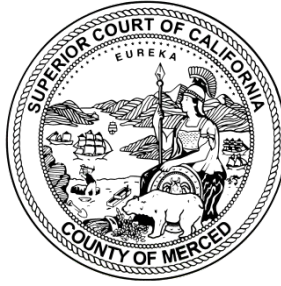


# SUPERIOR COURT OF CALIFORNIA

## COUNTY OF MERCED



### DOMESTIC VIOLENCE PREVENTION ACT

### PROTECTIVE ORDER PACKET

### PARTIES SHARE MINOR CHILDREN AND REQUESTED ORDERS INCLUDE CHILD CUSTODY ORDERS

<b>FORMS INCLUDED IN THIS PACKET</b>	
Can a Domestic Violence Restraining Order Help Me?	Judicial Council Form #DV-500-INFO
How Do I Ask for a Temporary Restraining Order?	Judicial Council Form #DV-505-INFO
Get Ready for the Court Hearing	Judicial Council Form #DV-520-INFO
Domestic Violence and Child Custody Info Sheet	Judicial Council Info Sheet
<b>FORMS FOR REQUESTING PARTY TO FILE:</b>	
Confidential CLETS Information	Judicial Council Form #CLETS-001
Declaration in Support of Ex Parte Application for Orders	Local Form #MSC-FL-023
Request for Domestic Violence Restraining Order	Judicial Council Form #DV-100
Description of Abuse	Judicial Council Form #DV-101
Request for Child Custody and Visitation Orders	Judicial Council Form #DV-105
Notice of Court Hearing	Judicial Council Form #DV-109
Temporary Restraining Order	Judicial Council Form #DV-110
Child Custody and Visitation Order	Judicial Council Form #DV-140
Restraining Order After Hearing	Judicial Council Form #DV-130
Child Custody and Visitation Order	Judicial Council Form #DV-140
Request for Interpreter (Civil)	Judicial Council Form #INT-300
What is "Proof of Personal Service"?	Judicial Council Form #DV-200-INFO
Proof of Personal Service	Judicial Council Form #DV-200
<b>BLANK FORMS TO SERVE ON RESTRAINED PARTY</b>	
How Can I Respond to a Request for Domestic Violence Restraining Order?	Judicial Council Form #DV-120-INFO
Domestic Violence and Child Custody Info Sheet	Judicial Council Info Sheet
How to Safely Turn in Firearms and Ammunition	Local Form #MSC-AD-015
Response to Request for Domestic Violence Restraining Order	Judicial Council Form #DV-120
Proof of Service of Response by Mail	Judicial Council Form #DV-250

This page intentionally left blank

### 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 the restraining order help me?

The court can order the restrained person to:

- Not contact or go near you, your children, other relatives, or others who live with you;
- Not have any guns or ammunition;
- Move out of your home;
- Obey child custody and visitation orders;
- Pay child support;
- Pay spousal support; and
- Obey orders about property.

### Does this request cost money to file?

No, filing this request with the court is free.

### How soon can I get the order?

The judge will decide within one business day whether to grant you a temporary restraining order. Sometimes the judge decides sooner.

### How long does the order last?

If the judge makes a temporary order, it will last until your hearing date (court date). At your court date, the judge will decide whether to grant you a long-term restraining order that can last up to five years.

### Do I have to go to court?

Yes. Go to court on the date the clerk gives you. If you do not, any order you have will end. To learn more about what to expect at your court date go to <https://selfhelp.courts.ca.gov/prepare-your-restraining-order-court-date> or read [form DV-520-INFO, Get Ready for the Restraining Order Court Hearing](#).

### Am I eligible?

You can ask for one if:

#### ① You want a restraining order against:

- 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);
- Someone you live with or used to live with (more than just roommates);

and

#### ② That person has been abusive.

**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, repeatedly contacting you, and disturbing your peace.

**Disturbing your peace** means destroy your 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 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; and making them do something that they don't want to do by force, threat, or intimidation. This includes threats related to actual or suspected immigration status.

### How do I ask for a domestic violence restraining order?

See [form DV-505-INFO, How Do I Ask for a Temporary Restraining Order?](#) The forms are available at any California courthouse or county law library or at: [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms).



**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 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://www.courts.ca.gov/selfhelp-abuse.htm>.

**Can I use the 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.

**Can the order stop the other parent from taking our children away?**

If you get a temporary restraining order that includes an order for custody, the parent with custody may not remove the child from California before notice to the other parent and a court hearing on the request to establish or modify custody. Read the order and form DV-140, *Child Custody and Visitation Order*, if issued, for any other limits. There are some exceptions. Ask a lawyer.

**Is the restraining order valid outside of California?**

Yes, the restraining order would be valid anywhere in the United States. This means that police must enforce the restraining order anywhere in the country.

**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, talk to an immigration lawyer.

**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](http://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](http://www.thehotline.org).

**I need an interpreter. How can I get help?**

You may 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/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](http://www.courts.ca.gov/forms.htm) for *Disability Accommodation Request* ([form MC-410](#)). (Civil Code, § 54.8.)



**1 Use this form as a checklist.**

(Look at the numbers at the top of your forms.)

a. For a restraining order you need these forms:

- [DV-100](#) Request for Domestic Violence Restraining Order
- [CLETS-001](#) (Confidential CLETS Information)
- [DV-109](#) Notice of Court Hearing
- [DV-110](#) Temporary Restraining Order

b. If you have children with the person you want protection from, you also need these forms:

- [DV-105](#) Request for Child Custody and Visitation Orders
- [DV-140](#) Child Custody and Visitation Order

c. If you want child support or spousal/partner support, you also need form:

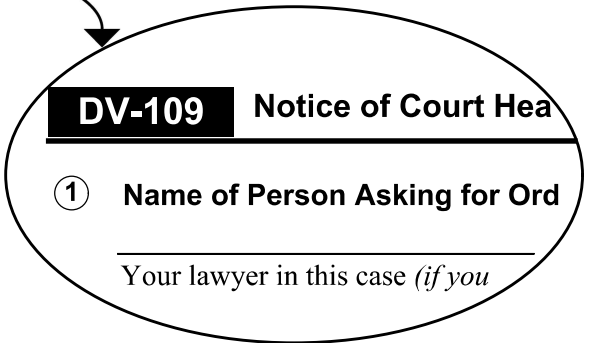
- [FL-150\\*](#) Income and Expense Declaration or
- [FL-155\\*](#) Financial Statement (Simplified)

\* Read *Which Financial Form—FL-155 or FL-150?* (form [DV-570](#)) to know which one is right for you.

d. Ask the clerk if your county has special forms or rules.

e. There are other forms you will need later (*do not fill them out now*):

- [DV-120](#) Response to Request for Domestic Violence Restraining Order
- [DV-130](#) Restraining Order After Hearing (Order of Protection)
- [DV-200](#) Proof of Personal Service



**2 Fill out the forms you need and take them to the court clerk.** The clerk will give your forms to the judge. The judge will look at them and decide whether to make (“grant”) the temporary orders. Sometimes the judge will want to talk to you. If so, the clerk will tell you.

**3 Find out if the judge made the temporary restraining orders.** Ask the clerk when to come back to see if the judge signed the order [form DV-110](#). The judge must decide by the next business day. If the judge grants a temporary restraining order, check it carefully to see what the orders are. The judge might not order everything you requested. The court will set a hearing date on [form DV-109](#) whether or not the judge grants any temporary orders.

**4 "File" the judge's order.** The clerk will keep the original forms for the court and will file-stamp up to three copies for you. If you need more, you may make them yourself.

***What to do with your copies:***

- Keep one copy with you, always. You may need to show it to the police.
- Keep another copy in a safe place.
- Give a copy to anyone else protected by the order.
- Take copies to places where the restrained party is ordered not to go (school, work, child care, etc.)
- Give a copy to the security officers in your apartment building and workplace.

Restraining orders get entered into CLETS, a statewide computer system that lets police know about your order. The court will send the order to law enforcement or CLETS for you.



**5 Know your hearing date: [Form DV-109](#)**

Look at [form DV-109](#) for the date and time of your hearing. You **must** go to your hearing to get a permanent order.

The order you have now only lasts for about three weeks. Any orders made on [form DV-110](#) (*Temporary Restraining Order*) will end on the hearing date.

You have the right to cancel the hearing. Read page 2 of [form DV-109](#) for information.

**6 "Serve" the restrained party.**

Ask someone you know, a process server, or law enforcement to personally "serve" (give) the restrained party a copy of the notice of hearing, the order, and other papers. You **cannot** serve the papers yourself. They **cannot** be sent by mail. The server must:

- Be 18 years of age or older
- Not be listed in item ① or ③ of [form DV-100](#), *Request for Domestic Violence Restraining Order*.

Law enforcement will serve the orders for **free**, but you have to ask.

A "process server" is a business you pay to deliver court forms. Look in the Yellow Pages or on the Internet under "Process Serving."

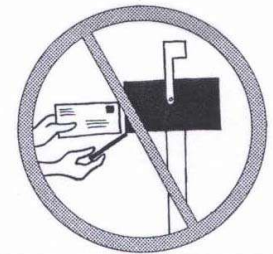
If law enforcement or the process server uses a different proof of service form, make sure the form lists all the forms served.

**7 File the *Proof of Personal Service* ([Form DV-200](#)).**

The *Proof of Personal Service* shows the judge and police that the restrained person got a copy of the request for orders. Make three copies of the completed *Proof of Personal Service*. Take the original and copies to the court clerk as soon as possible **before your hearing**. The clerk will keep the original and give you back the copies stamped "Filed." Bring a copy to your hearing.

Keep one copy with you and another in a safe place in case you need to show it to the police. Give the other copies out as you did in ④. The court will send your completed *Proof of Personal Service* to law enforcement or CLETS for you. CLETS is a statewide computer system that lets police know about your order.

If the sheriff serves your order, he or she will send the *Proof of Personal Service* to the court and to CLETS for you.



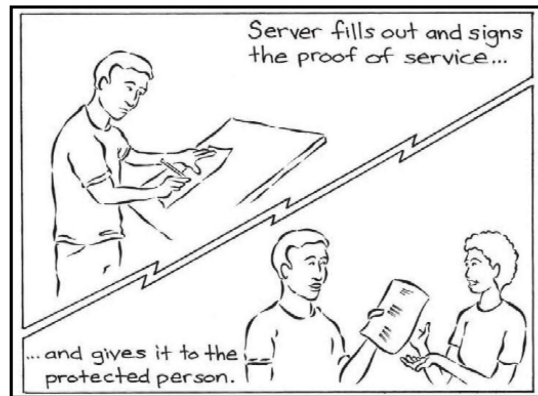
*Don't serve it by mail!*



**8 If the restrained party wasn't served . . .**

The restrained party **must** be served before the hearing. If the restrained party wasn't served, fill out [form DV-115](#) (*Request to Continue Hearing*) and the top of [form DV-116](#) (*Order on Request to Continue Hearing*) to ask the judge for a new hearing date. Do this **before** or **at** your hearing. (If you wait until after the hearing, you have to start from the beginning and complete all of the forms again.)

If the judge signs [form DV-116](#), any restraining orders will last until the end of the new hearing.



- File the signed order ([form DV-116](#)) with the clerk. The clerk will send it to law enforcement or CLETS for you.
- Attach form DV-115 and form DV-116 to your other court papers and have the restrained party personally served.
- After serving the orders, the server fills out and signs [form DV-200](#), *Proof of Personal Service*, and gives it to you.
- File the original form DV-200, *Proof of Personal Service*, and bring a copy to your hearing.
- Bring a copy of form DV-115 and form DV-116 to your hearing.

**9 Need help?**

The clerk has information sheets that can help you. Or you can get them at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms).

- *Can a Domestic Violence Restraining Order Help Me?* ([form DV-500-INFO](#))
- *What Is "Proof of Personal Service"?* ([form DV-200-INFO](#))
- *Get Ready for the Court Hearing* ([form DV-520-INFO](#))
- *How to Enforce Your Restraining Order* ([form DV-530-INFO](#))
- *How Can I Respond to a Request for Domestic Violence Restraining Order?* ([form DV-120-INFO](#))
- *How Do I Ask the Court to Renew My Restraining Order?* ([form DV-700-INFO](#))
- *Which Financial Form—FL-155 or FL-150?* ([form DV-570](#))

**10 Need more help?**

- Ask the court clerk about free or low-cost legal help.
- For a referral to a local domestic violence or legal assistance program, call the National Domestic Violence Hotline:

**1-800-799-7233**

**TDD: 1-800-787-3224**

It's free and private. They can help you in more than 100 languages.

This page intentionally left blank

This form explains what to do *before*, *during*, and *after* the restraining order hearing. You can go to [www.courts.ca.gov/dvforms](http://www.courts.ca.gov/dvforms) for more information and to find the court forms listed in this information form

**Before the hearing**

*Take these papers to court (you can use the check boxes on this page to keep track of what you need or have):*

- 3 copies of **all** papers you filed for your case.
- 3 copies of documents that support your case (police or medical reports, rental agreements or receipts, photos, bills). Be ready to give the other party copies of what you give to the judge. Sometimes the judge cannot look at or consider certain documents. The judge will decide which documents can be included in your case.
- 3 copies of pay stubs or other proof of income (only if orders about money, such as child or spousal support, were requested). If the judge accepts your proof, s/he will also give a copy to the other person.
- The signed Proof of Service form.** For more information, see [DV-200-INFO](#), *What Is “Proof of Personal Service?”*
- Make a list of the orders you want (or don’t want), and practice saying it. You may only have a few minutes to talk to the judge. If you get nervous at the hearing, just read from your list. You may also write a statement and read it to the judge. You may also say other things after you read the statement.
- Childcare.** Most of the time, children will not be allowed in the courtroom during the hearing. Call the court and ask if they have a children’s waiting room. If not, arrange for childcare.

**If needed, make arrangements for:**

- A support person.** But that person cannot speak for you in court.
- Witness(es)** to testify in court. Or you may bring a witness’s signed statement of what they saw or



heard. The witness’s statement can be on a sheet of paper that says *Declaration* at the top, and *Signed under penalty of perjury* at the bottom, just above the witness’s signature. Or the witness may use form [MC-030](#), *Declaration* instead.



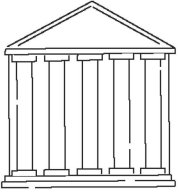
request form if you want the court to have an interpreter at the hearing. If the court cannot give you an interpreter, bring an adult to interpret for you. Do not ask a witness or a child involved in your case to interpret for you.

**Exception:** If the other person objects to your witness, that witness must be in court if you want the judge to hear from him or her.

If the hearing is about getting a restraining order **against** you:

- **Go to the hearing!** If you miss it, the judge can make orders without hearing your side.
- Read [DV-120-INFO](#), *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- You can fill out and file a court form to tell the judge your side (form [DV-120](#), *Response to Request for Domestic Violence Restraining Order*). Take 3 copies of this form to the court hearing.
- *Note:* If the other person asks for orders about money (child or spousal support or other financial orders), read form [DV-570](#) to see if you should fill out an Income and Expense Declaration or a Simplified Financial Statement.



**At the hearing**

Get to court at least **30 minutes early**. Find your courtroom. When it opens, go in and tell the courtroom clerk or law enforcement officer you are present, and the names of any witnesses, and if the witness needs an interpreter.

- Do not sit near or talk to the other person. If you are afraid of the other person, tell the officer.
- Watch the other cases so you will know what to do.
- Go to the front of the courtroom when they call your name.
- You may be at court several hours. It depends on how many cases there are. Your hearing may last just a few minutes or over an hour.

**Warning!** If you asked for the restraining order but do not go to the hearing, your temporary restraining order will end and there may not be a hearing. The court could make other orders if the other side asks, even if the restraining order is not granted. To get another restraining order, you must fill out and file a new set of forms.

**In the courtroom**

The judge may ask you questions. The other people in the case and their lawyers may ask questions, too.

- Tell the truth. Speak slowly. Give complete answers. You can read from your list.
- Try to answer exactly what the judge asks.
- If you don't understand, say "I don't understand the question."
- Speak only to the judge unless it's your turn to ask questions or the judge tells you to answer a question from the other person or his/her lawyer.
- Do not interrupt anyone! If the other person tells a lie, wait until s/he finishes talking, then tell the judge.

**Family Court Services**

If you ask for parenting time (custody and visitation) orders, the court may send both parents to Family Court Services for *court-connected mediation* or *child custody recommending counseling*. For more information, see forms: [FL-313-INFO](#), *Child Custody Information Sheet—Recommending Counseling*, or [FL-314-INFO](#), *Child Custody Information Sheet—Child Custody Mediation*. If you are sent to Family Court Services, the judge may extend the date of the orders (or make new temporary orders) to last until your next court date.

**The court may postpone (continue) your case if:**

- The person to be restrained has not been served or needs time to get a lawyer or prepare an answer.
- The judge wants more information or your hearing is taking longer than planned.

If this happens, you will have to come back another day. The person who asked for the order may ask the judge to make the temporary orders last until the new hearing date. The court might use form [DV-116](#) for the new hearing.

**At the end of the hearing**

For most cases, the judge will make decisions about your case at the end of the hearing. To decide if the requested orders should be approved or not, the judge will decide if the evidence shows that the person asking for protection is entitled to a restraining order. The judge will consider the evidence and the safety risks of the adults and children involved in the case. If the judge makes orders at the hearing, the orders will be on form [DV-130](#), *Restraining Order After Hearing*.

If you asked for the order(s):

- The court clerk might fill out form [DV-130](#). If so, s/he will take it to the judge. If not, ask who should fill it out, and where to file it. After the form is filed, the court clerk will give you up to 3 copies.
- Read the signed form [DV-130](#) carefully. If anything is different from what the judge said in court, ask the clerk for help right away. Or talk to your lawyer, if you have one.
- Your temporary orders expire at midnight of the date of your hearing. File your new order the same day so you will be protected.
- If the court makes the restraining order, the clerk will send form [DV-130](#), *Restraining Order After Hearing* to law enforcement. Doing this puts your orders in a database called CLETS. This lets police everywhere in the state know about the orders.
- **Important!** Always keep a copy of the restraining order with you.





**After the hearing**

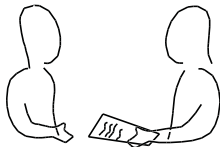
If you **asked** for the restraining order, and the court made the order...



You must have the other person served with a copy of form [DV-130](#). You may have him or her served with a copy of form [DV-130](#) in the courtroom after the hearing or by mail.

If the restrained person was *not* at the hearing and the new orders are

- the **same** as the temporary order, you may have the other person served with a copy of form [DV-130](#) by mail. Ask the server to complete form DV-250.
- **different** from the temporary order, you must have someone serve form [DV-130](#) in person, not by mail. Ask the server to complete form [DV-200](#), *Proof of Personal Service*, and give it back to you.



**Important!** You must file a completed form [DV-200](#), *Proof of Personal Service*, or form [DV-250](#), *Proof of Service by Mail*. Keep a copy for your records. Keep a copy of the orders with you at all times.

**Other orders**

If you asked for support or child custody/visitation orders, you may also get one of these forms:

- Form [DV-140](#), *Child Custody and Visitation Order*, if the judge ordered child custody or visitation.
- Form [FL-342](#), *Child Support Information and Order Attachment*, or form [FL-343](#), *Spousal, Partner, or Family Support Order Attachment*, if the judge orders child support and/or spousal support.

**What if you are deaf or hard of hearing?**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Order* (form [MC-410](#)). (Civil Code, § 54.8)

If the court made a restraining order **against** you...

- You must obey orders the judge makes at the hearing. Orders are written on form [DV-130](#). If you do not obey them, you could be arrested.
- You will be served the *Restraining Order After Hearing* (form [DV-130](#)) at the hearing or within a few days, by mail or in person.
- Read the signed form [DV-130](#) carefully when you receive it. If anything is different from what the judge said, ask the court clerk for help right away. Or talk to your lawyer, if you have one.

If you do not receive a copy of the orders within a few days, ask the clerk for a copy.

Review *How Do I Turn In, Sell, or Store My Firearms* ([DV-800-INFO/JV-252-INFO](#)).

**Need more help?**

Ask the court clerk about free or low-cost legal help. Ask for information at the court about the Self-Help Center or Family Law Facilitator Office.

For a referral to a local domestic violence or legal assistance program, call the National Domestic Violence Hotline: **1-800-799-7233**

**TDD: 1-800-787-3224**

It's free and private. They can help you in more than 100 languages.

This page intentionally left blank



# Domestic Violence and Child Custody

If there has been domestic violence in your family, here is important information about a law that may affect you.

## What is “domestic violence”?

It means to hit, kick, scare, throw things, pull hair, push, follow, harass, sexually assault, or threaten to do any of these things. It also includes other actions that make someone afraid of being hurt. Domestic violence can be spoken, written, or physical.

## What is “child custody”?

There are two types:

- **Physical custody:** The person that the child lives with on a regular basis.
- **Legal custody:** The right for a person to make important decisions about the child’s health care, education, and welfare.

## When does domestic violence affect who gets custody of my child?

In the last 5 years, has a parent in this case committed domestic violence that resulted in a:

- (1) **conviction** in criminal court for domestic violence against one of the following people:
- the other parent in the custody case,
  - any of your children or your children’s siblings,
  - current spouse, someone they are currently dating, engaged to or currently lives with or
  - their parent?

OR

(2) “**finding**” of domestic violence by a judge against any of the people listed above (*example: a judge granted a restraining order for 1 or more years*)?

If you answered “yes” to (1) or (2), a special law applies to your case. Judges, attorneys, and court professionals refer to this special law as “3044”—the exact law that applies to your case (see page 2). Even if this law does not apply to your case, you should give the judge any information about domestic violence or abuse that you want the judge to consider when making a decision about child custody.

If someone that is not your child’s parent is asking the court for custody, this law applies to them as well.

## What happens when the special law (3044) applies to my case?

Under the special law, the judge can only give custody to the person who has a domestic violence conviction/finding if the judge believes that it is in the child’s best interest to do so. The judge must look at 7 factors, including the child’s best interest, in making this decision. The 7 factors that the judge must look at are:

1. What is in the child’s best interest?
2. Has the person committed any other domestic violence?
3. Has the person followed all the terms and conditions of any restraining order?
4. Has the person finished a 1 year batterer intervention program?
5. Has the person finished an alcohol/drug program, if required by the court?
6. Has the person finished a parenting class, if required by the court?
7. If on probation or parole, has the person followed all terms of probation or parole?

The judge must go through this 7-factor test in every case that it applies to, even if a court professional or evaluator makes a recommendation in your case. To learn more about the custody process in family court, visit <http://www.courts.ca.gov/selfhelp-custody.htm/>.



JUDICIAL COUNCIL  
OF CALIFORNIA  
OPERATIONS AND PROGRAMS DIVISION  
CENTER FOR FAMILIES, CHILDREN & THE COURTS

## Family Code 3044

(a) Upon a finding by the court that a party seeking custody of a child has perpetrated domestic violence within the previous five years against the other party seeking custody of the child, or against the child or the child's siblings, or against any person in subparagraph (C) of paragraph (1) of subdivision (b) of Section 3011 with whom the party has a relationship, there is a rebuttable presumption that an award of sole or joint physical or legal custody of a child to a person who has perpetrated domestic violence is detrimental to the best interests of the child, pursuant to Sections 3011 and 3020. This presumption may only be rebutted by a preponderance of the evidence.

(b) To overcome the presumption set forth in subdivision (a), the court shall find that paragraph (1) is satisfied and shall find that the factors in paragraph (2), on balance, support the legislative findings in Section 3020.

(1) The perpetrator of domestic violence has demonstrated that giving sole or joint physical or legal custody of a child to the perpetrator is in the best interests of the child pursuant to Sections 3011 and 3020. In determining the best interests of the child, the preference for frequent and continuing contact with both parents, as set forth in subdivision (b) of Section 3020, or with the noncustodial parent, as set forth in paragraph (1) of subdivision (a) of Section 3040, may not be used to rebut the presumption, in whole or in part.

(2) Additional factors:

(A) The perpetrator has successfully completed a batterer's treatment program that meets the criteria outlined in subdivision (c) of Section 1203.097 of the Penal Code.

(B) The perpetrator has successfully completed a program of alcohol or drug abuse counseling, if the court determines that counseling is appropriate.

(C) The perpetrator has successfully completed a parenting class, if the court determines the class to be appropriate.

(D) The perpetrator is on probation or parole, and he or she has or has not complied with the terms and conditions of probation or parole.

(E) The perpetrator is restrained by a protective order or restraining order, and he or she has or has not complied with its terms and conditions.

(F) The perpetrator of domestic violence has committed any further acts of domestic violence.

(c) For purposes of this section, a person has "perpetrated domestic violence" when he or she is found by the court to have intentionally or recklessly caused or attempted to cause bodily injury, or sexual assault, or to have placed a person in reasonable apprehension of imminent serious bodily injury to that person or to another, or to have engaged in behavior involving, but not limited to, threatening, striking, harassing, destroying personal property, or disturbing the peace of another, for which a

court may issue an ex parte order pursuant to Section 6320 to protect the other party seeking custody of the child or to protect the child and the child's siblings.

(d) (1) For purposes of this section, the requirement of a finding by the court shall be satisfied by, among other things, and not limited to, evidence that a party seeking custody has been convicted within the previous five years, after a trial or a plea of guilty or no contest, of a crime against the other party that comes within the definition of domestic violence contained in Section 6211 and of abuse contained in Section 6203, including, but not limited to, a crime described in subdivision (e) of Section 243 of, or Section 261, 262, 273.5, 422, or 646.9 of, the Penal Code.

(2) The requirement of a finding by the court shall also be satisfied if a court, whether that court hears or has heard the child custody proceedings or not, has made a finding pursuant to subdivision (a) based on conduct occurring within the previous five years.

(e) When a court makes a finding that a party has perpetrated domestic violence, the court may not base its findings solely on conclusions reached by a child custody evaluator or on the recommendation of the Family Court Services staff, but shall consider any relevant, admissible evidence submitted by the parties.

(f) (1) It is the intent of the Legislature that this subdivision be interpreted consistently with the decision in *Jaime G. v. H.L.* (2018) 25 Cal.App.5th 794, which requires that the court, in determining that the presumption in subdivision (a) has been overcome, make specific findings on each of the factors in subdivision (b).

(2) If the court determines that the presumption in subdivision (a) has been overcome, the court shall state its reasons in writing or on the record as to why paragraph (1) of subdivision (b) is satisfied and why the factors in paragraph (2) of subdivision (b), on balance, support the legislative findings in Section 3020.

(g) In an evidentiary hearing or trial in which custody orders are sought and where there has been an allegation of domestic violence, the court shall make a determination as to whether this section applies prior to issuing a custody order, unless the court finds that a continuance is necessary to determine whether this section applies, in which case the court may issue a temporary custody order for a reasonable period of time, provided the order complies with Section 3011, including, but not limited to, subdivision (e), and Section 3020.

(h) In a custody or restraining order proceeding in which a party has alleged that the other party has perpetrated domestic violence in accordance with the terms of this section, the court shall inform the parties of the existence of this section and shall give them a copy of this section prior to any custody mediation in the case.

**California Law Enforcement Telecommunications System (CLETS)  
Information Form**

- This form is submitted with the initial filing (*date*): \_\_\_\_\_
- This is an amended form (*date*): \_\_\_\_\_

**Important: This form MUST NOT become part of the public court file. It is confidential and private.**

Fill out as much of this form as you can and give it to the court clerk. If the court issues a restraining order, this form will provide law enforcement with information that will help them enforce it. If any of this information changes, fill out a new (amended) form.

Case Number (*if you know it*): \_\_\_\_\_

**1 Person to Be Protected** (*Name*): \_\_\_\_\_

Sex:  M  F    Height: \_\_\_\_\_    Weight: \_\_\_\_\_    Race: \_\_\_\_\_

Hair Color: \_\_\_\_\_    Eye Color: \_\_\_\_\_    Age: \_\_\_\_\_    Date of Birth: \_\_\_\_\_

Mailing Address (*listed on restraining order*): \_\_\_\_\_

City: \_\_\_\_\_    State: \_\_\_\_\_    Zip: \_\_\_\_\_    Telephone (*optional*): \_\_\_\_\_

Vehicle (*Type, Model, Year*): \_\_\_\_\_ (*License Number and State*): \_\_\_\_\_

**2 Person to Be Restrained** (*Name*): \_\_\_\_\_

Sex:  M  F    Height: \_\_\_\_\_    Weight: \_\_\_\_\_    Race: \_\_\_\_\_

Hair Color: \_\_\_\_\_    Eye Color: \_\_\_\_\_    Age: \_\_\_\_\_    Date of Birth: \_\_\_\_\_

Residence Address: \_\_\_\_\_

City: \_\_\_\_\_    State: \_\_\_\_\_    Zip: \_\_\_\_\_    Telephone: \_\_\_\_\_

Business Address: \_\_\_\_\_

City: \_\_\_\_\_    State: \_\_\_\_\_    Zip: \_\_\_\_\_    Telephone: \_\_\_\_\_

Employer: \_\_\_\_\_

Occupation/Title: \_\_\_\_\_    Work Hours: \_\_\_\_\_

Driver's License Number and State: \_\_\_\_\_    Social Security Number: \_\_\_\_\_

Vehicle (*Type, Model, Year*): \_\_\_\_\_ (*License Number and State*): \_\_\_\_\_

Describe any marks, scars, or tattoos: \_\_\_\_\_

Other names used by the restrained person: \_\_\_\_\_

**3 Guns or Firearms**    Describe any guns or firearms that you believe the person in **2** owns or has access to (*Number, types, and locations*):

\_\_\_\_\_

\_\_\_\_\_

**4 Other People to Be Protected**

Name	Date of Birth	Sex	Race	Relation to Person in <b>1</b>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Additional persons to be protected are listed on Attachment 4.

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

This page intentionally left blank

<b>Attorney or Party Without Attorney (Name, Address, SB #)</b>  <hr style="width: 80%; margin-left: 0;"/> Petitioner,  v.  <hr style="width: 80%; margin-left: 0;"/> Respondent.	<i>Reserved for Clerk's File Stamp</i>          Case No. _____
<b>Declaration in Support of Ex Parte Application for Orders</b>	Case No. _____

Hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_ Dept: \_\_\_\_\_

I the:  Petitioner     Respondent     Other Parent     Other \_\_\_\_\_  
 declare the following:

**1. I would like the Judicial Officer to order:**

- Emergency Custody Order
- Domestic Violence Restraining Order
- Order Shortening Time
- Other: \_\_\_\_\_

**2. Reason ex parte relief is necessary:**

\_\_\_\_\_  
 \_\_\_\_\_

**3. Name of opposing party (or attorney):**

\_\_\_\_\_

**4. Was notice of the Ex Parte Request given to the other party?**     YES     NO

**5.  NOTICE WAS GIVEN:** The opposing parties were notified of the relief requested and that an Ex-Parte Hearing would be heard by the Court on (date) \_\_\_\_\_ at 8:45 a.m. as indicated below:

PLAINTIFF: RESPONDENT:	CASE NUMBER:
---------------------------	--------------

a. Notice was given to :  Attorney for:  Plaintiff/Petitioner  Defendant/Respondent  
 Other Parent  Other \_\_\_\_\_

b. Notification occurred on (date): \_\_\_\_\_ at (time) \_\_\_\_\_.  
*Note: notice must be given AT LEAST the day before the hearing by 10:00 a.m.*

c. Manner of notification *as per CRC 5.165(a)* :  By Phone  In Writing  
 By Voicemail Message

6. **NOTICE NOT GIVEN:** Notice of this request was not given to the other party because:

- a.  This is a request for a Domestic Violence Restraining Order.
- b.  Notice of this request would frustrate the purpose of the order sought for the following reason:  
 \_\_\_\_\_.
- c.  Applicant would suffer immediate and irreparable harm before this matter could be heard. (explain in detail)  
 \_\_\_\_\_.
- d.  A reasonable and good faith effort to notify the opposing party was made but notification was unsuccessful. (Describe in detail attempts made)  
 \_\_\_\_\_.

**Notice: After providing notice each party is to be served with the documents at the first reasonable opportunity.**

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

Dated: \_\_\_\_\_

\_\_\_\_\_  
 Printed Name By: \_\_\_\_\_  
Signature

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. After you complete this form, see next steps on page 12.

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 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: \_\_\_\_\_

Fill in court name and street address:

Superior Court of California, County of MERCED
2260 N Street
Mailing: 627 W. 21st Street
Merced, CA 95340

Court fills in case number when form is filed.

Case Number:

This is not a Court Order.



**3 Your Relationship to the Person in 2**

(If you do not have one of these relationships with the person in 2, you are not eligible for this type of restraining order. You may be eligible for another type of restraining order. Learn more at [www.courts.ca.gov/selfhelp-abuse.htm](http://www.courts.ca.gov/selfhelp-abuse.htm).)

**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
- Brother, sister, sibling, or sibling-in-law
- Child, stepchild, or legally adopted child
- Grandparent or grandparent-in-law
- Child's spouse
- 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 Court \_\_\_\_\_

Criminal \_\_\_\_\_

Other (what kind of case?): \_\_\_\_\_

**This is not a Court Order.**





**Describe Abuse**

In this section, explain how the person in (2) has been abusive. The judge will use this information to decide your request. Here are some examples of what "abuse" means under the law (*not a complete list*):

- harassed you
- 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
- 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.**



**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.**

**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.**



**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) <u>Full name</u>	<u>Age</u>	<u>Relationship to you</u>	<u>Lives with you?</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> 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) or Ammunition?**

- a.  I don't know
- b.  No
- c.  Yes *(If you have information, complete the section below.)*

(1) Describe firearms or ammunition *(examples: long, short, black, silver, handgun, rifle, semiautomatic):*

\_\_\_\_\_

\_\_\_\_\_

(2) Number of firearms or ammunition, if known: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(3) Where they are located or stored, if known: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**This is not a Court Order.**



## 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.

**Disturbing the peace** includes, but is not limited to:

- Isolating you from friends, relatives, or other support; keeping you from food or basic needs; controlling or keeping track of you, including your movements, contacts, actions, money, or access to services; and making you do something by force, threat, or intimidation, including threats related to actual or suspected immigration status.
- Destroying your mental or emotional well-being. This can be done directly or indirectly, such as through someone else. This can also be done in any way, including by phone, text, or online.

### 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 vehicle.

My children's school or childcare.

My home.

My school.

Other (please explain): \_\_\_\_\_

My job or workplace.

Each person in (8). \_\_\_\_\_

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): \_\_\_\_\_

**This is not a Court Order.**



**12 Stay-Away Order (continued)**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):* \_\_\_\_\_

**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*

- |                                                                     |                                                                                      |
|---------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <input type="checkbox"/> I own the home.                            | <input type="checkbox"/> I have lived at this address for _____ years, _____ months. |
| <input type="checkbox"/> My name is on the lease.                   | <input type="checkbox"/> I pay for some or all the rent or mortgage.                 |
| <input type="checkbox"/> I live at this address with my child(ren). | <input type="checkbox"/> Other <i>(please explain):</i> _____                        |

**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 court to make or change a child custody/visitation order. You must also fill out form DV-105, Request for Child Custody and Visitation Orders, and attach**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 (give distance in 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.**



**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.**





**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: \$ \_\_\_\_\_

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.

**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 a batterer's intervention program is to stop abuse. There are weekly classes to teach accountability, abuse effects, and gender roles. If ordered to complete this program, the person in (2) would have to show proof to 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.**



### Automatic Orders That a Judge Can Make Right Away

**29 No Guns, Other Firearms, or Ammunition**

If the judge grants you a restraining order, the person in ② must sell or turn in any firearms that they have or control. The person in ② would also be prohibited from buying firearms 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**, 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 pick up.
- 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. Learn more about how to "serve" your papers and prepare for your court date: <https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order>.
- 4** If you are asking for child support, spousal support, or lawyer's fees, you must also complete form FL-150, Income and Expense Declaration. If you are only asking for child support (item 23), 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.**

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.*

**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.

This form is attached to (check one):  form DV-100  form DV-120

① Your name: \_\_\_\_\_  Mom  Dad  Other\*

② Other parent's name: \_\_\_\_\_  Mom  Dad  Other\*

\*If Other, specify relationship to child: \_\_\_\_\_

③  **Child Custody**

I ask the court for custody as follows:

Child's Name	Date of Birth	Legal Custody to (Person who makes decisions about health, education, and welfare):			Physical Custody to (Person you want the child to live with):		
		Mom	Dad	Other	Mom	Dad	Other
a. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Check here if you need more space. Attach a sheet of paper and write "DV-105, Child Custody" for a title.

④  **Change Current Court Order**

I want to change a current child custody or visitation court order.

Case Number (if you have it): \_\_\_\_\_ County: \_\_\_\_\_

Explain your current order and why you want a change: \_\_\_\_\_

Check here if you need more space. Attach a sheet of paper and write "DV-105, Change Current Court Order" for a title.

⑤ **Child's Address**

Where has the child in ③a lived for the last five years? List each city and state the child has lived in unless it is unknown to the other parent and you want to keep it confidential because of domestic violence or child abuse. Start with where the child lives now and work backwards in time. If the current address is confidential, check the box below and just provide the current state.

Child ③a addresses (city and state):	Child ③a lived with:			Dates lived there:		
	Mom	Dad	Other	From _____	to _____	present
<input type="checkbox"/> Confidential _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From _____	to _____	
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From _____	to _____	
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From _____	to _____	
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	From _____	to _____	

Check here if you need more space. Attach a sheet of paper and write "DV-105, Child's Address" for a title.

**This is not a Court Order.**



**6 Other Children's Addresses**

- Check here if the other child's (or children's) address information is the same as listed in **(5)**.
- If it is different, check here. Attach a sheet of paper and write "DV-105, Other Children's Addresses" for a title. List other children's address information, including dates, and name of person(s) children lived with.

**7 Other Custody Case**

Were you involved in, or do you know of, any other custody case for any child listed in this form?

- No  Yes *(If yes, fill out below and attach a copy of any custody or visitation orders if you have them):*

a. Name of each child in other case: \_\_\_\_\_

- b. Type of case:  Parentage (Paternity)  Domestic Violence  Child Support  
 Juvenile/Dependency  Guardianship  Other (specify): \_\_\_\_\_  
 Divorce

c. I was a  party  witness  Other (specify): \_\_\_\_\_

d. Court (name): \_\_\_\_\_

Address: \_\_\_\_\_ County: \_\_\_\_\_ State: \_\_\_\_\_

e. Date of court order: \_\_\_\_\_

f. Case number (if you have it): \_\_\_\_\_

**8 Other People With or Claiming to Have Custody or Visitation Rights**

Do you know of anyone who is not involved in this case who has or claims to have custody or visitation rights with any child listed on this form?  No  Yes *(If yes, fill out below.)*

That person (give name and address): \_\_\_\_\_

- has custody  claims custody rights  claims visitation rights

for these children (name of each child): \_\_\_\_\_

**9 Visitation**

I ask the court to order that the person in **(2)** have the following temporary visitation rights:

Check all that apply

- a.  No visitation until the hearing
- b.  No visitation after the hearing
- c.  The following visitation  until the hearing  after the hearing

(1)  Weekends (starting): \_\_\_\_\_ (The 1st weekend of the month is the 1st weekend with a Saturday.)

1st  2nd  3rd  4th  5th weekend of month  
 from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m. to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.  
(day of week) (time) (day of week) (time)

(2)  Weekdays (starting): \_\_\_\_\_

from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m. to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.  
(day of week) (time) (day of week) (time)

**This is not a Court Order.**



**10**  **Other Visitation**

I ask the court to make other visitation orders, like summer vacation, birthdays, and holidays. (List the orders you want on a separate sheet of paper. Write "DV-105, Other Visitation" for a title and attach it to this form.)

**11**  **Responsibility for Transportation**

(The parent will take or pick up the child or make arrangements for someone else to do so.)

I ask the court to order that:

- a.  Mom  Dad  Other (name): \_\_\_\_\_ **take children to the visits.**
- b.  Mom  Dad  Other (name): \_\_\_\_\_ **pick up children from the visits.**
- c.  Drop-off / pick-up of children will be at (address): \_\_\_\_\_
- d.  Check here if other arrangement. Attach a sheet of paper and write "DV-105, Responsibility for Transportation" for a title.

**12**  **Supervised Visitation**

a. I ask that the visitation in **9** be supervised by:

a professional supervisor  a nonprofessional supervisor  Other: \_\_\_\_\_  
(Name and telephone number, if known): \_\_\_\_\_

b. I ask that the visitation in **10** be supervised by:

a professional supervisor  a nonprofessional supervisor  Other: \_\_\_\_\_  
(Name and telephone number, if known): \_\_\_\_\_

c. I ask that any costs for supervision be paid by:

Mom \_\_\_\_\_ % Dad \_\_\_\_\_ % Other (name): \_\_\_\_\_ %

**13**  **Travel With Children**

I ask the court to order that:

Mom  Dad  Other (name): \_\_\_\_\_ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a.  California
- b.  County of (list): \_\_\_\_\_
- c.  Other place(s) (list): \_\_\_\_\_

**14**  **Child Abduction Risk**

I believe that there is a risk the other parent will take our child out of California and hide the child from me.  
(If you check this box you must fill out and attach form DV-108, Request for Order: No Travel with Children.)

**Important Instructions**

- You must tell the court if you find out any other information about a custody case in any court for the children listed on this form.
- If the court makes a temporary custody order, the parent receiving custody must not take the child out of California without a noticed hearing. (See Family Code, § 3063.)

**This is not a Court Order.**

This page intentionally left blank



Clerk stamps date here when form is filed.

Fill in court name and street address:

**Superior Court of California, County of  
MERCED**  
2260 N Street  
Mailing: 627 W. 21st Street  
Merced, CA 95340

Court fills in case number when form is filed.

**Case Number:**

**1 Name of Person Asking for Order:**

\_\_\_\_\_

Your lawyer in this case (if you have one):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

**Address** (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**2 Name of Person to Be Restrained:**

\_\_\_\_\_

*The court will fill out the rest of this form.*

**3 Notice of Hearing**

**A court hearing is scheduled on the request for restraining orders against the person in 2:**

<div style="border: 1px solid black; border-radius: 15px; padding: 5px; display: inline-block;"> <b>Hearing Date</b> </div>	→ Date: _____	Time: _____	Name and address of court if different from above: _____
	Dept.: _____	Room: _____	_____
	_____	_____	_____

**4 Temporary Restraining Orders (Any orders granted are attached on form DV-110.)**

a. Temporary Restraining Orders for personal conduct and stay-away orders as requested in form DV-100, *Request for Domestic Violence Restraining Order*, are (check only one box below):

- (1)  All **GRANTED** until the court hearing.
- (2)  All **DENIED** until the court hearing. (Specify reasons for denial in b, below.)
- (3)  Partly **GRANTED** and partly **DENIED** until the court hearing. (Specify reasons for denial in b, below.)

b. Reasons for denial of some or all of those personal conduct and stay-away orders as requested in form DV-100, *Request for Domestic Violence Restraining Order*, are:

- (1)  The facts as stated in form DV-100 do not show reasonable proof of a past act or acts of abuse. (Family Code, §§ 6320 and 6320.5.)
- (2)  The facts do not describe in sufficient detail the most recent incidents of abuse, such as what happened, the dates, who did what to whom, or any injuries or history of abuse.
- (3)  Further explanation of reason for denial, or reason not listed above:

\_\_\_\_\_  
\_\_\_\_\_



**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-250, *Proof of Service by Mail* (blank form)
- f.  DV-170, *Notice of Order Protecting Information of a Minor*, and DV-165, *Order on Request to Keep Minor's Information Confidential* (file-stamped), **IF GRANTED**
- g.  Other (specify): \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer

**Right to Cancel Hearing: Information for the Person in 1**

- If item 4a(2) or 4a(3) is checked, the judge has denied some or all of the temporary orders you requested until the court hearing. The judge may make the orders you want after the court hearing. You can keep the hearing date, or you can cancel your request for orders so there is no court hearing.
- If you want to cancel the hearing, use form DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*. Fill it out and file it with the court as soon as possible. You may file a new request for orders, on the same or different facts, at a later time.
- If you cancel the hearing, do not serve the documents listed in item 6 on the other person.
- If you want to keep the hearing date, you must have all of the documents listed in item 6 served on the other person within the time listed in item 6.
- At the hearing, the judge will consider whether denial of any requested orders will jeopardize your safety and the safety of children for whom you are requesting custody or visitation.
- You must come to the hearing if you want the judge to make restraining orders or continue any orders already made. If you cancel the hearing or do not come to the hearing, any restraining orders made on form DV-110 will end on the date of the hearing.



**To the Person in ① :**

- The court cannot make the restraining orders after the court hearing unless the person in ② has been personally given (served) a copy of your request and any temporary orders. To show that the person in ② has been served, the person who served the forms must fill out a proof of service form. form DV-200, *Proof of Personal Service*, may be used.
- For information about service, read form DV-200-INFO, *What Is “Proof of Personal Service”?*
- If you are unable to serve the person in ② in time, you may ask for more time to serve the documents. Read form DV-115-INFO, *How to Ask for a New Hearing Date*.

**To the Person in ② :**

- If you want to respond in writing, mail a copy of your completed form DV-120, *Response to Request for Domestic Violence Restraining Order*, to the person in ① and file it with the court. You cannot mail form DV-120 yourself. Someone age 18 or older — **not you** — must do it.
- To show that the person in ① has been served by mail, the person who mailed the form must fill out a proof of service form. Form DV-250, *Proof of Service by Mail*, may be used. File the completed form with the court before the hearing and bring a copy with you to the hearing.
- For information about responding to a restraining order and filing your answer, read form DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the orders requested. You may bring witnesses and other evidence.
- **At the hearing, the judge may make restraining orders against you that could last up to five years.**
- **The judge may also make other orders about your children, child support, spousal support, money, and property and may order you to turn in or sell any firearms that you own or possess.**



**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](http://www.courts.ca.gov/forms) for *Request for Accommodations by Persons with Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

*(Clerk will fill out this part.)*

**—Clerk's Certificate—**

*Clerk’s Certificate*  
*[seal]*

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

This page intentionally left blank

Clerk stamps date here when form is filed.

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

1 Protected Person (name): \_\_\_\_\_

2 Restrained Person

\*Full Name: \_\_\_\_\_

\*Gender:  M  F  Nonbinary

\*Age: \_\_\_\_\_ (Give estimate, if age unknown.)

Date of Birth: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

\*Race: \_\_\_\_\_

Relationship to person in 1: \_\_\_\_\_

Address of restrained person: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Type, number, and location of firearms or ammunition:
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(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 MERCED
2260 N. Street
Mailing: 627 W. 21st Street
Merced, CA 95340

Court fills in case number when form is filed.

Case Number: \_\_\_\_\_

3 Other Protected People

In addition to the person named in 1, the people listed below are protected by the orders listed in 6 through 9.

Table with 3 columns: Full name, Relationship to person in 1, Age. Includes three rows of blank lines for entry.

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 is a Court Order.



**This order must be enforced throughout the United States. See page 5.**

## To the Person in ②

The judge has granted temporary orders. See items ⑤ through ⑱.

- 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 Guns, Other Firearms, or Ammunition

- You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
  - **Within 24 hours of receiving this order, you must** sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms you have in your immediate possession or control.
  - **Within 48 hours of receiving this order, you must** file a receipt with the court that proves guns have been turned in or sold. (You may use [form DV-800, Proof of Firearms Turned In, Sold, or Stored](#), for the receipt.)
- The court has received information that you own or possess firearm(s) or ammunition.

## ⑥ 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.

## ⑦ 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.

**This is a Court Order.**



**8 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 8a:

(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.

**9 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.

School of person in ①.

Home of person in ①.

Persons in ③.

Job or workplace of person in ①.

Children's school or child care.

Vehicle of person in ①.

Other (*explain*): \_\_\_\_\_

b.  Exception to 9a:

The stay-away orders do not apply:

(1)  For you to briefly and peacefully exchange your children for court-ordered visits.

(2)  For you to visit with your children for court-ordered contact or visits.

(3)  Other (*explain*): \_\_\_\_\_

**10 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*): \_\_\_\_\_

**11 Other Orders**     Not requested     Denied until the hearing     Granted as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**12 Child Custody and Visitation**     Not requested     Denied until the hearing     Granted as follows:

Child custody and visitation are ordered on the attached form DV-140, Child Custody and Visitation Order, or (*list other form*): \_\_\_\_\_. The parent with temporary custody of the child must not remove the child from California without permission from the court.

**This is a Court Order.**



**13 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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**14 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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**15 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.

**16 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.

**17 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.)

**18 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: \_\_\_\_\_

**This is a Court Order.**





**19 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 Expensed Caused by Abuse**                      • **Transfer of Wireless Phone Account**

**20 No Fee to Serve (Notify) Restrained Person**

The sheriff or marshal will serve this order for free.  
Bring a copy of all the papers that you need to be served to the sheriff or marshal.

**21  Attached pages**

Number of pages attached to this seven-page form: \_\_\_\_\_

**Judge's Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judge or Judicial Officer*

**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. § 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.**

**This is a Court Order.**



## 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 go to your court date 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 go to 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.

## 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.

### 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, §§ 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, § 13710(b).)

**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 according to the following priorities (see Penal Code, § 136.2, and Family Code, §§ 6383(h), 6405(b)):

1. **EPO:** If one of the orders is an *Emergency Protective Order* (form EPO-001), and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. **No-Contact Order:** If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. **Criminal Order:** If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. **Family, Juvenile, or Civil Order:** If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

## Child Custody and Visitation

- The custody and visitation orders are on form DV-140. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- At items 8b(1) or 9b(1) of this order, the judge may allow the person in (2) to have brief and peaceful contact with the person in (1), as needed to follow court-ordered visits. Conduct of 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.**

*(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.**

This page intentionally left blank

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

1 Name of protected Person: \_\_\_\_\_  Mom  Dad  Other\*

2 Other Parent's Name: \_\_\_\_\_  Mom  Dad  Other\*

\* If Other, specify relationship to child: \_\_\_\_\_

The Court Orders:

3  Child Custody is ordered as follows: Legal Custody to: (Person who makes decisions about health, education. Check at least one.) Physical Custody to: (Person the child lives with. Check at least one.)

Table with 9 columns: Child's Name, Date of Birth, Mom, Dad, Other\*, Mom, Dad, Other\*. Rows a, b, c.

If more children, check here. Attach a sheet of paper and write "DV-140, Child Custody" for a title.

\* If Other, specify relationship to child and name of person: \_\_\_\_\_

4  Child Visitation is ordered as follows:

a.  No visitation to  Mom  Dad  Other (name): \_\_\_\_\_

b.  See the attached \_\_\_\_\_ - page document, dated: \_\_\_\_\_

c.  The parties must go to mediation at: \_\_\_\_\_

d.  Until the next court order, visitation for  Mom  Dad  Other (name): \_\_\_\_\_ will be:

(1)  Weekends (starting): \_\_\_\_\_ (The 1st weekend of the month is the 1st weekend with a Saturday.)

1st  2nd  3rd  4th  5th weekend of month

from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m. to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.

(2)  Weekdays (starting): \_\_\_\_\_

from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m. to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.

(3)  Other Visitation

Check here and attach a sheet of paper if there are other visitation days and times, like holidays, birthdays, sports events. List dates and times. Write "DV-140, Other Visitation" for a title.

5  Supervised Visitation or Exchange

Visits and/or exchanges of children are supervised as specified on Form DV-150, Supervised Visitation and Exchange Order.

This is a Court Order.



**6**  **Responsibility for Transportation for Visitation**

“Responsibility for transportation” means the parent will take or pick up the child or make arrangements for someone else to do so.

- a.  Mom  Dad  Other (name): \_\_\_\_\_ **take children to** the visits.
- b.  Mom  Dad  Other (name): \_\_\_\_\_ **pick up children from** the visits.
- c.  Drop-off / pick-up of children will be at (address): \_\_\_\_\_

**7**  **Travel with Children**

Mom  Dad  Other (name): \_\_\_\_\_ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a.  The State of California
- b.  The United State of America
- c.  Other place(s) (list): \_\_\_\_\_

**8**  **Child Abduction**

There is a risk that one of the parents will take the children out of California without the other parent's permission.

The orders in Form DV-145, *Order: No Travel with Children*, are attached and must be obeyed. (Fill out and attach Form DV-145 to this form.)

**9**  **Other Orders**

Check here and attach any other orders to this form. Write "DV-140, Other Orders" as a title.

**10** **Jurisdiction**

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 § 3400).

**11** **Notice and Opportunity to Be Heard**

The responding party was given reasonable notice and an opportunity to be heard as provided by the laws of the State of California.

**12** **Country of Habitual Residence**

The country of habitual residence of the child or children in this case is  The United States of America or  Other (specify): \_\_\_\_\_

**13** **Penalties for Violating This Order**

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

**14** **Duration of Child Custody, Visitation, and Support Orders**

If this form is attached to Form DV-130 (*Restraining Order After Hearing*), the custody and visitation orders in this form remain in effect after the restraining orders on For DV-130 end.

**This is a Court Order.**

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
\*Age: (Give estimate, if age unknown.)
Date of Birth: Height: Weight:
Hair Color: Eye Color:
\*Race:
Relationship to person in 1:
Address of restrained person:
City: State: Zip:
Type, number, and location of firearms or ammunition:

(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 MERCED
2260 N Street
Mailing: 627 W. 21st Street
Merced, CA 95340

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 items 7 through 10.

Table with 3 columns: Full name, Relationship to person in 1, Age

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 item 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 7.

This is a Court Order.



**5 Hearings**

- a. The hearing was on *(date)*: \_\_\_\_\_ with *(name of judicial officer)*: \_\_\_\_\_
- b. These people were at 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)*: \_\_\_\_\_
- c. The people in **1** and **2** must return to court on *(date)*: \_\_\_\_\_ in Department: \_\_\_\_\_  
at *(time)*: \_\_\_\_\_  a.m.    p.m. to review *(list issues)*: \_\_\_\_\_

**To the Person in **2****

The court has granted a long-term restraining order. See **6** through **28**.

- 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.

**6 No Guns or Other Firearms or Ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. **Within 24 hours of receiving this order, you must** sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms you have in your immediate possession or control.
- c. **Within 48 hours of receiving this order, you must file a receipt with the court** that proves guns have been turned in or sold. (You may use form DV-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.)
- d.  The court has received information that the person in **2** owns or possesses a firearm.
- e.  Limited Exemption: The court 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 *(specify 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.

**7 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.

**This is a Court Order.**





**8**  **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.

**9**  **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 9a:
- (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.

**10**  **Stay-Away Order**

- a. You **must** stay at least (*specify*): \_\_\_\_\_ yards away from (*check all that apply*):
- |                                                           |                                                           |
|-----------------------------------------------------------|-----------------------------------------------------------|
| <input type="checkbox"/> Person in ①.                     | <input type="checkbox"/> School of person in ①.           |
| <input type="checkbox"/> Home of person in ①.             | <input type="checkbox"/> Persons in ③.                    |
| <input type="checkbox"/> Job or workplace of person in ①. | <input type="checkbox"/> Children's school or child care. |
| <input type="checkbox"/> Vehicle of person in ①.          | <input type="checkbox"/> Other ( <i>specify</i> ): _____  |
- b.  Exception to 10a:  
The stay-away orders do not apply:
- (1)  For you to briefly and peacefully exchange your children for court-ordered visits.
  - (2)  For you to visit with your children for court-ordered contact or visits.
  - (3)  Other (*explain*): \_\_\_\_\_

**This is a Court Order.**



**11**  **Order to Move Out**

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

\_\_\_\_\_

**12**  **Other Orders**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**13**  **Child Custody and Visitation**

The judge has granted child custody and visitation orders in this case. They are on the attached form DV-140, Child Custody and Visitation Order  
or (*specify other form*): \_\_\_\_\_

**14**  **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 ( <i>or other way to ID animal</i> )	Type of animal	Breed ( <i>if known</i> )	Color
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**15**  **Control of Property**

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

\_\_\_\_\_  
\_\_\_\_\_

**16**  **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.

**17**  **Record Communications**

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

**This is a Court Order.**



**18**  **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 ⑨, 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.)

**19**  **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.

**20**  **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: \_\_\_\_\_

**21**  **Child Support**

Child support is ordered on the attached form FL-342, Child Support Information and Order Attachment or (specify other form): \_\_\_\_\_

**22**  **Spousal Support**

Spousal support is ordered on the attached form FL-343, Spousal, Partner, or Family Support Order Attachment or (specify other form): \_\_\_\_\_

**23**  **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: \_\_\_\_\_

**This is a Court Order.**



**24**  **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.

**25**  **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.

**26** **Service**

- a.  **No other proof of service is needed.** The people in **1** and **2** were at the hearing 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.
  - (1)  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)  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.
- 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** were at the hearing or agreed in writing to this order. No other proof of service is needed.
  - (2)  The person  in **1**  in **2** was not at the hearing and must be personally served (given) a copy of this amended (modified) order.

**27** **No Fee to Serve (Notify) Restrained Person**

The sheriff or marshal will serve this order for free.  
Take a copy of all the papers that you need to be served to the sheriff or marshal.

**This is a Court Order.**



**28**  **Attached pages**

All of the attached pages are part of this order.

a. Number of pages attached to this eight-page form: \_\_\_\_\_

b. Attachments include forms (*check all that apply*):

DV-140  DV-145  DV-150  DV-900  FL-342  FL-343  Other: \_\_\_\_\_

**Judge's Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judge or Judicial Officer*

**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. § 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**

The orders *start* on the earlier of the following dates:

- The hearing date in item ⑤(a) on page 2; or
- The date next to the judge’s signature on this page.

The orders *end* on the expiration date in item ④ on page 1. If no date is listed, they end three years from the hearing date.

**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, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code § 166 or 273.6.

**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, § 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 was at the restraining order hearing or was informed of the order by an officer. (Family Code, § 6383; Penal Code, § 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, § 6381(b)-(c).)

**This is a Court Order.**

## 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, § 13710(b).)

## Child Custody and Visitation

- The custody and visitation orders are on form DV-140. They may be written on additional pages or referenced in form DV-140 or other orders that are not part of this restraining order.
- At items 9b(1) or 10b(1) of this order, the judge may allow the person in (2) to have brief and peaceful contact with the person in (1), as needed to follow court-ordered visits. Conduct of the person in (2) that is **not** brief and peaceful is a violation of this order.

## 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.

## 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, § 136.2 and Family Code, §§ 6383(h)(2), 6405(b)):

1. **EPO:** If one of the orders is an *Emergency Protective Order* (form EPO-001) and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. **No-Contact Order:** If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. **Criminal Order:** If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. **Family, Juvenile, or Civil Order:** If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last 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.**

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

1 Name of protected Person: \_\_\_\_\_  Mom  Dad  Other\*

2 Other Parent's Name: \_\_\_\_\_  Mom  Dad  Other\*

\* If Other, specify relationship to child: \_\_\_\_\_

The Court Orders:

3  Child Custody is ordered as follows: Legal Custody to: (Person who makes decisions about health, education. Check at least one.) Physical Custody to: (Person the child lives with. Check at least one.)

Table with columns: Child's Name, Date of Birth, Mom, Dad, Other\*, Mom, Dad, Other\*. Rows a, b, c.

If more children, check here. Attach a sheet of paper and write "DV-140, Child Custody" for a title.

\* If Other, specify relationship to child and name of person: \_\_\_\_\_

4  Child Visitation is ordered as follows:

a.  No visitation to  Mom  Dad  Other (name): \_\_\_\_\_

b.  See the attached \_\_\_\_\_ - page document, dated: \_\_\_\_\_

c.  The parties must go to mediation at: \_\_\_\_\_

d.  Until the next court order, visitation for  Mom  Dad  Other (name): \_\_\_\_\_ will be:

(1)  Weekends (starting): \_\_\_\_\_ (The 1st weekend of the month is the 1st weekend with a Saturday.)

1st  2nd  3rd  4th  5th weekend of month

from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m. to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.

(2)  Weekdays (starting): \_\_\_\_\_

from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m. to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.

(3)  Other Visitation

Check here and attach a sheet of paper if there are other visitation days and times, like holidays, birthdays, sports events. List dates and times. Write "DV-140, Other Visitation" for a title.

5  Supervised Visitation or Exchange

Visits and/or exchanges of children are supervised as specified on Form DV-150, Supervised Visitation and Exchange Order.

This is a Court Order.



**6**  **Responsibility for Transportation for Visitation**

“Responsibility for transportation” means the parent will take or pick up the child or make arrangements for someone else to do so.

- a.  Mom  Dad  Other (name): \_\_\_\_\_ **take children to** the visits.
- b.  Mom  Dad  Other (name): \_\_\_\_\_ **pick up children from** the visits.
- c.  Drop-off / pick-up of children will be at (address): \_\_\_\_\_

**7**  **Travel with Children**

Mom  Dad  Other (name): \_\_\_\_\_ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a.  The State of California
- b.  The United State of America
- c.  Other place(s) (list): \_\_\_\_\_

**8**  **Child Abduction**

There is a risk that one of the parents will take the children out of California without the other parent's permission.

The orders in Form DV-145, *Order: No Travel with Children*, are attached and must be obeyed. (Fill out and attach Form DV-145 to this form.)

**9**  **Other Orders**

Check here and attach any other orders to this form. Write "DV-140, Other Orders" as a title.

**10** **Jurisdiction**

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 § 3400).

**11** **Notice and Opportunity to Be Heard**

The responding party was given reasonable notice and an opportunity to be heard as provided by the laws of the State of California.

**12** **Country of Habitual Residence**

The country of habitual residence of the child or children in this case is  The United States of America or  Other (specify): \_\_\_\_\_.

**13** **Penalties for Violating This Order**

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

**14** **Duration of Child Custody, Visitation, and Support Orders**

If this form is attached to Form DV-130 (*Restraining Order After Hearing*), the custody and visitation orders in this form remain in effect after the restraining orders on For DV-130 end.

**This is a Court Order.**



Clerk stamps date here when form is filed.

Fill out this form if you or a witness in your case needs an interpreter when you are in court.

See instructions on page 2 of this form for more information.

Fill in court name and street address:

**Superior Court of California, County of MERCED**  
 \_\_\_ 2260 N Street, Merced, CA 95340  
 \_\_\_ 627 W. 21st St., Merced, CA 95340  
 \_\_\_ 1159 G St., Los Banos, CA 93635

Court fills in case number when form is filed.

**Case Number:**

- 1 Your Information** (person requesting an interpreter). *If you have a lawyer, give your lawyer's information.*

Name: \_\_\_\_\_

State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

- 2 I am a party in this case** (check one item below):

Plaintiff/Petitioner     Defendant/Respondent     Other (describe): \_\_\_\_\_

- 3 I need an interpreter in the following language when I am in court:**

español (Spanish)     Tiếng Việt (Vietnamese)     한국어 (Korean)     普通话 (Mandarin)  
 广东话 (Cantonese)     فارسی (Farsi/Persian)     русский (Russian)     Tagalog (Tagalog)  
 العربية (Arabic)     ਪੰਜਾਬੀ (Punjabi)     Other: \_\_\_\_\_

Include town of origin, if you speak an indigenous language: \_\_\_\_\_

- 4 I have a witness who needs an interpreter for the following court date:**

(Complete a separate form for each witness.)

a. Date: \_\_\_\_\_ Time: \_\_\_\_\_

Department and judicial officer, if known: \_\_\_\_\_

No date is set yet.

b. The witness needs an interpreter in (check one):

The language marked above    **OR**

Other (enter the language the witness speaks): \_\_\_\_\_

Date: \_\_\_\_\_



Signature of party or attorney



Your Name:

Case Number:

---

## INSTRUCTIONS

- Court proceedings are in English. If a party or witness does not speak or understand English well, he or she may need an interpreter. The interpreter will allow him or her to testify, speak to the judge, and understand what others are saying in court. Certified and registered court interpreters are trained to interpret in court. If you need language help, you can ask the court to provide a court interpreter by filling out the first page of this form.
- You should complete this form if you or a witness in your case needs an interpreter. A witness is someone who provides information in court, under oath. You should complete a separate form for every witness who needs language help. Complete the first page and file it with the court. Check with your local court to find out how far in advance you must file a request for an interpreter. You can also find out when the court will answer your request.
- Courts try to provide an interpreter in every language and in every civil case. The court will provide you with a response to let you know if your request was granted. Sometimes, a court cannot provide an interpreter in every case.



### 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](http://www.courts.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Response* (Form MC-410). (Civ. Code, § 54.8.)

## 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.**

③ **Notice of Court Hearing**  
A court hearing is scheduled on

Hearing Date → Date: \_\_\_\_\_  
Dept.: \_\_\_\_\_

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

⑥ **Service of Documents by the Person**  
At least  five  \_\_\_ days before the

- **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.

Clerk stamps date here when form is filed.

**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 **3** 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**.



Fill in court name and street address:

**Superior Court of California, County of MERCED**  
2260 N Street  
Mailing: 627 W. 21st Street  
Merced, CA 95340

Court clerk fills in case number when form is filed.

**Case Number:**

**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: \_\_\_\_\_ b. Time: \_\_\_\_\_  a.m.  p.m.
- c. 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** 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*

This page intentionally left blank

# STOP

The following forms must be left blank and served on the Restrained Party with copies of the following:

- DV-100 – Request for Domestic Violence Restraining Order
- DV-109 – Notice of Court Hearing
- DV-110 – Temporary Restraining Order

This page intentionally left blank



# DV-120-INFO How Can I Respond to a Request for Domestic Violence Restraining Order?

## What is a Domestic Violence Restraining Order?

It is a court order that can help protect people who have been abused or threatened with abuse.

Abuse can be physical or emotional. It can be spoken or written.

## What does the order do?

The court can order you to:

- Not contact or harm the protected person, including children or others listed as protected people
- Stay away from all protected people
- Not have any guns or ammunition
- Move out of the place that you share with the protected person
- Follow custody and visitation orders
- Pay child support
- Pay spousal support
- Obey property orders
- Follow other types of orders (listed on *Form DV-100*)

## Who can ask for a domestic violence restraining order?

The person requesting the order must have a relationship with you:

- Someone you date or used to date
- Married, registered domestic partners, separated, engaged, or divorced
- Someone you live or lived with (more than just a roommate)
- A parent, grandparent, sibling, child, or grandchild related by blood, marriage, or adoption

## I've been served with a request for domestic violence restraining order. What do I do now?

Read the papers very carefully. You must follow all the orders the judge made. The *Notice of Court Hearing* tells you when to appear in court. You should go to the hearing, if you do not agree to the orders requested. If you do not go to the hearing, the judge can make orders against you without hearing from 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.

## How long does the order last?

If there is a *Temporary Restraining Order* in effect, it will last until the hearing date. At the 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 if I don't agree with what the order says?

You still must obey the orders until the hearing. If you do NOT agree with the orders the person is asking for, fill out [Form DV-120, Response to Request for Domestic Violence Restraining Order](#). After you fill out the form, file it with the court clerk and “serve” the form on the person asking for the restraining order. “Serve” means to have someone 18 years or older—**not you**—mail a copy to the other party. The person who serves your form must fill out [Form DV-250, Proof of Service by Mail](#). After Form DV-250 is completed, make sure it is filed with the court clerk. You will also have a chance at the hearing to tell your side of the story. For more information on how to prepare for the hearing, read [Form DV-520-INFO, Get Ready for the Restraining Order Court Hearing](#).

## Is there a cost to file my Response (Form DV-120)?

No.

## What if I also have criminal charges against me?

See a lawyer. Anything you say or write, including in this case, can be used against you in your criminal case.



# DV-120-INFO How Can I Respond to a Request for Domestic Violence Restraining Order?

## What if I have a gun or ammunition?

If a restraining order is issued, you cannot own, possess, or have a gun, other firearm, or ammunition while the order is in effect. If you have a gun or other firearm in your immediate possession or control, you must sell it to, or store it with, a licensed gun dealer, or turn it in to a law enforcement agency. You must also prove to the court that you turned in or sold your gun. Read [Form DV-800-INFO](#), *How Do I Turn In, Sell, or Store My Firearms?*, for more information.

## Do I need a lawyer?

You are not entitled to a free court-appointed lawyer for this case but having a lawyer represent you or getting legal advice from a lawyer is a good idea, especially if you have children. If you cannot afford a lawyer, you can represent yourself. There is free or low-cost help available in every county. For help, ask the court clerk how to find free or low-cost legal services and self-help centers in your area. You can also get free help with child support at your local family law facilitator's office.

## What if I do not speak English?

When you file [Form DV-120](#), ask the court clerk if a court interpreter is available for your hearing. If an interpreter is not available, bring someone to interpret for you. Do NOT ask a child, a witness, or anyone to be protected by the order to interpret for you.

## What if I am deaf or hard of hearing?



Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the proceeding. Contact the clerks' office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for *Request for Accommodations by Persons With Disabilities and Response* ([Form MC-410](#)). (Civ. Code, § 54.8.)

## Can I use the restraining order to get divorced or terminate 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 have children with the other person?

The judge can make temporary orders for child custody and visitation. If the judge makes a temporary order for child custody, the parent with custody may not remove the child from California before notice to the other parent and a court hearing. Read the order for any other restrictions. There may be some exceptions. Ask a lawyer for more information.

## 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.

## Will I see the person who asked for the order at the court hearing?

Yes. Assume that the person who is asking for the order will attend the hearing. Do not talk to him or her unless the judge or that person's attorney says that you can. Any temporary restraining order made by the court is in effect until the end of the hearing.

## What if I need a restraining order against the other person?

Do not use this form 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.

## What if I am a victim of domestic violence?

For a referral to a local domestic violence or legal assistance program, call the National Domestic Violence Hotline:

**1-800-799-7233**

**TDD: 1-800-787-3224**

It's free and private.

They can help you in more than 100 languages.

## For help in your area, contact:

[Local information may be inserted]

# Domestic Violence and Child Custody

If there has been domestic violence in your family, here is important information about a law that may affect you.

## What is “domestic violence”?

It means to hit, kick, scare, throw things, pull hair, push, follow, harass, sexually assault, or threaten to do any of these things. It also includes other actions that make someone afraid of being hurt. Domestic violence can be spoken, written, or physical.

## What is “child custody”?

There are two types:

- **Physical custody:** The person that the child lives with on a regular basis.
- **Legal custody:** The right for a person to make important decisions about the child’s health care, education, and welfare.

## When does domestic violence affect who gets custody of my child?

In the last 5 years, has a parent in this case committed domestic violence that resulted in a:

- (1) **conviction** in criminal court for domestic violence against one of the following people:
- the other parent in the custody case,
  - any of your children or your children’s siblings,
  - current spouse, someone they are currently dating, engaged to or currently lives with or
  - their parent?

OR

(2) **“finding”** of domestic violence by a judge against any of the people listed above (*example: a judge granted a restraining order for 1 or more years*)?

If you answered “yes” to (1) or (2), a special law applies to your case. Judges, attorneys, and court professionals refer to this special law as “3044”—the exact law that applies to your case (see page 2). Even if this law does not apply to your case, you should give the judge any information about domestic violence or abuse that you want the judge to consider when making a decision about child custody.

If someone that is not your child’s parent is asking the court for custody, this law applies to them as well.

## What happens when the special law (3044) applies to my case?

Under the special law, the judge can only give custody to the person who has a domestic violence conviction/finding if the judge believes that it is in the child’s best interest to do so. The judge must look at 7 factors, including the child’s best interest, in making this decision. The 7 factors that the judge must look at are:

1. What is in the child’s best interest?
2. Has the person committed any other domestic violence?
3. Has the person followed all the terms and conditions of any restraining order?
4. Has the person finished a 1 year batterer intervention program?
5. Has the person finished an alcohol/drug program, if required by the court?
6. Has the person finished a parenting class, if required by the court?
7. If on probation or parole, has the person followed all terms of probation or parole?

The judge must go through this 7-factor test in every case that it applies to, even if a court professional or evaluator makes a recommendation in your case. To learn more about the custody process in family court, visit <http://www.courts.ca.gov/selfhelp-custody.htm/>.



JUDICIAL COUNCIL  
OF CALIFORNIA  
OPERATIONS AND PROGRAMS DIVISION  
CENTER FOR FAMILIES, CHILDREN & THE COURTS

## Family Code 3044

(a) Upon a finding by the court that a party seeking custody of a child has perpetrated domestic violence within the previous five years against the other party seeking custody of the child, or against the child or the child's siblings, or against any person in subparagraph (C) of paragraph (1) of subdivision (b) of Section 3011 with whom the party has a relationship, there is a rebuttable presumption that an award of sole or joint physical or legal custody of a child to a person who has perpetrated domestic violence is detrimental to the best interests of the child, pursuant to Sections 3011 and 3020. This presumption may only be rebutted by a preponderance of the evidence.

(b) To overcome the presumption set forth in subdivision (a), the court shall find that paragraph (1) is satisfied and shall find that the factors in paragraph (2), on balance, support the legislative findings in Section 3020.

(1) The perpetrator of domestic violence has demonstrated that giving sole or joint physical or legal custody of a child to the perpetrator is in the best interests of the child pursuant to Sections 3011 and 3020. In determining the best interests of the child, the preference for frequent and continuing contact with both parents, as set forth in subdivision (b) of Section 3020, or with the noncustodial parent, as set forth in paragraph (1) of subdivision (a) of Section 3040, may not be used to rebut the presumption, in whole or in part.

(2) Additional factors:

(A) The perpetrator has successfully completed a batterer's treatment program that meets the criteria outlined in subdivision (c) of Section 1203.097 of the Penal Code.

(B) The perpetrator has successfully completed a program of alcohol or drug abuse counseling, if the court determines that counseling is appropriate.

(C) The perpetrator has successfully completed a parenting class, if the court determines the class to be appropriate.

(D) The perpetrator is on probation or parole, and he or she has or has not complied with the terms and conditions of probation or parole.

(E) The perpetrator is restrained by a protective order or restraining order, and he or she has or has not complied with its terms and conditions.

(F) The perpetrator of domestic violence has committed any further acts of domestic violence.

(c) For purposes of this section, a person has "perpetrated domestic violence" when he or she is found by the court to have intentionally or recklessly caused or attempted to cause bodily injury, or sexual assault, or to have placed a person in reasonable apprehension of imminent serious bodily injury to that person or to another, or to have engaged in behavior involving, but not limited to, threatening, striking, harassing, destroying personal property, or disturbing the peace of another, for which a

court may issue an ex parte order pursuant to Section 6320 to protect the other party seeking custody of the child or to protect the child and the child's siblings.

(d) (1) For purposes of this section, the requirement of a finding by the court shall be satisfied by, among other things, and not limited to, evidence that a party seeking custody has been convicted within the previous five years, after a trial or a plea of guilty or no contest, of a crime against the other party that comes within the definition of domestic violence contained in Section 6211 and of abuse contained in Section 6203, including, but not limited to, a crime described in subdivision (e) of Section 243 of, or Section 261, 262, 273.5, 422, or 646.9 of, the Penal Code.

(2) The requirement of a finding by the court shall also be satisfied if a court, whether that court hears or has heard the child custody proceedings or not, has made a finding pursuant to subdivision (a) based on conduct occurring within the previous five years.

(e) When a court makes a finding that a party has perpetrated domestic violence, the court may not base its findings solely on conclusions reached by a child custody evaluator or on the recommendation of the Family Court Services staff, but shall consider any relevant, admissible evidence submitted by the parties.

(f) (1) It is the intent of the Legislature that this subdivision be interpreted consistently with the decision in *Jaime G. v. H.L.* (2018) 25 Cal.App.5th 794, which requires that the court, in determining that the presumption in subdivision (a) has been overcome, make specific findings on each of the factors in subdivision (b).

(2) If the court determines that the presumption in subdivision (a) has been overcome, the court shall state its reasons in writing or on the record as to why paragraph (1) of subdivision (b) is satisfied and why the factors in paragraph (2) of subdivision (b), on balance, support the legislative findings in Section 3020.

(g) In an evidentiary hearing or trial in which custody orders are sought and where there has been an allegation of domestic violence, the court shall make a determination as to whether this section applies prior to issuing a custody order, unless the court finds that a continuance is necessary to determine whether this section applies, in which case the court may issue a temporary custody order for a reasonable period of time, provided the order complies with Section 3011, including, but not limited to, subdivision (e), and Section 3020.

(h) In a custody or restraining order proceeding in which a party has alleged that the other party has perpetrated domestic violence in accordance with the terms of this section, the court shall inform the parties of the existence of this section and shall give them a copy of this section prior to any custody mediation in the case.



# SUPERIOR COURT OF CALIFORNIA COUNTY OF MERCED

## How to Safely Turn In Firearms and Ammunition

**Important!** You must call **BEFORE** you bring firearms or ammunition to a law enforcement agency. You have 24 hours from the time you received the restraining order or protective order to call. Follow the steps below.

- 1 Call the Merced County Sheriff's Office or the Police Department where you live. Tell them you have a restraining or criminal protective order and you need to turn in your firearm(s) and ammunition.
- 2 The law enforcement agency will explain where and how to turn in your firearm(s) and ammunition. Some agencies ask you to make two trips: one for the firearm(s) and one for the ammunition. Follow their instructions carefully.
- 3 Law enforcement may ask for:
  - a description of you and your car,
  - your ID, and
  - your court order.

*Here are the non-emergency phone numbers.*

Atwater Police Department	209-357-6396
Merced Police Department	209-385-6905
Merced Sheriff's Office (Merced)	209-385-7445
Merced Sheriff's Office	209-710-6000
Los Banos	
Los Banos Police Department	209-827-7070
Merced Sheriff's office (Delhi)	209-385-7660
Livingston Police Department	209-394-7616
Gustine Police Department	209-854-3737
Dos Palos Police Department	209-392-2176

***Do not call 911.***  
*Call your local police department  
or the Merced County Sheriff's  
Office.*

### Follow these Safety Instructions:

- Your firearm(s) must be **unloaded**.
- Place the firearm in your trunk, and lock your **trunk**. If you do not have a trunk, lock your firearm in a container and put it in the **back** of your vehicle out of arm's reach. Do **NOT** put it in your glove compartment! (*Calif. Penal Code* § 12026.1(a))
- Drive straight to the law enforcement agency. Do not stop anywhere else.
- Park your car where the agency told you to park.
- Call the agency when you get there. They will tell you what to do. If you do not have a cell phone, **leave the firearm in your car** and go inside and ask for instructions.

### If you want to have your firearms and ammunition destroyed:

Follow the safety instructions above. The agency will also ask you to sign a paper that gives them permission to destroy your firearm(s) and ammunition.

### If your firearms are antiques or collector's items:

When you turn in your firearm(s), tell the agency how they should be stored. Some agencies may not be able to follow your storage instructions.

### You have 24 hours to turn in (or sell) your firearms and ammunition.

If the court ordered you to "relinquish" your firearms and ammunition, you have only 24 hours to do so. If you decide to sell them, you must sell them to a **federally licensed** gun dealer. Look in the Yellow Pages or online under "Firearms Dealers." Be sure that the firearm dealer is federally licensed.



# Questions About Safely Turning In Firearms and Ammunition

This information will answer your questions about turning in firearms.  
If you have other questions, call your local police department. (*See other side.*)

## What is a firearm?

Firearms include:

- handguns and pistols,
- rifles and shotguns,
- black powder firearms and muzzle-loading firearms,
- assault weapons, and
- *any* weapon that sends a projectile through a barrel and the weapon's frame or receiver.

## How do I turn in my firearms and ammunition?

You have 2 options:

- You can call your local police department or the Merced County Sheriff's Office and ask for instructions, or
- You can sell them to a *federally licensed* gun dealer. Look in the Yellow Pages or online under "Firearms Dealers."

## How long do I have to turn in my firearms and ammunition?

If the court ordered you to "relinquish" your firearms and ammunition, you only have **24 hours** from the time that you received the restraining order or criminal protective order.

## What if I was ordered to turn in firearms and ammunition on a weekend, can I get more than 24 hours?

No. You only have 24 hours. Law enforcement is available 24/7. See other side for instructions.

## Can I turn in my firearms and ammunition now, and sell them later?

Yes. You can have one sale of the firearms and ammunition. You must use a federally licensed gun dealer for the sale. The gun dealer will give the law enforcement agency a bill of sale for the firearms and/or ammunition. If the paperwork is correct, the law enforcement agency will turn over the guns and/or ammunition to the gun dealer.

## What happens if my firearms have not been registered?

It depends. Not all firearms have to be registered. But, if you did not register a weapon that had to be registered, you may have committed a crime. Talk to a lawyer as soon as possible.

## How long will law enforcement keep my firearms and ammunition?

Usually they keep the firearms and ammunition until your restraining or protective order ends. If they cannot keep them for the whole period, they will let you know in writing so you can make other arrangements.

## Do I have to pay law enforcement to keep my firearms and ammunition?

Maybe. Each agency has its own policy. They will tell you about any fees when you turn them in. They will also let you know in writing if their fees change.

## Can a law enforcement officer take my firearms and ammunition from me?

Yes. If you are involved in domestic violence, the officer can take away your firearms and ammunition. (*Calif. Family Code*, § 6389(c)(2))

## Can I get my firearms back from law enforcement after the court order ends?

Yes, *if* you are legally allowed to have a firearm. Fill out a Law Enforcement Gun Release (LEGR) Application and send it to the California Department of Justice. You can get the application at: <http://ag.ca.gov/firearms/forms>. You will also have to pay a fee (\$20 for the first firearm and \$3 for each additional firearm).

The Department of Justice will send you a notice within 4-6 weeks to tell you if you are eligible to possess a weapon again. If you are eligible, take that notice to the law enforcement agency where your firearm(s) and ammunition are stored within 30 days of the date on the notice. If you wait more than 30 days, you will have to submit another application.

## Where can I get more information?

You can:

- Call your local law enforcement agency, or
- Read the law (*Calif. Penal Code* §§ 12001 and 6389).
- Contact an attorney.

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 MERCED  
2260 N Street  
Mailing: 627 W. 21st Street  
Merced, CA 95340

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 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, go to your hearing date. If you do not go to your hearing date, the judge could grant a restraining order that could last up to five years.

**This is not a Court Order.**



**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 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 History of Court Cases and Restraining Orders** (see 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.

**⑥ 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?:

---

**⑦ Other Protected People**

If the judge grants a restraining order, it can include family or household members of the person in ①. See 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 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 **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 **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 **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 **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 **15** on form DV-100)  
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 all that apply below):  
(1)  I agree to the order requested.  
(2)  I do not agree to the order requested, because: \_\_\_\_\_  
\_\_\_\_\_  
(3)  I would agree to a different order (explain the orders that you would agree to, or use form DV-105):  
\_\_\_\_\_  
\_\_\_\_\_  
 Check here if you will complete form DV-105 and attach it to this form.

**This is not a Court Order.**



**14**  **Protect Animals** (see **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 **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 **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 **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 **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 **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 **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 **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](http://www.courts.ca.gov/selfhelp-support.htm).)

**22**  **Spousal Support** (see **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** (see **26** 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: \_\_\_\_\_  
\_\_\_\_\_

- c.  I ask that the person in **1** pay for some or all of my lawyer's fees and costs.

**24**  **Batterer Intervention Program** (see **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 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**  **Guns, Other Firearms, or Ammunition** (see 29 on form DV-100)

If you were served with form DV-110, *Temporary Restraining Order*, you must turn in any guns or firearms in your immediate possession or control. You must file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received form DV-110.

*Check all that apply*

- a.  I do not own or have any guns, firearms, or ammunition.
- b.  I have turned in my guns and firearms 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 my firearms (*check all that apply*):
  - is attached     has already been filed with the court.
- c.  I ask for an exemption from the firearms prohibition under Family Code section 6389(h) because (*explain*): \_\_\_\_\_

**27**  **Cannot Look for Protected People** (see 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” 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**

- If the person in **1** asked for child support, spousal support, or anyone is asking for 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. Then you must have a server mail a copy to the person in **1** and have your server complete [form DV-250, Proof of Service by Mail](#). After form DV-250 is completed, file it with the court.
- 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.**

This page intentionally left blank

Clerk stamps date here when form is filed.

Fill in court name and street address:

**Superior Court of California, County of  
MERCED**  
2260 N Street  
Mailing: 627 W. 21st Street  
Merced, CA 95340

Fill in case number:

**Case Number:**

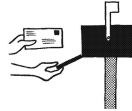
**1 Name of Person Asking for Protection:**

**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*