Per Local Rule 700.7, ex-parte requests filed by represented parties must be filed electronically using the court's electronic service providers, unless the court excuses parties from doing so. Self-represented parties may file electronically or in person at the Family Law Clerk's Office located at Lamoreaux Justice Center, 341 The City Drive South, 7th Floor, Orange, CA 92868.

2. Notice of the Ex-parte Application must include:

    a. A statement of the relief being requested from the court (example: a request to continue the trial; a restraining order is requested)

    b. A statement that the opposing party is entitled to file an opposition and should appear in court at the time for which notice was provided to file the opposition.

Ex-parte family law discovery motions are governed by Rule 3.1203(a) of the California Rules of Court.

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:

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

Date received by court: _____

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, or ammunition?

☐ No ☐ I don't know

☐ Yes *(Give any information you have below, like the type, amount, or location of the firearm, 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 and write "Item 3" at the top and attach it to this form.

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

DV-109 Notice of Court Hearing

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.

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

Name: _____

2 Person to Be Restrained

Name: _____

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.

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.)*

4 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* (form DV-160) was made 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

Case Number:

To the Person in ❶:

- **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 ❹a(2) or ❹a(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 ❷ a copy of all the papers listed in ❻ by the deadline listed in ❻. 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 ❷ 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 ❷:

- **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

DV-110 Temporary Restraining Order

☐ **Original Order** ☐ _____ **Amended Order**

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

Clerk stamps date here when form is filed.

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) 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.)

(3) ☐ Other Protected People

In addition to the person named in (1), the people listed below are protected by the orders listed in (8) through (11).

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.

Case Number:

To the Person in 2

The judge has granted temporary orders. See 5 through 20. 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) _____	_____	☐ *(date):* _____
(2) _____	_____	☐ *(date):* _____
(3) _____	_____	☐ *(date):* _____
(4) _____	_____	☐ *(date):* _____

b. Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	☐ *(date):* _____
(2) _____	_____	_____	☐ *(date):* _____
(3) _____	_____	_____	☐ *(date):* _____
(4) _____	_____	_____	☐ *(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 5b) 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 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.

9 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.

10 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 10a:

(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.

11 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):*

☐ 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 *(explain):* _____

b. ☐ Exception to 11a:

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):* _____

12 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):* _____

13 Other Orders

☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

_____

This is a Court Order.

14 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):* _____ .

15 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

16 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:

_____

_____

_____

17 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.

18 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.

19 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 8, 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.)

20 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: _____

21 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**

22 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 SER-001 and a copy of this order to the sheriff.

23 ☐ 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 10 and 11 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 10 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.)

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.

DV-140 Child Custody and Visitation Order

Case Number:

This form is attached to *(check one)*: ☐ DV-110 ☐ DV-130

1 Name of Protected Person: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other *(describe)*: _____

2 Name of Restrained Person: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other *(describe)*: _____

3 ☐ Children Under 18 Years Old

a. Name: _____ Date of birth: _____
b. Name: _____ Date of birth: _____
c. Name: _____ Date of birth: _____
d. Name: _____ Date of birth: _____

☐ (Check here if you have more children to list. On a separate piece of paper write "DV-140, Children" at the top and attach it to this form.)

4 ☐ No Travel With Children Without Permission

☐ Person in 1 ☐ Person in 2 ☐ Other *(name)*: _____

must have written permission from the other parent, or a court order, to take the children outside of:

a. ☐ County of *(list)*: _____
b. ☐ State of California
c. ☐ United States
d. ☐ Other place(s) *(list)*: _____

5 ☐ Stop Access to Children's School, Health, and Other Information

a. The person in 2 must not access or have access to the records or information for:
   ☐ All the children listed in 3.
   ☐ Only the children listed here *(names)*: _____

b. From the following *(check all that apply)*:
   ☐ Medical, dental, and mental health providers
   ☐ School and daycare providers
   ☐ Extracurricular activity providers, including summer camps and sports teams
   ☐ Child's employers (including volunteer and unpaid positions)
   ☐ Other *(describe)*: _____

! If you are a provider listed above, you must not release information or records regarding the children listed in 5a to the person in 2.

This is a Court Order.

Case Number:

6 ☐ Judge's Decision on Request for Orders to Prevent Child Abduction *(attach form DV-145)*

7 ☐ Child Custody

a. Legal Custody *(The person that makes decisions about the child's health, education, and welfare.)*

☐ Sole to Person in 1 ☐ Jointly (shared) by persons in 1 and 2.

☐ Sole to Person in 2 ☐ Other *(describe):* _____

b. Physical Custody *(The person that the child regularly lives with.)*

☐ Sole to Person in 1 ☐ Jointly (shared) by persons in 1 and 2.

☐ Sole to Person in 2 ☐ Other *(describe):* _____

c. If the judge granted sole or joint custody to the person in 2, the judge must explain why.

(For judge to complete. Check all that apply):

☐ Judge's reasons given at the hearing *(See minute order or ask for the transcript.)*

☐ Judge's reasons listed here: _____

_____

_____

8 ☐ Person in 2 must have no visitation with children until further order of the court.

(If this form is attached to form DV-110, *Temporary Restraining Order*, this means that the judge has stopped your right to visit with your children temporarily. If you do not agree with this order, attend your court hearing.)

9 ☐ Supervised (Monitored) Visitation with Children

a. Person to be supervised: ☐ Person in 1 ☐ Person in 2 by:

☐ Nonprofessional *(name and relationship to child, if known):* _____

☐ Professional *(name, if known):* _____

(1) Fees paid by: Person in 1 _____ % Person in 2 _____ % Other: _____ %

(2) Person in 1 contact provider by *(date):* _____

Person in 2 contact provider by *(date):* _____

b. Provider's contact information, if known

Address: _____ Telephone: _____

c. Schedule of supervised visits

(1) ☐ Once a week, for *(number of hours):* _____

(2) ☐ Twice a week, for *(number of hours):* _____ each visit.

(3) ☐ Follow the Visitation Schedule listed in 12.

(4) ☐ Other schedule *(describe):* _____

This is a Court Order.

Case Number:

10 ☐ Supervised (Monitored) Child Exchanges *(Use item 11 to describe visitation schedule.)*

a. Person to be supervised: ☐ Person in 1 ☐ Person in 2 by:

☐ Nonprofessional *(name and relationship to child):* _____

Safe location for exchanges: _____

(For more information on safe locations, go to https://selfhelp.courts.ca.gov/guide-supervised-visitation.)

☐ Professional *(list name, if known):* _____

(1) Fees paid by: Person in 1 ____ % Person in 2 ____ % Other: _____ ____ %

(2) Person in 1 contact provider by *(date):* _____

Person in 2 contact provider by *(date):* _____

(3) Location of exchanges to be decided by provider.

b. Provider's contact information, if known:

Address: _____ Telephone: _____

11 ☐ Visits With No Supervision (Unmonitored)

a. If the judge granted unsupervised visits to the person in 2, the judge must explain why.

(For judge to complete. Check all that apply):

☐ Judge's reasons given at the hearing *(See minute order or ask for the transcript.)*

☐ Judge's reasons listed here: _____

b. ☐ Person in 1 ☐ Person in 2 will visit with the children as follows:

(1) ☐ Visitation schedule described below:

(2) ☐ Follow the Visitation Schedule listed in 12 .

This is a Court Order.

12 ☐ Visitation Schedule for Person in 2

	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start:		
	End, if applies:		
Tuesday	Start:		
	End, if applies:		
Wednesday	Start:		
	End, if applies:		
Thursday	Start:		
	End, if applies:		
Friday	Start:		
	End, if applies:		
Saturday	Start:		
	End, if applies:		
Sunday	Start:		
	End, if applies:		

Follow the schedule listed above *(check one)*:
☐ Every week ☐ Every other week ☐ Other _____

Start date for visits *(month, day, year)* _____

13 ☐ Other Orders

(Describe additional orders or refer to an attachment (e.g., FL-341(C), Children's Holiday Schedule Attachment)):

_____

_____

14 Country of Habitual Residence

The country of habitual residence of the child or children in this case is ☐ The United States or ☐ Other *(specify)*: _____.

15 Jurisdiction and Notice

This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code starting with section 3400). The responding party was given notice consistent with the laws of the State of California.

16 Penalties for Violating This Order

If you violate this order, you may be subject to civil or criminal penalties, or both.

This is a Court Order.

DV-130 Restraining Order After Hearing (Order of Protection)

Clerk stamps date here when form is filed.

☐ **Original Order** ☐ _____ **Amended Order**

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: _____

(**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 11 through 14.

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 9.

This is a Court Order.

5 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):* _____

6 ☐ Future Court Hearing

The ☐ person in 1 ☐ person in 2 must attend court on:

Date: _____ Department: _____

Time: _____ ☐ a.m. ☐ p.m. to review *(list issues):* _____

_____

To the Person in 2

The court has granted a long-term restraining order. See 7 through 29. 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.

7 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.

This is a Court Order.

Case Number:

8 ☐ 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)		☐ *(date):*
(2)		☐ *(date):*
(3)		☐ *(date):*
(4)		☐ *(date):*

b. **Ammunition**

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1)			☐ *(date):*
(2)			☐ *(date):*
(3)			☐ *(date):*
(4)			☐ *(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.

9 ☐ 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 8.

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):* _____

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

You must attend the court hearing in 6 to prove that you have properly turned in, sold, or stored all prohibited items (described in 7 b) you still have or own, including any items listed in 8. If you do not attend the court hearing listed in 6, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.

This is a Court Order.

11 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.

12 ☐ 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.

13 ☐ 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 13a:

(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.

14 ☐ 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 14a:

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):* _____

15 ☐ Order to Move Out

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

_____

16 ☐ Other Orders

_____

_____

17 ☐ 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):* _____

18 ☐ 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 *(or other way to ID animal)*	Type of animal	Breed *(if known)*	Color

This is a Court Order.

19 ☐ Control of Property

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

_____
_____
_____
_____
_____

20 ☐ 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.

21 ☐ Record Communications

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

22 ☐ 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 13, 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.)

23 ☐ 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.

24 ☐ 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: _____

25 ☐ Child Support

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

26 ☐ Spousal Support

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

27 ☐ 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: _____

28 ☐ 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.*

29 ☐ 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.

30 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.

31 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.

32 ☐ Attached pages

All of the attached pages are part of this order.

a. Number of pages attached to this 10-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.

Case Number:

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 5a 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 7b, 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 30) 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 13 and 14 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 13 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.)

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-140 Child Custody and Visitation Order

Case Number:

This form is attached to *(check one)*: ☐ DV-110 ☐ DV-130

1 Name of Protected Person: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other *(describe)*: _____

2 Name of Restrained Person: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other *(describe)*: _____

3 ☐ Children Under 18 Years Old

a. Name: _____ Date of birth: _____
b. Name: _____ Date of birth: _____
c. Name: _____ Date of birth: _____
d. Name: _____ Date of birth: _____

☐ (Check here if you have more children to list. On a separate piece of paper write "DV-140, Children" at the top and attach it to this form.)

4 ☐ No Travel With Children Without Permission

☐ Person in 1 ☐ Person in 2 ☐ Other *(name)*: _____

must have written permission from the other parent, or a court order, to take the children outside of:

a. ☐ County of *(list)*: _____
b. ☐ State of California
c. ☐ United States
d. ☐ Other place(s) *(list)*: _____

5 ☐ Stop Access to Children's School, Health, and Other Information

a. The person in 2 must not access or have access to the records or information for:
   ☐ All the children listed in 3.
   ☐ Only the children listed here *(names)*: _____

b. From the following *(check all that apply)*:
   ☐ Medical, dental, and mental health providers
   ☐ School and daycare providers
   ☐ Extracurricular activity providers, including summer camps and sports teams
   ☐ Child's employers (including volunteer and unpaid positions)
   ☐ Other *(describe)*: _____

! If you are a provider listed above, you must not release information or records regarding the children listed in 5a to the person in 2.

This is a Court Order.

Case Number:

6 ☐ Judge's Decision on Request for Orders to Prevent Child Abduction *(attach form DV-145)*

7 ☐ Child Custody

a. Legal Custody *(The person that makes decisions about the child's health, education, and welfare.)*

☐ Sole to Person in 1 ☐ Jointly (shared) by persons in 1 and 2.

☐ Sole to Person in 2 ☐ Other *(describe):* _____

b. Physical Custody *(The person that the child regularly lives with.)*

☐ Sole to Person in 1 ☐ Jointly (shared) by persons in 1 and 2.

☐ Sole to Person in 2 ☐ Other *(describe):* _____

c. If the judge granted sole or joint custody to the person in 2, the judge must explain why.

(For judge to complete. Check all that apply):

☐ Judge's reasons given at the hearing *(See minute order or ask for the transcript.)*

☐ Judge's reasons listed here: _____

_____

_____

8 ☐ Person in 2 must have no visitation with children until further order of the court.

(If this form is attached to form DV-110, *Temporary Restraining Order*, this means that the judge has stopped your right to visit with your children temporarily. If you do not agree with this order, attend your court hearing.)

9 ☐ Supervised (Monitored) Visitation with Children

a. Person to be supervised: ☐ Person in 1 ☐ Person in 2 by:

☐ Nonprofessional *(name and relationship to child, if known):* _____

☐ Professional *(name, if known):* _____

(1) Fees paid by: Person in 1 _____ % Person in 2 _____ % Other: _____ %

(2) Person in 1 contact provider by *(date):* _____

Person in 2 contact provider by *(date):* _____

b. Provider's contact information, if known

Address: _____ Telephone: _____

c. Schedule of supervised visits

(1) ☐ Once a week, for *(number of hours):* _____

(2) ☐ Twice a week, for *(number of hours):* _____ each visit.

(3) ☐ Follow the Visitation Schedule listed in 12.

(4) ☐ Other schedule *(describe):* _____

This is a Court Order.

Case Number:

10 ☐ Supervised (Monitored) Child Exchanges *(Use item 11 to describe visitation schedule.)*

a. Person to be supervised: ☐ Person in 1 ☐ Person in 2 by:

☐ Nonprofessional *(name and relationship to child):* _____

Safe location for exchanges: _____

(For more information on safe locations, go to https://selfhelp.courts.ca.gov/guide-supervised-visitation.)

☐ Professional *(list name, if known):* _____

(1) Fees paid by: Person in 1 ____ % Person in 2 ____ % Other: _____ ____ %

(2) Person in 1 contact provider by *(date):* _____

Person in 2 contact provider by *(date):* _____

(3) Location of exchanges to be decided by provider.

b. Provider's contact information, if known:

Address: _____ Telephone: _____

11 ☐ Visits With No Supervision (Unmonitored)

a. If the judge granted unsupervised visits to the person in 2, the judge must explain why.

(For judge to complete. Check all that apply):

☐ Judge's reasons given at the hearing *(See minute order or ask for the transcript.)*

☐ Judge's reasons listed here: _____

b. ☐ Person in 1 ☐ Person in 2 will visit with the children as follows:

(1) ☐ Visitation schedule described below:

(2) ☐ Follow the Visitation Schedule listed in 12 .

This is a Court Order.

12 ☐ Visitation Schedule for Person in 2

	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start:		
	End, if applies:		
Tuesday	Start:		
	End, if applies:		
Wednesday	Start:		
	End, if applies:		
Thursday	Start:		
	End, if applies:		
Friday	Start:		
	End, if applies:		
Saturday	Start:		
	End, if applies:		
Sunday	Start:		
	End, if applies:		

Follow the schedule listed above *(check one)*:
☐ Every week ☐ Every other week ☐ Other _____

Start date for visits *(month, day, year)* _____

13 ☐ Other Orders

(Describe additional orders or refer to an attachment (e.g., FL-341(C), Children's Holiday Schedule Attachment)):

_____

_____

14 Country of Habitual Residence

The country of habitual residence of the child or children in this case is ☐ The United States or ☐ Other *(specify)*: _____.

15 Jurisdiction and Notice

This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code starting with section 3400). The responding party was given notice consistent with the laws of the State of California.

16 Penalties for Violating This Order

If you violate this order, you may be subject to civil or criminal penalties, or both.

This is a Court Order.

DV-145 Order to Prevent Child Abduction

Case Number:

This form is attached to DV-140, *Child Custody and Visitation Order.*

1 Name of Protected Person: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other *(describe):* _____

2 Name of Restrained Person: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other *(describe):* _____

3 Court's Decision

Based on the information given, the judge finds that:

a. ☐ **There is not a risk** that the person in 2 might take the children without proper permission. The judge has not granted any of the orders in 4–12.

b. ☐ **There is a risk** that the person in 2 might take the children without permission because person in 2:

(Check all that apply):

(1) ☐ Has violated or threatened to violate a custody or visitation order.

(2) ☐ Does not have strong ties to California.

(3) ☐ Has done things recently that make it easy to take the children *(check all that apply):*

- ☐ Quit a job
- ☐ Closed a bank account
- ☐ Sold or gotten rid of property
- ☐ Sold a home or ended a lease
- ☐ Hidden or destroyed documents
- ☐ Applied for a passport, birth certificate, or school or medical records

(4) ☐ Has a history of *(check all that apply):*

- ☐ Abusing person in 1
- ☐ Abusing other partners
- ☐ Child abuse
- ☐ Taking the children without permission
- ☐ Not cooperating with person 1 in parenting

(5) ☐ Has a criminal record

(6) ☐ Has strong ties in:

- ☐ Another county in California *(list county):* _____
- ☐ Another state *(list states):* _____
- ☐ Another country *(list country):* _____

(7) ☐ Is a citizen of another country *(list country):* _____

(8) ☐ Other reasons: _____

The Orders are Granted as Follows:

4 ☐ Do Not Move Without Written Permission of the Other Parent or Court Order

The person in 2 must ***not*** move with the children outside

☐ This county ☐ California ☐ The United States Other *(specify):* _____

without written permission from the other parent or a court order.

This is a Court Order.

Case Number:

5 ☐ **Turn In and Do Not Apply for Passports or Other Important Documents**

Person in 2 must not apply for passports or other documents that can be used for travel, like visas and birth certificates, and must turn in the following documents: _____

by *(date):* _____ to *(name):* _____

6 ☐ **Provide Travel Plan and Documents**

Person in 2 must give the person in 1 the following before traveling with the children *(check all that apply):*

☐ Children's travel schedule
☐ Copies of round-trip airline tickets
☐ Addresses and telephone numbers where children can be reached
☐ An open airline ticket for the person in 1 in case the children are not returned
☐ Other *(describe):* _____

7 ☐ **Notify Other State of Travel Restrictions**

Person in 2 must register this order with *(list county and state):* _____ before the children can travel to that state for visits.

8 ☐ **Notify Foreign Embassy or Consulate of Passport Restrictions**

Person in 2 must notify *(name of embassy or consulate):* _____ of this order and provide the court with proof of the notice by *(date):* _____

9 ☐ **Foreign Custody and Visitation Order**

Person in 2 must get a custody and visitation order equal to the most recent U.S. order before the children can travel to *(list country):* _____ for visits.

The court recognizes that foreign orders may be changed or enforced depending on the laws of that country.

10 ☐ **Post a Bond**

The person in 2 must post a bond for $_____.

11 ☐ **Enforcing Order**

The court authorizes any law enforcement officer to enforce this order. In this county, contact the Child Abduction Unit of the Office of the District Attorney at: _____

12 ☐ **Other** *(list other orders or jurisdictional factors):* _____

_____

Notice to Authorities in Other States and Countries: This court has jurisdiction to make child custody orders under California's Uniform Child Custody Jurisdiction and Enforcement Act (California Family Code, part 3, section 3400 et seq.) and The Hague Convention on the Civil Aspects of International Child Abduction (22 U.S.C. section 9001 et seq.). If jurisdiction is based on other factors, they will be listed above in 12.

This is a Court Order.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	CASE NUMBER:

CHILD SUPPORT INFORMATION AND ORDER ATTACHMENT

TO ☐ **Findings and Order After Hearing (form FL-340)**
☐ **Judgment (form FL-180)** ☐ **Judgment (form FL-250)**
☐ **Restraining Order After Hearing (CLETS-OAH) (form DV-130)**
☐ **Other** *(specify):*

THE COURT USED THE FOLLOWING INFORMATION IN DETERMINING THE AMOUNT OF CHILD SUPPORT:

1. ☐ A printout of a computer calculation and findings is attached and incorporated in this order for all required items not filled out below.

2. ☐ **Income**

a. Each parent's monthly income is as follows:

	Gross monthly income	Net monthly income	Receiving TANF/CalWORKS
Petitioner/plaintiff:	$	$	☐
Respondent/defendant:	$	$	☐
Other parent/party:	$	$	☐

b. Imputation of income. The court finds that the ☐ Petitioner/plaintiff ☐ Respondent/defendant ☐ Other parent/party has the capacity to earn:

$ per and has based the support order upon this imputed income.

3. ☐ **Children of this relationship**

a. Number of children who are the subjects of the support order *(specify):*

b. Approximate percentage of time spent with petitioner/plaintiff: %
Respondent/defendant: %
Other parent/party: %

4. ☐ **Hardships**

Hardships for the following have been allowed in calculating child support:

	Petitioner/ plaintiff	Respondent/ defendant	Other parent/ party	Approximate ending time for the hardship
a. ☐ Other minor children:	$	$	$	
b. ☐ Extraordinary medical expenses:	$	$	$	
c. ☐ Catastrophic losses:	$	$	$	

THE COURT ORDERS

5. ☐ **Low-income adjustment**

a. ☐ The low-income adjustment applies.

b. ☐ The low-income adjustment does not apply because *(specify reasons):*

6. ☐ **Child support**

a. **Base child support**

☐ Petitioner/plaintiff ☐ Respondent/defendant ☐ Other parent/party must pay child support beginning *(date):* and continuing until further order of the court, or until the child marries, dies, is emancipated, reaches age 19, or reaches age 18 and is not a full-time high school student, whichever occurs first, as follows:

Child's name	Date of birth	Monthly amount	Payable to *(name):*

Payable ☐ on the 1st of the month ☐ one-half on the 1st and one-half on the 15th of the month
☐ other *(specify):*

THIS IS A COURT ORDER.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	CASE NUMBER:

THE COURT FURTHER ORDERS

6. b. ☐ **Mandatory additional child support**

(1) Child-care costs related to employment or reasonably necessary job training

(a) ☐ Petitioner/plaintiff must pay: % of total or ☐ $ per month child-care costs.
(b) ☐ Respondent/defendant must pay: % of total or ☐ $ per month child-care costs.
(c) ☐ Other parent/party must pay: % of total or ☐ $ per month child-care costs.
(d) ☐ Costs to be paid as follows *(specify):*

c. **Mandatory additional child support**

(2) Reasonable uninsured health-care costs for the children

(a) ☐ Petitioner/plaintiff must pay: % of total or ☐ $ per month.
(b) ☐ Respondent/defendant must pay: % of total or ☐ $ per month.
(c) ☐ Other parent/party must pay: % of total or ☐ $ per month.
(d) ☐ Costs to be paid as follows *(specify):*

d. ☐ **Additional child support**

(1) ☐ Costs related to the educational or other special needs of the children

(a) ☐ Petitioner/plaintiff must pay: % of total or ☐ $ per month.
(b) ☐ Respondent/defendant must pay: % of total or ☐ $ per month.
(c) ☐ Other parent/party must pay: % of total or ☐ $ per month.
(d) ☐ Costs to be paid as follows *(specify):*

(2) ☐ Travel expenses for visitation

(a) ☐ Petitioner/plaintiff must pay: % of total or ☐ $ per month.
(b) ☐ Respondent/defendant must pay: % of total or ☐ $ per month.
(c) ☐ Other parent/party must pay: % of total or ☐ $ per month.
(d) ☐ Costs to be paid as follows *(specify):*

e. ☐ **Non-Guideline Order**

This order does not meet the child support guideline set forth in Family Code section 4055. *Non-Guideline Child Support Findings Attachment* (form FL-342(A)) is attached.

Total child support per month: $

7. **Health-care expenses**

a. Health insurance coverage for the minor children of the parties must be maintained by the ☐ petitioner/plaintiff ☐ respondent/defendant ☐ other parent/party if available at no or reasonable cost through their respective places of employment or self-employment. Both parties are ordered to cooperate in the presentation, collection, and reimbursement of any health-care claims. The parent ordered to provide health insurance must seek continuation of coverage for the child after the child attains the age when the child is no longer considered eligible for coverage as a dependent under the insurance contract, if the child is incapable of self-sustaining employment because of a physically or mentally disabling injury, illness, or condition and is chiefly dependent upon the parent providing health insurance for support and maintenance.

b. ☐ Health insurance is not available to the ☐ petitioner/plaintiff ☐ respondent/defendant ☐ other parent/party at a reasonable cost at this time.

c. ☐ The party providing coverage must assign the right of reimbursement to the other party.

8. **Earnings assignment**

An earnings assignment order is issued. **Note:** The payor of child support is responsible for the payment of support directly to the recipient until support payments are deducted from the payor's wages and for payment of any support not paid by the assignment.

THIS IS A COURT ORDER.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	CASE NUMBER:

9. In the event that there is a contract between a party receiving support and a private child support collector, the party ordered to pay support must pay the fee charged by the private child support collector. This fee must not exceed 33 1/3 percent of the total amount of past due support nor may it exceed 50 percent of any fee charged by the private child support collector. The money judgment created by this provision is in favor of the private child support collector and the party receiving support, jointly.

10. ☐ **Employment search order (Family Code § 4505)**
☐ Petitioner/plaintiff ☐ Respondent/defendant ☐ Other parent/party is ordered to seek employment with the following terms and conditions:

11. **Other orders** *(specify):*

12. **Notices**
a. *Notice of Rights and Responsibilities (Health-Care Costs and Reimbursement Procedures) and Information Sheet on Changing a Child Support Order* (*form FL-192*) must be attached and is incorporated into this order.
b. If this form is attached to *Restraining Order After Hearing* (form DV130), the support orders issued on this form (form FL-342) remain in effect after the restraining orders issued on form DV-130 end.

13. **Child Support Case Registry Form**
Both parties must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this order. Thereafter, the parties must notify the court of any change in the information submitted within 10 days of the change by filing an updated form.

NOTICE: Any party required to pay child support must pay interest on overdue amounts at the legal rate, which is currently 10 percent per year.

THIS IS A COURT ORDER.

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form Save this form Clear this form

SER-001 Request for Sheriff to Serve Court Papers

Instructions: Each county in California has a sheriff (and sometimes a marshal's office) that can serve different types of court papers, including restraining orders. Note that the sheriff cannot guarantee that they will be successful in finding the person you need served, but they will try to serve based on the information you put on this form.

- Complete this form for each set of papers you need served. You must complete a separate form for each person you need served.
- Find out where the person you need served is located. Give your papers to the sheriff or marshal's office in that county.
- You may have to pay for service of some court papers. For more information, see page 5 of this form, or go to https://selfhelp.courts.ca.gov/sheriff-serves.
- Do not use this form if you are asking the sheriff to enforce a wage garnishment order on an employer. Instead, use forms WG-001, *Application for Earnings Withholding Order*, and WG-035, *Confidential Statement of Judgment Debtor's Social Security Number*.
- If you want the sheriff to enforce a writ or levy, complete this form and form SER-001A, *Special Instructions for Writs and Levies—Attachment*.

CONFIDENTIAL

To Court Clerk: Do not file this form.

Sheriff File Number *(for sheriff to complete, if needed):*

Fill in case number:

Court Case Number:

All information is required unless it is listed as optional or does not apply to your case.

1 To the Sheriff or Marshal of *(name of county):* _____

2 Your Information

a. Your name *(party requesting service):* _____

b. Your lawyer's information *(if you have one)*
Name: _____
Firm name: _____

c. Court case name: _____
(example: Garcia v. Smith)

d. Contact information for the sheriff or marshal to reach you
(Give an address where you can receive mail regularly, like a post office box, a Safe at Home address, or another safe address. If you have a lawyer, give the lawyer's information.)
Address to receive mail: _____
City: _____ State: _____ Zip: _____
Telephone number *(optional):* _____ Email address *(optional):* _____

CONFIDENTIAL

This is not a court form. Do not file with the court.

3 Information About Person or Entity You Want Served

(Check a or b)

a. ☐ I ask the sheriff to serve a person *(complete section below)*

(1) Name of person: _____

Nicknames or aliases *(optional)*: _____

(2) Telephone number *(optional)*: _____

(3) Can you describe the person?

☐ No, I do *not* have any information about the person's description.

☐ Yes *(complete the section below with any information you have)*:

Gender: ☐ Male ☐ Female ☐ Nonbinary

Height: _____ Weight: _____ Hair color: _____ Eye color: _____

Date of birth or age *(give estimate, if unknown)*: _____

Race/Ethnicity: _____

Special marks or features *(tattoos, scars, etc.)*: _____

Vehicle *(type, model, year, color, plate number)*: _____

☐ *Check here if you are including a picture of the person.*

(4) Do you know of any safety or accessibility issues?

☐ No

☐ Yes *(complete the section below with any information you have)*:

The person *(check all that apply)*:

☐ Has a gun or other weapon.

☐ Has a history of violence or abuse.

☐ Has special training *(examples: military, first responder)*.

☐ Is deaf or hard of hearing.

☐ Does not speak English *(list language)*: _____

☐ Is on probation or parole.

☐ Has an aggressive animal.

☐ Has mental health issues.

☐ Add any other information about safety or accessibility that you know about:

_____

_____

b. ☐ I ask the sheriff to serve an entity *(examples: business or government agency)*

(1) Name and type of entity: _____

Telephone number *(optional)*: _____

(2) If there is a specific person who should be served, give name: _____

(3) If there is an agent for service of process, give name: _____

(4) List any safety or accessibility issues *(examples: weapons, aggressive animals, language barrier)*:

_____

CONFIDENTIAL

This is not a court form. Do not file with the court.

4 Address Where Person or Entity Should Be Served

(The sheriff typically serves during normal business hours. Check with the sheriff's office for the exact times.)

Address: _____ ☐ Home ☐ Business

City: _____ State: _____ Zip: _____

Gate code or special instructions: _____

Best time to serve at this address *(example: 8 a.m.–noon):* _____

☐ *Check here if the person is in jail or prison (give name of facility):* _____

Alternate address *(optional)*

(If the person cannot be found at the address listed above, some sheriffs may try a second address if it's in the same county. If you have a second address for the person you want served, complete the section below.)

Address: _____ ☐ Home ☐ Business

City: _____ State: _____ Zip: _____

Gate code or special instructions: _____

Best time to serve at this address *(example: 8 a.m.–noon):* _____

5 Information About Your Request

a. What type of court papers are you giving the sheriff to serve *(examples: summons, restraining order, eviction, small claims, bank levy, or writ of attachment)?*

_____

b. List all forms or court papers you want served on the person in 3 a. *(optional).*
(Note: You can list each form by its form number (example: FL-100, SC-100). If there is no form number, give the title of the document. The court may have ordered you to serve certain papers. Look at the court's order and list all forms required. If you do not know which papers you need to serve, ask a lawyer, or contact your local self-help center for free information.)

_____
_____
_____
_____
_____
_____

c. Is there a court hearing (court date)?

☐ I don't know

☐ No

☐ Yes *(if yes, give date of hearing):* _____

CONFIDENTIAL

This is not a court form. Do not file with the court.

5 d. Is there a deadline for service?

☐ I don't know

☐ No

☐ Yes *(if yes, give deadline):* _____

e. Has the court allowed you to serve your court papers in another way besides personal service *(example: substituted service)?*

☐ I don't know

☐ No

☐ Yes *(if yes, include a copy of the order allowing another type of service)*

f. Is there any other information you want or need to give to the sheriff to serve your court papers?

☐ No

☐ Yes *(if yes, give information below):*

_____

_____

_____

_____

_____

_____

_____

_____

6 Enforcement of Writ or Levy

If you want the sheriff to enforce a writ or levy, you must complete form SER-001A, *Special Instructions for Writs and Levies—Attachment*, and turn it in with this form.

(Only complete this section if you want the sheriff to enforce a writ or levy.)

Do you want the sheriff to both serve your court papers and act as levying officer?

☐ Yes

☐ No. I only want the sheriff to act as levying officer. A registered process server has or will serve my papers.

Your Signature *(party asking for service, or their lawyer)*

Date: _____

_____ ▶ _____

Type or print your name *Sign your name (may be electronic)*

CONFIDENTIAL

This is not a court form. Do not file with the court.

Your Next Steps

- Find out if you need to pay a fee for service by asking the court's self-help center, a lawyer, or the sheriff's office. Here are some situations where you **do not** need to pay for service:
  - If you have a fee waiver in your case (fee waiver granted by a judge on form FW-003 or FW-005).
  - If you are serving a domestic violence, elder abuse, or gun violence restraining order.
  - If you have a civil harassment, workplace violence, or school violence restraining order based on a credible threat of violence or stalking.
- Give this form and a copy of all the court papers you need served to the sheriff or marshal, including a copy of a fee waiver (if you have one). If you do not have to pay a fee to the sheriff, you can send your papers electronically. If you have to pay a fee, contact the sheriff to find out your options for turning in your request. Note that you can always turn in your request in person.
- You should get a form back from the sheriff.
  - If the sheriff was able to serve your court papers, you should receive a form (called a proof of service). **Make sure you get a copy from the sheriff and file it with the court**. Note that if there is a court stamp at the top right corner of the first page, it has already been filed and you do not need to file it with the court.
  - If the sheriff was unable to serve your court papers, you should receive a form (sometimes called declaration of due diligence) that tells you that service was unsuccessful and will give details about when the sheriff tried to serve the person. If the sheriff was unable to serve your papers, you can ask a lawyer or court's self-help center about your next steps.
- To find your local court self-help center, go to *www.courts.ca.gov/selfhelp*. 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. Services are free.

To Sheriff or Marshal

- This form is confidential and must not be made public.
- Any papers submitted with this form should be served and listed on the applicable proof of service form.
- Note that (5) b is optional and may help to identify documents that should have been submitted but were not received by your office.
- Under Government Code section 26666.2, once you've received a completed copy of this form and forms for service, you must attempt service unless:
  - Any order submitted does not have a judge's signature or other representation of a judge's signature; clerk's endorsement; or court stamp, seal, or other court endorsement; or
  - A court case number is not listed on the order, summons, or other notice.

CONFIDENTIAL

This is not a court form. Do not file with the court.

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form | Save this form | Clear this form

DV-200 Proof of Personal Service

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Court clerk fills in case number when form is filed.

Case Number:

1 Name of Party Asking for Protection:

_____

2 Name of Party to Be Restrained:

_____

3 Notice to Server

The server must:

- Be 18 years of age or older.
- Not be listed in items 1 or 8 of form DV-100, *Request for Domestic Violence Restraining Order*.
- Give a copy of all documents checked in 4 to the restrained party in 2 (you cannot send them by mail). Then complete and sign this form, and give or mail it to the party in 1.

4

I gave the party in 2 a copy of all the documents checked:

a. ☐ DV-109 with DV-100 and a blank DV-120 *(Notice of Court Hearing; Request for Domestic Violence Restraining Order;* blank *Response to Request for Domestic Violence Restraining Order)*

b. ☐ DV-110 *(Temporary Restraining Order)*

c. ☐ DV-105 and DV-140 *(Request for Child Custody and Visitation Orders, Child Custody and Visitation Order)*

d. ☐ FL-150 with a blank FL-150 *(Income and Expense Declaration)*

e. ☐ FL-155 with a blank FL-155 *(Financial Statement (Simplified))*

f. ☐ DV-115 *(Request to Continue Hearing)*

g. ☐ DV-116 *(Order on Request to Continue Hearing)*

h. ☐ DV-130 *(Restraining Order After Hearing)*

i. ☐ Other *(specify):*

5

I personally gave copies of the documents checked above to the party in 2 on:

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

b. At this address: _____

City: _____ State: _____ Zip: _____

6 Server's Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

(If you are a registered process server):

County of registration: _____ Registration number: _____

7 Server's 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 server's name

▶ _____

Server to sign here

DV-200-INFO What Is "Proof of Personal Service"?

What is "service"?

Service is the act of giving your court papers to the other party in your case. There are different ways to serve the other party: in person, by mail, and others.

Why do I have to serve my legal papers?

Before a judge can grant a domestic violence restraining order (that can last up to five years), the person you want a restraining order against must know about your request and have a chance to go to court to explain their side. Also, if a restraining order is in place, the police cannot arrest the restrained person for violating the restraining order until the restrained person is served with the order.

What is "personal service"?

Personal service is when someone, known as a server, personally delivers your court papers to the other party.

In most cases, these forms must be served to the other party by personal service:

- Form DV-109;
- Form DV-100;
- Form DV-110;
- Form DV-120 (leave this form blank);
- Form DV-120-INFO; and
- Form DV-250 (leave this form blank).

Who can serve?

Any adult who is not protected by the restraining order can serve your court papers. **You cannot serve your own court papers.**

Some situations may be dangerous. Think about people's safety when deciding who you want to serve your papers.

A sheriff or marshal will serve your court papers for free. A registered process server is a business you pay to deliver papers. To hire a process server, look for "process server" on the internet or in the yellow pages.

How do I have my court papers served?

◯ **Step 1: Choose a server**

The person who gives your court papers to the other party is called a server. Your server must be at least 18-years-old. They must not be protected by the restraining order or involved in your case. This means that you cannot serve your own court papers.

◯ **Step 2: Have your server give your court papers to the other party**

Give your server these instructions:

❶ Before you serve the forms, note which forms you have, including the name of the form and the form number. See form DV-200 for a list of forms.

❷ Find the person you need to serve. Make sure you are serving the right person by asking the person's name.

❸ Give the person the papers. If the person refuses to take the papers, put them on the ground or somewhere next to the person. The person doesn't have to touch or sign for the papers. It is okay if they tear them up.

❹ Fill out form DV-200 completely and sign.

❺ File form DV-200 with the court or give form DV-200 to the person who is asking for the restraining order so they can file it.

◯ **Step 3: File proof with the court**

The court needs proof that service happened and that it was done correctly. If your server was successful, have your server fully complete and sign form DV-200. **The person you want restrained does not sign anything.**

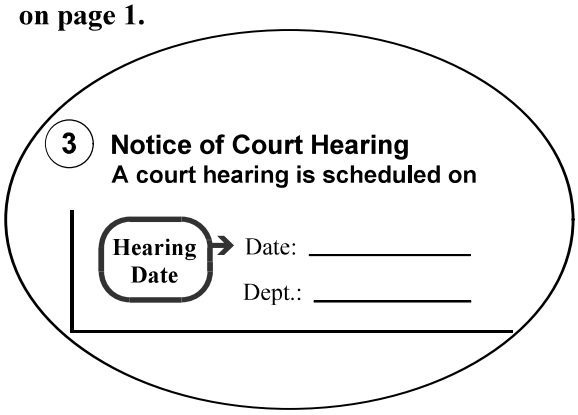
Take form DV-200 to the court to file in your case as soon as possible. This information will automatically go into a restraining order database that police have access to.

If the sheriff or marshal served your court papers, they may use another form for proof besides form DV-200. Make sure a copy is filed with the court and that you get a copy.

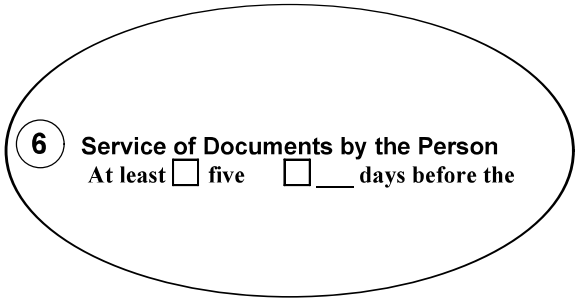
When is the deadline to serve my court papers?

It depends. To know the exact date, you need to look at two items on form DV-109. Follow these steps:

◯ **Step 1: Look at the court date listed under ③ on page 1.**



◯ **Step 2: Look at the number of days written in ⑥ on page 2.**



◯ **Step 3: Look at a calendar.** Subtract the number of days in ⑥ from the court date. That's the deadline to have your court papers served. It's okay to serve your court papers before the deadline.

If nothing is written in ⑥, you must have your court papers served at least five days before your court date.

What happens if I can't get my court papers served before the court date?

You will need to ask the court to reschedule (continue) your court date. Fill out and file form DV-115 and form DV-116. These forms ask the judge for a new court date and to make any temporary orders last until the end of the new court date.

If the judge gives you a new court date, the person you want restrained will have to be served with form DV-116, form DV-115, **and** the original papers you filed. You should keep a copy of form DV-115, form DV-116, and a copy of your original paperwork. That way, the police will know your orders are still in effect.

For more information on asking for a new court date, read form DV-115-INFO.

What if the other party is avoiding (evading) service?

If you've tried many times to serve the the restrained person, and you can show the judge that the restrained person is avoiding (evading) service, you may ask the court to allow you to serve another way. If you want to make this request, at your first court date tell the judge details about your attempts to have the restrained person served. The judge may require a written statement for this.

Read form DV-205-INFO, *What if the Person I Want Protection From is Avoiding (Evading) Service?*, for more information.

DV-205-INFO What if the Person I Want Protection From is Avoiding (Evading) Service?

Why do I have to serve the restrained person?

Before a judge can grant a domestic violence restraining order (that can last up to five years), the person you want a restraining order against must know about your request and have a chance to go to court to explain their side. In most cases, the judge will require that you have someone personally deliver the papers to the person you want restrained. This is called personal service. See form DV-200-INFO for more information.

What if I already have a domestic violence restraining order?

If a judge granted you a domestic violence restraining order on form DV-130, alternative service is not an option for you. Follow the orders for service on form DV-130. It is important to follow the orders for service because this is how the restrained person will find out about the restraining orders. Once you file proof that the restrained person was served, law enforcement and the court will have proof that the restrained person knows about the orders. If you have questions about what the judge ordered in your case, see page 3 for where to get legal help.

What if I can't personally serve the restrained person?

When you cannot personally serve the restrained person with a copy of form DV-100 and related papers, a judge may allow you to give, or serve, the restraining order papers another way. This is called alternative service. The judge could order you to have your server give the restrained person your court papers in more than one way. To qualify for alternative service, you must show the judge at least two things.

❶ **You have tried many times (usually 3 or more times) to have someone personally serve the restrained person.**

Some examples of ways you can try to have the restrained person personally served:

- Serve the restrained person at home, their workplace, or somewhere they go a lot.
- Search online for where they may be located.
- Check with their family and friends.

Make sure any attempts to find the restrained person are done safely.

If you have an address for the restrained person, you can ask the sheriff or marshal to serve your papers, and they will do it for free.

❷ **You believe the restrained person is avoiding (evading) personal service.**

Be ready to explain why you think the restrained person is avoiding service. If you have people who will help you prove this to a judge, bring them to your court hearing or have them write a statement that describes what they witnessed. Form MC-030 may be used for this purpose.

Alternative service may involve other people having access to your court papers.

This will mean they can see your name, the fact that you want a restraining order against the other party, and possibly your statements regarding the abuse. You may want to talk to an advocate about your safety and privacy concerns before you consider this request.

What are some examples of alternative service?

Here are some examples of what a judge can order if the judge allows alternative service in your case.

❶

Leave a copy and mail a copy to the restrained person's home, mailing address, or workplace

If you have the restrained person's home, mailing (not a PO box), or workplace address, this type of service requires your server to follow these steps:

❶ Give the papers to someone 18 years or older who lives at the restrained person's home or mailing address, or who appears to be in charge at the restrained person's workplace;

❷ Get the name of the adult who got the papers, and tell the adult that the papers are for a request for a restraining order against the restrained person;

❸ Mail the papers to the restrained person's home, mailing, or workplace address;

❹ Completely fill out form POS-010; and

❺ File form POS-010 with the court or give the completed form to the person asking for the restraining order so they can file it with the court.

This type of service is called "substituted service." Check with your local self-help center or a lawyer to find out how to make this request. Your court may have forms that you can complete to make this request.

❷

Publish in a newspaper

You would have to pay a newspaper to run a copy of form DV-210 at least once a week for at least four weeks in a row. The judge would approve a newspaper that would have the best chances of the restrained person seeing it. To make this request, complete the forms listed below and take them to the courthouse to file.

- Form FL-980; and
- Form DV-210, items 1 and 2.

If the judge grants your request, follow the orders made by the judge. Usually these orders are made on form FL-982.

After the newspaper publishes form DV-210, make sure you get a signed statement from the newspaper that includes a copy of what was published in the newspaper and when it was published. This statement is usually called "Proof of Publication." After you receive this statement, take it to the courthouse to file in your case.

❸

Post in courthouse

If you do not have money to pay a newspaper to publish your papers, you could ask the judge for permission to post a copy of form DV-210 in a courthouse. To be eligible, you have to qualify for a fee waiver. To make a request to post your court papers in a courthouse, complete the forms listed below. Take the completed forms to the courthouse to file.

- Form FW-001;
- Form FL-980; and
- Form DV-210, items 1 and 2.

If the judge allows you to serve the restrained person this way, you must find a server (an adult not protected by the restraining order or ask the court clerk) to post form DV-210 for you in the location approved by the judge for at least 28 days. After it has been posted for the required number of days, have your server completely fill out form FL-985 and form DV-250. Take both forms to the courthouse to file in your case.

May I serve by email or electronically?

To serve someone electronically, like by email or text message, the person you are serving has to agree to being served electronically. In your situation, if the person is avoiding service, it is unlikely that they will agree to being served electronically. The judge could tell you to send your paperwork by email or electronically to the restrained person as a way to give the restrained person notice, but the judge would also tell you to serve the restrained person in another way, like one of the examples listed above.

Where can I find legal help?

Free legal information is available in every county at a court self-help center. Staff can provide you with your legal options but will not tell you what you should do in your case and will not provide you with legal representation. To find your local self-help center, go to *www.courts.ca.gov/selfhelp*.

Where can I find other help?

For safety tips or other help, call the National Domestic Violence Hotline at 1-800-799-7233; TDD: 1-800-787-3224.

DO NOT

WRITE ON THE FOLLOWING BLANK FORMS!
THESE BLANK FORMS
MUST BE SERVED ON THE
OTHER PARTY,
SO THAT THE OTHER PARTY MAY
RESPOND TO THIS ACTION.
ALONG WITH THE BLANK FORMS YOU MUST
ALSO INCLUDE A COPY OF THE FORMS
THAT YOU PREPARED AND FILED

ES NECESARIO

DEJAR LOS SIGUIENTES DOCUMENTOS
EN BLANCO.
ESTOS DOCUMENTOS TIENEN QUE
SER ENTREGADOS A LA OTRA PERSONA,
PARA QUE PUEDA RESPONDER A ESTA ACCION.
INCLUYA CON ESTOS DOCUMENTOS UNA COPIA DE
LOS DOCUMENTOS QUE USTED LLENO Y ARCHIVO.

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 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, or ammunition. 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.

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.

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 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: 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 3: 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.

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.

What if I have a disability and need an accommodation?

You may use form MC-410 to request assistance. Contact the disability/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.)

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.

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.

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.

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.

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 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 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 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.

Information about the court process is also available online

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

DV-120 Response to Request for Domestic Violence Restraining Order

Clerk stamps date here when form is filed.

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.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

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.

Case Number:

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.

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: _____

_____

This is not a Court Order.

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.)

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

_____

27 Cannot Look for Protected People *(see item 30 on form DV-100)*

a. ☐ I agree to the order.

b. ☐ I do not agree to the order.

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

_____

28 ☐ Additional Reasons I Do Not Agree with the Request *(optional)*

Explain why you do not agree to any of the orders requested by the person in 1 *(give specific facts and reasons):*

_____

_____

_____

_____

_____

_____

☐ Check here if you need more space. Attach a sheet of paper and write "DV-120, Additional Reasons I Do Not Agree with the Request" at the top.

This is not a Court Order.

29 ☐ 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: $ _____

30 Additional Pages

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

31 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

32 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.

SHORT TITLE:	CASE NUMBER:

ATTACHMENT *(Number):* _____

(This Attachment may be used with any Judicial Council form.)

(If the item that this Attachment concerns is made under penalty of perjury, all statements in this Attachment are made under penalty of perjury.)

(Add pages as required)

PERSON COMPLETING THIS FORM:			FOR COURT USE ONLY
NAME:			
STREET ADDRESS:			
CITY:	STATE:	ZIP CODE:	
TELEPHONE NO.:	FAX NO.:		
EMAIL ADDRESS:			
STATE BAR NUMBER (IF APPLICABLE):			
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE STREET ADDRESS: MAILING ADDRESS: 341 The City Drive South CITY AND ZIP CODE: Orange, CA 92868 BRANCH NAME: LAMOREAUX JUSTICE CENTER			
CASE NAME:			
NOTIFICATION OF MILITARY/VETERAN/RESERVE/ACTIVE STATUS			CASE NUMBER:

1. This form is about *(name):* who is a party in this case.

2. The person listed in item 1 is:

   ☐ A current member of the state or federal armed services or reserves.

   ☐ A veteran of the state or federal armed services or reserves.
   Discharge Date:

3. I am ☐ the person listed in item 1.

   ☐ an attorney in the above entitled case.

   ☐ other *(specify):*

I am providing this notification to the court based on information and belief.

Date:

(TYPE OR PRINT NAME OF PERSON FILING THIS FORM) (SIGNATURE)

Notice

This form can be filed in any case type. If this form is being submitted in a criminal case, the court will send copies of the form to the county veterans service officer and the Department of Veterans Affairs.

Local County Veterans
Services Office Information
(to be provided by local court):

For court use only

No Filing Fee

No filing fee or court costs are to be charged for this form.

Form Approved for Optional Use
Judicial Council of California
MIL-100 [Rev.January 1, 2021]

Penal Code, §§ 858, 1001.80, 1170.9, 1170.91
50 U.S.C. §§ 3901–4043
www.courts.ca.gov

YOU SHOULD TALK WITH YOUR ATTORNEY (IF YOU HAVE ONE) ABOUT THE FOLLOWING INFORMATION

If you are a current or former member of the state or federal armed services or reserves, you may be entitled to certain rights under the law. Filling out form MIL-100 is a way you can let the court know about your military experience. This information may help the court consider possible benefits and protections in your case. This form can be used for any type of case and can be filled out at any time. Giving this information to the court is voluntary. The MIL-100 only needs to be filled out with the court one time per case.

NONCRIMINAL CASES

If you are a party to a noncriminal case (i.e., civil, family, juvenile, etc.), be sure to complete all the appropriate forms needed for your case.

For example, filing of this form does not substitute for the filing of other required forms or petitions in cases where you are filing**:**

- For relief from financial obligation during military service;
- A notification of military deployment and request to modify a support order; or
- For other relief under the Servicemembers Civil Relief Act (50 U.S.C. §§ 3901–4043).

Please see *Notice of Petition and Petition for Relief From Financial Obligation During Military Service* (form MIL-010) and *Notice of Activation of Military Service and Deployment and Request to Modify a Support Order* (form FL-398).

CRIMINAL CASES

If you are a party to a criminal case, you are not required to have an honorable discharge, to have combat service, or to be accepted into or involved in a Veterans Court to be eligible for the possible rights and protections under the law.

If you are a current or former member of the state or federal armed services or reserves who may be suffering from sexual trauma, also known as military sexual trauma (MST), traumatic brain injury (TBI), posttraumatic stress disorder (PTSD), substance abuse, or mental health issues as a result of your military service, and charged with a crime, you may be eligible for certain rights under the law. Some examples of benefits of a defendant in a criminal case who is a veteran or is on active duty or in the reserves include possible consideration for alternative sentencing, restoration relief such as sealing your record, and diversion in misdemeanor cases.

Below is a brief description of possible rights and protections under the following California laws:

California Penal Code section 1170.9
- Treatment instead of prison or jail time for certain crimes;
- A greater chance of receiving probation;
- Conditions of probation deemed satisfied early, other than any victim restitution ordered;
- Felonies reduced to misdemeanors;
- Restoration of rights, dismissal of penalties, and/or setting aside of conviction for certain crimes;

California Penal Code section 1001.80
- Pretrial diversion program instead of trial and potential conviction and incarceration;
- Dismissal of eligible criminal charges following satisfactory performance in program;
- Arrest deemed to have "never occurred" as part of restoration of rights following successful completion of program;

California Penal Code section 1170.91
- The court must consider circumstances from which the defendant may be suffering as a result of military service as a factor in mitigation during felony sentencing, which could result in a more lenient sentence.

If you submit this form in a criminal case, you must file it with the court and serve a copy of it on the prosecuting attorney and defense counsel.

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form | Save this form | Clear this form

CONFIDENTIAL

ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name & Address)*: TELEPHONE NO.: E-MAIL ADDRESS (Optional): ATTORNEY FOR *(Name)*: BAR NO.:	*FOR COURT USE ONLY*
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE Lamoreaux JUSTICE CENTER: - 341 The City Drive, Orange, CA 92868-3205	
CASE NAME:	
CONFIDENTIAL – PARTY IDENTIFICATION AND NOTICE OF RELATED CASE(S)	CASE NUMBER:

Pursuant to Orange County Local Rules of Court 701.5, in order to avoid duplicate cases, conflicting orders and unnecessary hearings, parties must disclose all related cases when a Family Law case is filed or when a party discovers there is a related case in Orange County or another county. **A related case means one or both parties and/or minor children of the parties are involved in other cases.** Examples of related cases include; another Family Law case, a domestic violence case, a child support case, a criminal case, and a juvenile case involving a minor child of one or both of the parties.

1. **PARTIES TO THE CASE**: For the case number listed above, specify identifying information for any adult, parent and/or guardian who is a party to the case:

   Provide as much information as possible. If information is not available, please write **UNKNOWN**.

   a. ☐ PETITIONER/PLAINTIFF ☐ RESPONDENT/DEFENDANT ☐ OTHER PARTY:

   Name: _____ Date of Birth: _____

   Gender: ☐ Male ☐ Female ☐ Nonbinary Email Address: _____

   Other name(s) used: _____

   b. ☐ PETITIONER/PLAINTIFF ☐ RESPONDENT/DEFENDANT ☐ OTHER PARTY:

   Name: _____ Date of Birth: _____

   Gender: ☐ Male ☐ Female ☐ Nonbinary Email Address: _____

   Other name(s) used: _____

2. **Have you or a member of your family ever served in the military regardless of discharge status?**

   ☐ Yes ☐ No

3. ☐ **THERE ARE NO RELATED CASES.**

4. **RELATED CASES:** If you, your minor children, or the minor children of any other party to this Family Law proceeding have been involved in another court action with any of the persons listed on this form, provide the case information below. If any information is unknown, leave the section blank.

	Case Number	Case Name	Person Involved	Court Location
a.				
b.				
c.				

Date:

_____ _____

(TYPE OR PRINT NAME OF PARTY OR ATTORNEY) (SIGNATURE OF PARTY OR ATTORNEY)

PARTY WITHOUT ATTORNEY OR ATTORNEY	STATE BAR NUMBER:	FOR COURT USE ONLY
NAME:		
FIRM NAME:		
STREET ADDRESS:		
CITY:	STATE: ZIP CODE:	
TELEPHONE NO.:	FAX NO.:	
E-MAIL ADDRESS:		
ATTORNEY FOR (*name*):		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF		
STREET ADDRESS:		
MAILING ADDRESS:		
CITY AND ZIP CODE:		
BRANCH NAME:		
PETITIONER:		
RESPONDENT:		
OTHER PARTY/PARENT/CLAIMANT:		
INCOME AND EXPENSE DECLARATION		CASE NUMBER:

1. **Employment** *(Give information on your current job or, if you're unemployed, your most recent job.)*

Attach copies of your pay stubs for last two months (black out Social Security numbers).

a. Employer:
b. Employer's address:
c. Employer's phone number:
d. Occupation:
e. Date job started:
f. If unemployed, date job ended:
g. I work about hours per week.
h. I get paid $ gross (before taxes) ☐ per month ☐ per week ☐ per hour.

(If you have more than one job, attach an 8 1/2-by-11-inch sheet of paper and list the same information as above for your other jobs. Write "Question 1—Other Jobs" at the top.)

2. **Age and education**
   a. My age is *(specify):*
   b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed *(specify):*
   c. Number of years of college completed *(specify):* ☐ Degree(s) obtained *(specify):*
   d. Number of years of graduate school completed *(specify):* ☐ Degree(s) obtained *(specify):*
   e. I have: ☐ professional/occupational license(s) *(specify):*
      ☐ vocational training *(specify):*

3. **Tax information**
   a. ☐ I last filed taxes for tax year *(specify year):*
   b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately
      ☐ married, filing jointly with *(specify name):*
   c. I file state tax returns in ☐ California ☐ other *(specify state):*
   d. I claim the following number of exemptions (including myself) on my taxes *(specify):*

4. **Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at *(specify):* $
   This estimate is based on *(explain):*

(If you need more space to answer any questions on this form, attach an 8 1/2-by-11-inch sheet of paper and write the question number before your answer.) Number of pages attached: _____

I declare under penalty of perjury under the laws of the State of California that the information contained on all pages of this form and any attachments is true and correct.

Date: _____

_____ (TYPE OR PRINT NAME)

▶ _____ (SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:

Attach copies of your pay stubs for the last two months and proof of any other income. Take a copy of your latest federal tax return to the court hearing. *(Black out your Social Security number on the pay stub and tax return.)*

5. **Income** *(For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)*

	Last month	Average monthly
a. Salary or wages (gross, before taxes)	$	
b. Overtime (gross, before taxes)	$	
c. Commissions or bonuses	$	
d. Public assistance (for example: TANF, SSI, GA/GR) ☐ currently receiving	$	
e. Spousal support ☐ from this marriage ☐ from a different marriage ☐ federally taxable*	$	
f. Partner support ☐ from this domestic partnership ☐ from a different domestic partnership	$	
g. Pension/retirement fund payments	$	
h. Social Security retirement (not SSI)	$	
i. Disability: ☐ Social Security (not SSI) ☐ State disability (SDI) ☐ Private insurance	$	
j. Unemployment compensation	$	
k. Workers' compensation	$	
l. Other (military allowances, royalty payments) *(specify):*	$	

6. **Investment income** *(Attach a schedule showing gross receipts less cash expenses for each piece of property.)*

a. Dividends/interest	$	
b. Rental property income	$	
c. Trust income	$	
d. Other *(specify):*	$	

7. **Income from self-employment, after business expenses for all businesses** ..... $ _____ _____

I am the ☐ owner/sole proprietor ☐ business partner ☐ other *(specify):*

Number of years in this business *(specify):*

Name of business *(specify):*

Type of business *(specify):*

Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your Social Security number. If you have more than one business, provide the information above for each of your businesses.

8. ☐ **Additional income.** I received one-time money (lottery winnings, inheritance, etc.) in the last 12 months *(specify source and amount):*

9. ☐ **Change in income.** My financial situation has changed significantly over the last 12 months because *(specify):*

10. **Deductions**

	Last month
a. Required union dues	$
b. Required retirement payments (not Social Security, FICA, 401(k), or IRA)	$
c. Medical, hospital, dental, and other health insurance premiums *(total monthly amount)*	$
d. Child support that I pay for children from other relationships	$
e. Spousal support that I pay by court order from a different marriage ☐ federally tax deductible*	$
f. Partner support that I pay by court order from a different domestic partnership	$
g. Necessary job-related expenses not reimbursed by my employer *(attach explanation labeled "Question 10g")*	$

11. **Assets**

	Total
a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts	$
b. Stocks, bonds, and other assets I could easily sell	$
c. All other property, ☐ real and ☐ personal *(estimate fair market value minus the debts you owe)*	$

* Check the box if the spousal support order or judgment was executed by the parties and the court before January 1, 2019, or if a court-ordered change maintains the spousal support payments as taxable income to the recipient and tax deductible to the payor.

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:

12. **The following people live with me:**

Name	Age	How the person is related to me *(ex: son)*	That person's gross monthly income	Pays some of the household expenses?
a.				☐ Yes ☐ No
b.				☐ Yes ☐ No
c.				☐ Yes ☐ No
d.				☐ Yes ☐ No
e.				☐ Yes ☐ No

13. **Average monthly expenses** ☐ Estimated expenses ☐ Actual expenses ☐ Proposed needs

a. Home:
(1) ☐ Rent or ☐ mortgage..... $ _____
If mortgage:
(a) average principal: $ _____
(b) average interest: $ _____
(2) Real property taxes..... $ _____
(3) Homeowner's or renter's insurance (if not included above)..... $ _____
(4) Maintenance and repair..... $ _____

b. Health-care costs not paid by insurance..... $ _____
c. Child care..... $ _____
d. Groceries and household supplies..... $ _____
e. Eating out..... $ _____
f. Utilities (gas, electric, water, trash)..... $ _____
g. Telephone, cell phone, and e-mail..... $ _____
h. Laundry and cleaning..... $ _____
i. Clothes..... $ _____
j. Education..... $ _____
k. Entertainment, gifts, and vacation..... $ _____
l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.)..... $ _____
m. Insurance (life, accident, etc.; do not include auto, home, or health insurance)..... $ _____
n. Savings and investments..... $ _____
o. Charitable contributions..... $ _____
p. Monthly payments listed in item 14 *(itemize below in 14 and insert total here)*..... $ _____
q. Other *(specify):* $ _____
r. **TOTAL EXPENSES** (a–q) *(do not add in the amounts in a(1)(a) and (b))* $ _____
s. **Amount of expenses paid by others** $ _____

14. **Installment payments and debts not listed above**

Paid to	For	Amount	Balance	Date of last payment
		$	$	
		$	$	
		$	$	
		$	$	
		$	$	
		$	$	

15. **Attorney fees** *(This information is required if either party is requesting attorney fees):*
a. To date, I have paid my attorney this amount for fees and costs *(specify):* $
b. The source of this money was *(specify):*
c. I still owe the following fees and costs to my attorney *(specify total owed):* $
d. My attorney's hourly rate is *(specify):*

I confirm this fee arrangement.

Date: _____

_____
(TYPE OR PRINT NAME)

▶ _____
(SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:

CHILD SUPPORT INFORMATION
(NOTE: Fill out this page only if your case involves child support.)

16. **Number of children**
    a. I have *(specify number):* children under the age of 18 with the other parent in this case.
    b. The children spend percent of their time with me and percent of their time with the other parent.
    (If you're not sure about percentage or it has not been agreed on, please describe your parenting schedule here.)

17. **Children's health-care expenses**
    a. ☐ I do ☐ I do not have health insurance available to me for the children through my job.
    b. Name of insurance company:
    c. Address of insurance company:

    d. The monthly cost for the **children's** health insurance is or would be *(specify):* $
    (Do not include the amount your employer pays.)

18. **Additional expense for the children in this case**

	Amount per month
a. Childcare so I can work or get job training.....	$ _____
b. Children's health care not covered by insurance.....	$ _____
c. Travel expenses for visitation.....	$ _____
d. Children's educational or other special needs *(specify below):*.....	$ _____

19. **Special hardships.** I ask the court to consider the following special financial circumstances *(attach documentation of any item listed here, including court orders):*

	Amount per month	For how many months?
a. Extraordinary health expenses not included in 18b.....	$ _____	_____
b. Major losses not covered by insurance *(examples: fire, theft, other insured loss)*.....	$ _____	_____
c. (1) Expenses for my minor children who are from other relationships and are living with me.....	$ _____	_____
(2) Names and ages of those children *(specify):*		
(3) Child support I receive for those children.....	$ _____	

The expenses listed in a, b, and c create an extreme financial hardship because *(explain):*

20. **Other information I want the court to know concerning support in my case** *(specify):*

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Print this form Save this form Clear this form

DV-800-INFO/JV-270-INFO How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?

What do I need to turn in, sell, or store?

You must turn in, sell, or store all of the following prohibited items that you have or own:

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, includes receivers, frames, and any item that may be used as or easily turned into a receiver or frame (also called "ghost guns"); and
- Ammunition, including bullets, shells, cartridges, and clips.

How do I properly turn in, sell, or store the prohibited items?

You must take them to:

- Law enforcement, who will accept all prohibited items for safekeeping or to destroy,

  or

- A licensed gun dealer, who can buy or store your firearms. If you have firearm parts or ammunition, call ahead for more information.

When do I turn in, sell, or store prohibited items?

Immediately, if law enforcement asks you to. Otherwise, within 24 hours of being served, or told by a judge to do so.

Can I give my prohibited items to family or friends?

No, only to law enforcement or a licensed gun dealer. You cannot give your prohibited items to a family member, friend, or anyone else.

Do I have to pay a fee to store prohibited items?

You may have to pay a fee. Contact law enforcement or a licensed gun dealer about fees and whether they have space to store your items.

How do I take prohibited items to law enforcement?

Call your local law enforcement agency to ask about their procedures. They will give you specific instructions, like making sure your firearms are unloaded and in the trunk of the car. Take a copy of the restraining order with you. **Do not** bring your firearms to court.

If I turn in my firearms to law enforcement, how long will they keep them?

It depends. There are procedures for getting your firearms back after a restraining order expires. Ask the law enforcement agency.

After I give my firearms to law enforcement, can I change my mind?

Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearms you are selling.

How do I prove to the judge that I have complied with (obeyed) the orders?

1. Bring a copy of form DV-800/JV-270, *Receipt for Firearms, Firearm Parts, and Ammunition*, with you, and ask the dealer or officer to complete and sign the form.
2. File form DV-800/JV-270 with the court. Make sure you get two copies. All receipts must be filed with the court within 48 hours from the time you were served with the restraining order, unless the judge gave you another deadline.

Do I need to bring a copy of the receipt to anyone besides the judge?

Yes, if:

- Law enforcement served you with the restraining order, you must give them a copy of your receipt (example: form DV-800/JV-270). If you don't know who served you with the restraining order, ask the court clerk for a copy of the proof of service form for the restraining order. The law enforcement agency is listed on that form.
- You did not obey the order when you were supposed to, and the court notified law enforcement or a prosecuting attorney. (Tip: Look at forms DV-110, DV-130, or DV-820 to see if the court notified another agency. If the court did, give a copy of the receipt to the agencies listed on any of the forms).

Where can I find free help?

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.

More information on how to obey these orders is available online

https://selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders.

DV-800/JV-270 Receipt for Firearms, Firearm Parts, and Ammunition

Clerk stamps date here when form is filed.

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:

Name: _____

2 Your Information (Restrained Person)

a. Your Name: _____

b. Your Address
(This address could 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, 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: _____

Telephone: _____ Fax: _____

Email Address: _____

c. Your Lawyer *(if you have one for this case)*:

Name: _____ State Bar No.: _____

Firm Name: _____

3 To the Restrained Person:

If a judge has ordered you to turn in, sell, or store your firearms (guns), firearm parts, and ammunition, use this form to prove to the judge that you have obeyed their orders. Take this form to a law enforcement officer or a licensed gun dealer to complete 4 or 5. For more information on how to properly turn in your items, read form DV-800-INFO/JV-270-INFO, *How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?*

4 To Law Enforcement

(Complete the section below. Keep a copy and give the original to the person in 2 .)

Name of Law Enforcement Agency: _____

Name of Law Enforcement Agent: _____

Address: _____

Telephone number: _____ Email address: _____

Items Surrendered

a. Firearms, firearm parts, and ammunition transferred on:
Date: _____ Time: _____ ☐ a.m. ☐ p.m.

b. List of items. (List all the items surrendered by the person in 2. You may attach a separate form from your agency (e.g., a property report), use 6, or both.) Check below if you have attached a separate form:

☐ Separate form is attached. (If it does not include all surrendered items, list additional items in 6.)

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

▶ *Signature of law enforcement agent* _____

Case Number:

5 To Licensed Gun Dealer

(Complete the section below. Keep a copy and give the original to the person in 2 .)

Name of Licensed Gun Dealer: _____

License number: _____

Address: _____

Telephone number: _____ Email address: _____

Items Stored or Sold

a. Firearms, firearm parts, and ammunition transferred on:
Date: _____ Time: _____ ☐ a.m. ☐ p.m.

b. List of items. (List all the items surrendered by the person in 2. You may attach a separate form (e.g., DOJ's Report of Firearm Acquisition), use 6, or both.) Check below if you have attached a separate form:

☐ Separate form is attached. (If it does not include all surrendered items, list additional items in 6.)

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

▶ *Signature of licensed gun dealer* _____

6 ☐ List of Items Surrendered

a. Firearms and firearm parts

	Make	Model	Serial Number, if there is one	Sold	Stored	To be destroyed
(1)				☐	☐	☐
(2)				☐	☐	☐
(3)				☐	☐	☐
(4)				☐	☐	☐
(5)				☐	☐	☐
(6)				☐	☐	☐

b. Ammunition

	Brand	Type	Amount	Sold	Stored	To be destroyed
(1)				☐	☐	☐
(2)				☐	☐	☐
(3)				☐	☐	☐
(4)				☐	☐	☐
(5)				☐	☐	☐
(6)				☐	☐	☐

☐ Check here if there is not enough space above for your answer. Use a separate sheet of paper to list other items and attach it to this form. Use "DV-800/JV-270, List of Surrendered Items" as a title.

Case Number:

7 To the Restrained Person:

Besides the items listed on page 2 or in an attached form, do you have or own any other firearms (guns), firearm parts, or ammunition?

☐ No

☐ Yes *(If yes, check one of the boxes below:)*

a. ☐ I filed a *Receipt for Firearms, Firearm Parts, and Ammunition* (form DV-800/JV-270) or other proof for those items with the court o*n (date):* _____

b. ☐ I am filing the proof for those firearms (guns), firearm parts, or ammunition along with this proof.

c. ☐ I have not yet filed the proof for the other firearms (guns), firearm parts, or ammunition. *(Explain why not):*

_____
_____
_____
_____
_____
_____

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

Your Next Steps

- After the form is complete, make two additional copies. Take the copies and original to the court clerk to file.
- If law enforcement served you with the restraining order, give a copy to the law enforcement agency that served you with the restraining order.
- Keep a copy for yourself.

Note that failure to file a receipt with the court and with the law enforcement agency is a violation of the judge's order.

DV-250 Proof of Service by Mail

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of
Orange
341 The City Drive South
Orange, CA 92868

Lamoreaux Justice Center

Fill in case number:

Case Number:

1 Name of Person Asking for Protection:

_____

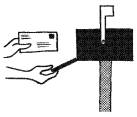
2 Name of Person to Be Restrained:

_____

3 Notice to Server

The server must:

- Be 18 years of age or over.
- Not be listed in items 1, 2 or 3 of form DV-100, *Request for Domestic Violence Restraining Order.*
- Mail a copy of all documents checked in 4 to the person in 5.



4 I (the server) am 18 years of age or over and live in or am employed in the county where the mailing took place. I mailed a copy of all documents checked below to the person in 5:

a. ☐ DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*
b. ☐ DV-120, *Response to Request for Domestic Violence Restraining Order*
c. ☐ FL-150, *Income and Expense Declaration*
d. ☐ FL-155, *Simplified Financial Statement*
e. ☐ DV-130, *Restraining Order After Hearing (Order of Protection)*
f. ☐ Other *(specify)*: _____

5 I placed copies of the documents checked above in a sealed envelope and mailed them as described below:

a. Name of person served: _____
b. To this address: _____
City: _____ State: _____ Zip: _____
c. Mailed on *(date)*: _____
d. Mailed from (*city*): _____ (*state*): _____

6 Server's Information

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____

If you are a registered process server:
County of registration: _____ Registration number: _____

7 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 server's name

▶ _____
Server to sign here