

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
Petition for Modification of Protective Order in Criminal Proceeding
Information and Instructions

General Information for the victim requesting modification:

The petition should state the reasons that support your request. If additional space is needed to provide complete information in the Petition you may attach a separate page. As a reminder, the information that you provide is public information unless otherwise ordered by the court. A copy of your petition may be given to the defendant and may be used in the hearing for modification. The defendant is also entitled to request a hearing at which your presence may be requested.

To Increase/Add protective terms to the order:

If you are the victim named in a protective order or if you are the parent or guardian of a victim named in a protective order you may request the Court modify the existing protective order by increasing or adding terms.

1. Complete the form titled *Petition for Modification of Protective Order in Criminal Proceeding*.
2. File the completed petition in the Criminal Operations Division at the Justice Center where the protective order was issued.
3. Notify the clerk at the counter that you are requesting to increase protection; you will be sent to court immediately.

Note: Your home, work or other address may be kept confidential if the defendant doesn't know them. However, a mailing address may be requested by the Court so you may be notified of future hearings.

To reduce/remove protective terms on the order:

If you are the victim named in a protective order or if you are the parent or guardian of a victim named in a protective order you may request the Court modify the existing protective order by removing terms.

1. Complete the form titled *Petition for Modification of Protective Order in Criminal Proceeding*.
2. File the completed petition in the Criminal Operations Division at the Justice Center where the protective order was issued.
3. The clerk will set a court hearing at least 10 days away at which you and the defendant must appear; the clerk's office will send a notice of hearing to the defendant and other parties.

Note: The filing of this petition does not change the terms of the order on file. The defendant must stay in compliance of the protective order. At the time of the hearing the Judge or Commissioner will make the determination as to the requested modification.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE
Petition for Modification of Protective Order in Criminal Proceeding
Information and Instructions

General Information for the defendant requesting modification:

The petition should state the reasons that support your request. If additional space is needed to provide complete information in the Petition you may attach a separate page. As a reminder, the information that you provide is public information unless otherwise ordered by the court. A copy of your petition may be given to the victim and may be used in the hearing for modification. The victim is also entitled to request a hearing at which your presence may be requested.

To reduce/remove protective terms on the order:

If you are the defendant you may request the Court modify the existing protective order by removing or reducing terms.

1. Complete the form titled *Petition for Modification of Protective Order in Criminal Proceeding*.
2. File the completed petition in the Criminal Operations Division at the Justice Center where the protective order was issued.
3. The clerk will set a court hearing will at least 10 days away at which you must appear; the clerk's office will send a notice of hearing to the victim and other parties.

Note: Filing this petition does not change the terms of the order on file. You must stay in compliance of the protective order. At the time of the hearing the Judge or Commissioner will make the determination as to the requested modification.

Frequently asked questions by defendants:

Q: If I have been ordered to stay away from my house how do I collect my belongings?

A: If you need to retrieve personal belongings or clothing, a Judicial Officer may grant an order that will allow for the return of such items. To set up the hearing contact the Criminal Operations Division at the Justice Center that issued the protective order.

Q: What can I do if this order prevents me from seeing my children?

A: If the protective order conflicts with your child custody rights you must request a hearing with the Court that issued the protective order. To set up a hearing contact the Criminal Operations Division at the Justice Center that issued the protective order.

Q. What if the victim contacts me and gives me permission to return to my residence?

A: The only person that can change the court order is a Judge or Commissioner of the Superior Court. If you are in contact with someone you have been ordered not to contact you are violating the court order. To change the terms to allow peaceful contact you must follow the instructions above.