



Cover Sheet:	Request for Domestic Violence Restraining Order for Parties with Minor Children in Common
Effective Date:	January 17, 2018
Last Revision Date:	May 6, 2025
Purpose:	<p>A Domestic Violence Restraining Order seeks to protect intimate partners and close relations from abuse or threats of abuse.</p> <p>Review the forms closely or contact the Self Help Center to determine if this is the correct type of Restraining Order for your situation.</p>
Assistance:	Parties who are acting as their own attorneys may receive help from the Self Help Center to complete these forms. You may contact the Self Help Center through the Court's website, by creating an e-Correspondence account, or visit the Self Help Center in person, Monday through Thursday, and Friday morning.
Required Forms:	<p>All forms are Judicial Council forms, unless otherwise indicated:</p> <ul style="list-style-type: none">• Family Law Case Participant Enrollment Form (Party), local form FL/E-LP-665• Notice of Court Hearing, DV-109• Request for Domestic Violence Restraining Order, DV-100• Temporary Restraining Order, DV-110 (please complete items 1, 2 and 3 only)• Confidential CLETS Information, CLETS-001• Restraining Order After Hearing, DV-130• Document Drop-Off Sheet for Domestic Violence and Elder Abuse Restraining Orders, and Ex Parte Applications (Family Law and Probate), local form FL-E/LP-668
Optional Forms:	<p>These forms are needed only if you are requesting orders regarding child custody, support or transfer of a cellular telephone account:</p> <ul style="list-style-type: none">• Request for Child Custody and Visitation Orders, DV-105• City and State Where Child Lived, DV-105(A)• Request for Order: No Travel with Children, DV-108• Parent-Child Relationship Declaration, local form FL/E-LP-616• Child Custody and Visitation Order, DV-140 (complete twice)• Order: No Travel with Children, DV-145 (complete twice)• Child Support Information and Order Attachment, FL-342• Spousal, Partner, or Family Support Order Attachment, FL-343• Income and Expense Declaration, FL-150• Order Transferring Wireless Phone Account, DV-900



Filing Fee:	None.
Copies:	The Court does not require additional copies of these forms.
Before You File:	<p>The Court requires that you include an address on your forms where you can receive mail regarding the case you are filing. This address does not have to be the place where you live. Court documents and court files are public record and whatever address is included on your forms will be seen by the other party and anyone else who looks at the Court file.</p> <p>Attach copies of any photographs or other evidence to the Request for Domestic Violence Restraining Order that you would like the Court to consider when granting the Temporary Restraining Order. All pages must be 8.5 by 11 inches.</p>
Filing:	<p>All forms must be typewritten or printed in blue or black ink. (See California Rules of Court, Rules 2.100-2.119)</p> <p>Forms may be filed electronically or in person as follows:</p> <p>e-Delivery: Instructions on how to submit them electronically can be found at https://www.saccourt.ca.gov/restraining-orders/domestic-violence.aspx</p> <p>In Person: Forms may be filed in person between the hours of 8:30 am and 4:00 pm. You must make an appointment online or obtain a ticket from Reception to file in person.</p> <p>If the forms are filed before 1:00 pm, you will receive a response from the Judge on the same day.</p>
Next Steps:	<p>After filing these documents, you will be contacted with instructions on how to retrieve the temporary order and attend the court hearing.</p> <p>If you will need an interpreter at the hearing, please call (916) 875-2620 at least 10 days before the hearing. You will be asked to provide your name, case number, and the language needed.</p>

What is a “domestic violence restraining order”?

It is a court order that can help protect people who have been abused by someone they've had an intimate relationship with, are closely related to, or have lived with as more than just roommates.

How can a restraining order help me?

A judge can order the restrained person to:

- Not contact you, your children or relatives, or people you live with;
- Stay away from you, your children or relatives, or people you live with, your home, your job, etc.;
- Not have any firearms (guns, including “ghost guns”), firearm parts, ammunition, or body armor;
- Move out of a home that you live in;
- Obey child custody and visitation orders;
- Pay child support;
- Pay spousal support;
- Pay debt for property; and
- Give you control of property (examples: cell phone, car, home).

Does this request cost money to file?

No, filing this request with the court is free.

How long can a restraining order last?

If the judge makes a temporary order, it will last until your hearing date (court date). Your hearing is usually three weeks after you turn in your court papers. At your hearing, the judge will decide whether to grant you a long-term restraining order that can last up to five years.

How soon can I get the order?

If you decide to ask for a restraining order, you will need to complete court papers. Once you turn in your court papers, a judge will decide the same day or next business day on whether to grant you a temporary restraining order.

How old must I be to ask for one?

To ask for a restraining order on your own, you must be 12 years old or older. In some cases, the judge may ask that an adult (someone 18 years old or older), like a trusted relative, help you in your case.

What if I don't have a green card?

You can get a restraining order even if you are not a U.S. citizen. If you are worried about deportation, you may want to talk with an immigration lawyer.

Can a restraining order protect my children?

Yes, you can ask the judge to protect your children. If you are asking for a restraining order against someone you have children with, you can also ask the judge to make child custody and visitation orders. And if you think that the other parent might abduct (kidnap) your children, you can ask for orders to prevent kidnapping.

Can I use a restraining order to get divorced or terminate a registered domestic partnership?

No. These forms will not end your marriage or registered domestic partnership. You must file other forms to end your marriage or registered domestic partnership.



Am I eligible?

To qualify for a domestic violence restraining order, you must have a (1) required relationship and (2) show that the person you want a restraining order against has been abusive.

Required relationship

- Your spouse, ex-spouse, registered domestic partner, or ex-registered domestic partner;
- Someone you have a child with;
- Your parent, child, sibling, or grandparent (includes in-laws and step relationships);
- Someone you live with or used to live with (more than just roommates);

Abuse

Abuse can be spoken, written, or physical. It can be physical, sexual, or emotional. It includes threats to harm you or your family, stalking, harassment, destroying personal property, repeated contact, and disturbing the peace.

What does disturbing the peace mean?

It means to destroy someone's mental or emotional calm. Disturbing the peace includes coercive control. Coercive control means a number of acts that unreasonably limit the free will and individual rights of any person. Examples include:

- Isolating someone from their friends, relatives, or other support;
- Keeping them from food or basic needs;
- Controlling or keeping track of them, including their movements, contacts, actions, money, or access to services;
- Threats to immigration status;
- Making them do something that they don't want to do; and
- Controlling or interfering with someone's contraception (birth control, condoms); pregnancy or ability to become a parent; or access to health information.

What if I don't qualify for a domestic violence restraining order?

There are other kinds of restraining orders you can ask for. Here are some examples:

- Civil harassment order (can be used for neighbors, roommates, cousins, uncles, and aunts).
- Dependent adult or elder abuse restraining order (if you are at least 65 or a dependent adult).
- Gun violence restraining order (to prevent someone from hurting themselves or others with a firearm).

Note that all restraining orders include a firearms and ammunition restriction. A gun violence restraining order gives limited protection because it only restrains the person from having firearms and ammunition. To learn more about other kinds of restraining orders, go to <https://selfhelp.courts.ca.gov/restraining-orders>.

How do I ask for a domestic violence restraining order?

See form [DV-505-INFO](#), *How to Ask for a Domestic Violence Restraining Order*. The forms are available online at www.courts.ca.gov/forms. If you want a paper copy, go to any California courthouse. You can also check with your county's law library.

Will I have a court hearing (court date)?

Yes. The court will give you a day and time to attend court. If you want to attend court remotely (by phone or videoconference), go to the court's website to find out how to attend remotely. To learn more about what to expect at your hearing, read form [DV-520-INFO](#), *Get Ready for Your Restraining Order Court Hearing*, or go to <https://selfhelp.courts.ca.gov/DV-restraining-order/prepare-court-date>.



Do I need a lawyer to make this request?

No, but this type of request can be hard to get through on your own. Free help may be available at your local court's self-help center. (See below.)

Where can I find a self-help center?

Find your local court's self-help center at www.selfhelp.courts.ca.gov/find. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case, and help you with the forms.

What if I need an interpreter?

If you decide to ask for a restraining order, you will need to talk to a judge. If you need an interpreter, use form [INT-300](#) to request an interpreter or ask the court clerk how you can request one.

I have a disability. How can I get help?

You may use form [MC-410](#) to request assistance. Contact the disability or ADA coordinator at your local court for more information.

Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms.htm for *Disability Accommodation Request* (form [MC-410](#)). (Civil Code section 54.8.)

Confidential Address Program

If you are a victim of domestic violence or live with a victim of domestic violence, there is a special program called Safe At Home that you can apply for. It is a free program that would help you keep your address private. To learn more about the program, go to <https://www.sos.ca.gov/registries/safe-home/>. Note that it may take several weeks to be approved.

For more information on other steps of the process

- Form [DV-505-INFO](#), *How to Ask for a Domestic Violence Restraining Order*
- Form [DV-200-INFO](#), *What Is "Proof of Personal Service"?*
- Form [DV-520-INFO](#), *Get Ready For Your Restraining Order Court Hearing*
- Form [DV-530-INFO](#), *How to Enforce Your Restraining Order*

Information about the court process is also available online

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

Where can I find other help?

The National Domestic Violence Hotline provides free and private safety tips. Help is available every day, 24 hours a day, and in over 100 languages. Visit online at www.thehotline.org or call 1-800-799-7233; 1-800-787-3224 (TTY).

Important Notice about Access to Your Case

Court orders, minute orders, and child custody mediation reports are available online using our Public Case Access System. Access to court orders and minute orders provides you with information on what the court ordered in your case. Access to child custody mediation reports is necessary so that you know what child custody, visitation, or other suggestions the mediator recommended to the court.

To get secure access to your case online, you must complete and submit to the court the attached Family Law Case Participant Enrollment Form - Party, along with a copy of your driver's license, to create or update an account on our Public Case Access System. A separate form must be filed for each case or when you change your email address.

Once you complete the form, you may submit it in person at the courthouse at the public service counter or use the Drop Box. You may also submit it by US Mail at 3341 Power Inn Road, Sacramento, CA 95826.

Submitting the form as soon as possible is important because it may take two to five days to be processed from the date of receipt.

Once your access is set up you will receive an email letting you know that you are subscribed to your case. If you do not receive an email notifying you that you are subscribed to your case during the timeframes identified above, please inform the court using our Contact Us page at:

<https://www.saccourt.ca.gov/contact.aspx>

CONFIDENTIAL

CASE PARTICIPANT NAME: STREET ADDRESS: CITY/STATE/ZIP CODE: TELEPHONE NO.: E-MAIL ADDRESS <i>(must be legible)</i>	<i>FOR COURT USE ONLY</i>
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO STREET ADDRESS: 3341 Power Inn Road CITY AND ZIP CODE: Sacramento, CA 95826 BRANCH NAME: William R. Ridgeway Family Relations Courthouse	
PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: CLAIMANT:	
FAMILY LAW CASE PARTICIPANT ENROLLMENT FORM (PARTY)	CASE NUMBER:

You may access orders for law and motion hearings, and mediation reports prepared by Family Court Services using the court's online Public Case Access System. Access is available at no charge from the time the court creates your case subscription.

INSTRUCTIONS

To setup your account you must:

- File this form with the court with a copy of your **driver license or a state or federal issued photo identification card**.
- A separate form must be filed for each of your Family Law cases.
- Once the court has created your subscription to your case, you will receive a confirming email. You must follow the instructions in that email to complete the process.
- Once your subscription is completed, you will receive an email notification each time an order or report is added to your case.

I, _____, request that the court create an account and/or subscription to my Family Law case.

I declare that my private email address is *(must be legible)*:

(Please use Ø for zero, 1 for one and clearly differentiate i, L, S, 5, 3, and 8's)

I understand if I change my e-mail address I must file a new enrollment form with the court.

I acknowledge that confidential mediation reports contain private information that is not part of the public court file. I understand that without a court order, I must not disclose any contents of the Report to anyone (including any minor children) other than the parties to my case (Petitioner/Respondent/Claimant), their attorneys and court professionals. I acknowledge that the court may impose a penalty for any unauthorized disclosure of any content of the Family Court Services report.

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

Date:

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

Clerk stamps date here when form is filed.

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

① Person Asking for Protection

Name: _____

Fill in court name and street address:

Superior Court of California, County of

② Person to Be Restrained

Name: _____

Court fills in case number when form is filed.

Case Number:

③ Notice of Hearing

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



Name and address of court if different from above: _____

Date: _____ Time: _____
Dept.: _____ Room: _____

You may attend your court date remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to:

At the hearing, the court must consider whether failure to make any of the orders requested by the person in ① might risk the safety of the person in ① or any children listed on form DV-105. If child or spousal support was requested, the court must consider whether failure to make support orders would risk the safety of the person in ① or any children listed on form DV-105.

To the person in ②:

- If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order.
- If you do not attend the hearing, the judge may still grant the restraining order that could last up to five years. After you receive a copy of the order, you could be arrested if you violate the order.



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

- a. Temporary Restraining Orders (*any order requested under Family Code section 6320*): (check one)
- (1) All **granted** until the court hearing.
- (2) All **denied** until the court hearing. (*Reasons for denial are given below in b.*)
- (3) Partly **granted** and partly **denied** until the court hearing. (*Reasons for denial are given in b.*)
- b. Reasons for denial of some or all of the orders requested on form DV-100.
- (1) The facts given in the request (form DV-100) do not show reasonable proof of a past act or acts of abuse. (Family Code sections 6300, 6320, and 6320.5.)
- (2) The facts given in the request do not give enough detail about the most recent incidents of abuse, including what happened, the dates, who did what to whom, or any injuries or history of abuse.
- (3) Other reasons for denial:
-

5 Confidential Information Regarding Minor

- a. A request to keep minor's information confidential was made (see form DV-160) and **granted**. (*See form DV-165, Order on Request to Keep Minor's Information Confidential, served with this form.*)
- b. **If the request was granted, the information described on the order (form DV-165, item 7) must be kept CONFIDENTIAL. The disclosure or misuse of the information is punishable as a sanction, with a fine of up to \$1,000 or other court penalties.**

6 Service of Documents by the Person in 1

At least five _____ days before the hearing, someone age 18 or older—**not you or anyone to be protected**—must personally give (serve) a court file-stamped copy of this form (DV-109, *Notice of Court Hearing*) to the person in 2 along with a copy of all the forms indicated below:

- a. DV-100, *Request for Domestic Violence Restraining Order* (file-stamped)
- b. DV-110, *Temporary Restraining Order* (file-stamped), **if granted**
- c. DV-120, *Response to Request for Domestic Violence Restraining Order* (blank form)
- d. DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- e. DV-170, *Notice of Order Protecting Information of Minor*, and DV-165, *Order on Request to Keep Minor's Information Confidential* (file-stamped), **if granted**
- f. Other (*specify*): _____

Judge's Signature

Date: _____

Judicial Officer

To the Person in ① :

- **At the hearing:** The judge will decide if a restraining order is needed to keep you or your children safe. If the judge grants you a restraining order at the hearing, it can last up to five years. You must attend the hearing if you want the judge to make any of the orders you requested on form DV-100. Bring any evidence or witnesses you have. For more information, read form _____, *Get Ready for Your Restraining Order Court Hearing*.
- **Option to cancel hearing:** If item ④a(2) or ④a(3) is checked, you have the option of canceling the hearing. If you cancel the hearing, your request for restraining order will not move forward. Any temporary orders made will expire on the day of the hearing. If you want to cancel the hearing, use form _____, *Waiver of Hearing on Denied Request for Temporary Restraining Order*.
- **Before the hearing:** You must have someone personally serve (give) the person in ② a copy of all the papers listed in ⑥ by the deadline listed in ⑥. For more information, read form DV-200-INFO, *What Is "Proof of Personal Service"?* You may ask to reschedule the hearing if you are unable to serve the person in ② and need more time to serve the documents, or for other good reasons. Read form _____, *How to Ask for a New Hearing Date*.

To the Person in ② :

- **Respond in writing** (optional): You can respond in writing by completing form DV-120, *Response to Request for Domestic Violence Restraining Order*. For more information, read form _____, *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- **At the hearing:** Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making an order. At the hearing, tell the judge why you agree or disagree with the orders requested. Bring any evidence or witnesses you have. Read form _____, *Get Ready for Your Restraining Order Court Hearing*.
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask the judge to reschedule your court date. Read form _____, *How to Ask for a New Hearing Date*.



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to _____ for *Disability Accommodation Request* (form MC-410). (Civil Code section

54.8.)

(Clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy



Clerk stamps date here when form is filed.

Instructions

To ask for a domestic violence restraining order, you will need to complete this form and other forms (see page 13 for list of forms). If this case includes sensitive information about a minor child (under 18 years old), see form [DV-160-INFO](#), *Privacy Protection for a Minor (Person Under 18 Years Old)*, for more information on how to protect the child's information.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:**1 Person Asking for Protection**a. **Your name:** _____b. **Your age:** _____c. **⚠ Address where you can receive court papers**

(This address will be used by the court and by the person in ② to send you official court dates, orders, and papers. For privacy, you may use another address like a post office box, a Safe at Home address, or another person's address, if you have their permission and can get your mail regularly. If you have a lawyer, give their information.)

Address: _____

City: _____ State: _____ Zip: _____

d. **⚠ Your contact information (optional)**

(The court could use this information to contact you. If you don't want the person in ② to have this information, leave it blank or provide a safe phone number or email address. If you have a lawyer, give their information.)

Telephone: _____ Fax: _____

Email Address: _____

e. **Your lawyer's information (if you have one)**

Name: _____ State Bar No.: _____

Firm Name: _____

2 Person You Want Protection Froma. **Full name:** _____b. **Age (give estimate if you do not know exact age):** _____c. **Date of birth (if known):** _____d. **Gender:** M F Nonbinarye. **Race:** _____**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, do not complete the rest of this form. You may be eligible for another type of restraining order. Learn more at <https://selfhelp.courts.ca.gov/restraining-orders>.)

(Check all that apply)

- a. We have a child or children together (*names of children*): _____
- b. We are married or registered domestic partners.
- c. We used to be married or registered domestic partners.
- d. We are dating or used to date.
- e. We are or used to be engaged to be married.
- f. We are related. The person in 2 is my (*check all that apply*):
 - Parent, stepparent, or parent-in-law Brother, sister, sibling, stepsibling, or sibling in-law
 - Child, stepchild, or legally adopted child Grandparent, step-grandparent, or grandparent-in-law
 - Child's spouse Grandchild, step-grandchild, or grandchild-in-law
- g. We live together or used to live together. (*If checked, answer question below*):
 Have you lived together with the person in 2 as a family or household (more than just roommates)?
 Yes No (*If no, you do not qualify for this kind of restraining order unless you checked one of the other relationships listed above.*)

4 Other Restraining Orders and Court Cases

- a. Are there any restraining orders currently in place **or** that have expired in the last six months (examples: Did the police give you a restraining order that lasts a few days? Do you have one from the criminal court?)
 - No
 - Yes (*If yes, give information below and attach a copy if you have one.*)
 - (1) (*date of order*): _____ (*date it expires*): _____
 - (2) (*date of order*): _____ (*date it expires*): _____
- b. Are you involved in any other court case with the person in 2?
 - No
 - Yes (*If you know, list where the case was filed (city, state, or tribe), the year it was filed, and case number.*)
 - Custody _____
 - Divorce _____
 - Juvenile (*child welfare or juvenile justice*): _____
 - Guardianship _____
 - Criminal _____
 - Other (*what kind of case?*): _____

This is not a Court Order.



Describe Abuse

In this section, explain how the person in (2) has been abusive. The judge will use this information to decide your request. Listed below are some examples of what "abuse" means under the law. **It is not a complete list** of all examples of abuse. Give information on any incident that you believe was abusive.

- made repeated unwanted contact with you
- tracked, controlled, or blocked your movements
- kept you from getting food or basic needs
- isolated you from friends, family, or other support
- made threats based on actual or suspected immigration status
- made you do something by force, threat, or intimidation
- stopped you from accessing or earning money
- tried to control/interfere with your contraception, birth control, pregnancy, or access to health information
- harassed you
- hit, kicked, pushed, or bit you
- injured you or tried to
- threatened to hurt or kill you
- sexually abused you
- abused a pet or animal
- destroyed your property
- choked or strangled you
- abused your children

5 Most Recent Abuse

- a. Date of abuse (give an estimate if you don't know the exact date): _____
- b. Did anyone else hear or see what happened on this day?
 I don't know No Yes (If yes, give names): _____
- c. Did the person in (2) use or threaten to use a gun or other weapon?
 No Yes (If yes, describe gun or weapon): _____
- d. Did the person in (2) cause you any emotional or physical harm?
 No Yes (If yes, describe harm): _____
- e. Did the police come? I don't know No Yes (If the police gave you a restraining order, list it in (4).)
- f. Give more details about how the person in (2) was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.
- _____
- _____
- _____
- _____
- _____
- _____
- g. How often has the person in (2) abused you like this?
 Just this once 2-5 times Weekly Other: _____
 Give dates or estimates of when it happened, if known:

- _____

This is not a Court Order.



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):

Table with 4 columns: (1) Full name, Age, Relationship to you, Lives with you? (Yes/No)

Check this box if you need to list more people. Use a separate piece of paper and write "DV-100, Other Protected People" at the top. Turn it in with this form.

(2) Why do these people need protection?

Multiple horizontal lines for text entry.

9 Does person in 2 have firearms (guns), firearm parts, or ammunition?

(A firearm includes a handgun, rifle, shotgun, and assault weapon. A firearm part means a receiver or frame or any item that may be used as or easily turned into a receiver or frame. Ammunition includes bullets, shells, cartridges, and clips.)

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

Table with 3 columns: Describe Firearms (Guns), Firearm Parts, or Ammunition, Number or Amount, Location, 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. (For more information on what “disturbing the peace” means, read form [DV-500-INFO](#), *Can A Domestic Violence Restraining Order Help Me?*)

11 **No-Contact Order**

I ask the judge to order the person in **(2)** to not contact me or anyone listed in **(8)**.

12 **Stay-Away Order**

a. I ask the judge to order the person in **(2)** to stay away from *(check all that apply)*:

- | | |
|---|--|
| <input type="checkbox"/> Me. | <input type="checkbox"/> My school. |
| <input type="checkbox"/> My home. | <input type="checkbox"/> Each person in (8) . |
| <input type="checkbox"/> My job or workplace. | <input type="checkbox"/> My children’s school or childcare. |
| <input type="checkbox"/> My vehicle. | <input type="checkbox"/> Other <i>(please explain)</i> : _____ |

b. How far do you want the person to stay away from all the places you checked above?

- 100 yards (300 feet) Other *(give distance in yards)*: _____

c. Do you and the person in **(2)** live together or live close to each other?

- No Yes *(If yes, check one)*:
- Live together *(If you live together, you can ask that the person in **(2)** move out in **(13)** .)*
- Live in the same building, but not in the same home
- Live in the same neighborhood
- Other *(please explain)*: _____

d. Do you and the person in **(2)** have the same workplace or go to the same school?

- No Yes *(If yes, check all that apply)*:
- Work together at *(name of company)*: _____
- Go to the same school *(name of school)*: _____
- Other *(please explain)*: _____

This is not a Court Order.



13 **Order to Move Out**

a. I ask the judge to order the person in **(2)** to move out of the home, located at:

(Give address): _____

b. I have a right to live at this address because:

(Check all that apply)

- I own the home.
- I have lived at this address for _____ years, _____ months.
- My name is on the lease.
- I pay for some or all the rent or mortgage.
- I live at this address with my child(ren).
- Other (please explain): _____

14 **Other Orders**

(Describe any additional orders you want the judge to make to keep you, your children, or the people in **(8)** safe):

15 **Child Custody and Visitation**

(Check this box if you have a child with the person in **(2)** and want the judge to make or change a child custody or visitation order. **You must fill out form [DV-105, Request for Child Custody and Visitation Orders](#), and attach it to this form.**)

Orders that you can request on form DV-105 include:

- Child custody
- Stop person in **(2)** from accessing your child's school or medical information
- No visits with your children
- Virtual visits with your children
- Supervised (monitored) visits with your children
- Unsupervised (unmonitored) visits with your children

This is not a Court Order.



16 **Protect Animals**

a. (You may ask the court to protect your animals, your children’s animals, or the person in ②’s animals.)

Name (or other way to ID animal)	Type of animal	Breed (if known)	Color
(1) _____	_____	_____	_____
(2) _____	_____	_____	_____
(3) _____	_____	_____	_____
(4) _____	_____	_____	_____

b. I ask the judge to protect the animals listed above by ordering the person in ② to:

(Check all that apply)

- (1) Stay away from the animals by at least: 100 yards (300 feet) Other (number of yards): _____
- (2) **Not** take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
- (3) Give me sole possession, care, and control of the animals because (check all that apply):
 - Person in ② abuses the animals. I take care of these animals.
 - I purchased these animals. Other (please explain): _____

17 **Control of Property**

a. I ask the judge to give **only me** temporary use, possession, and control of the property listed here (describe):

b. Explain why you want control of the property you listed:

18 **Health and Other Insurance**

I ask the judge to order the person in ② to **not** make any changes to any insurance or other coverage for me, the person in ②, or our children, including not being allowed to cancel, cash, borrow against, transfer, dispose of, or change the beneficiaries for the insurance.

19 **Record Communications**

I ask the judge to allow me to record calls or communications the person in ② makes to me, when those calls or communications violate this restraining order.

This is not a Court Order.



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: \$ _____
Pay to: _____	For: _____	Amount: \$ _____

24 **Child Support** *(this applies only 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**

(You must be married or a registered domestic partner with person in ②.)

I ask the judge to order the person in ② to give me financial assistance.

26 **Lawyer's Fees and Costs**

I ask that the person in ② pay for some or all of my lawyer's fees and costs. (If you ask for fees and costs and the court grants your restraining order, the court must award you fees and costs if the respondent can afford to pay.)

This is not a Court Order.



27 **Batterer Intervention Program**

I ask the judge to order the person listed in (2) to go to a 52-week batterer intervention program. (The goal of this program is to stop abuse. There are weekly classes on accountability, abuse effects, and gender roles. If ordered, the person in (2) has to show the judge that they enrolled and completed the program.)

28 **Transfer of Wireless Phone Account**

(If the person in (2) holds the rights to your cell phone account, you can ask the judge to transfer your number or your child's number to you. This means you will be financially responsible for these accounts. If you want to have control over a mobile device, like a cell phone, make this request at (17).)

I ask the judge to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed below to me because the account currently belongs to the person in (2):

- a. My number Number of child in my care (including area code): _____
- b. My number Number of child in my care (including area code): _____
- c. My number Number of child in my care (including area code): _____
- d. My number Number of child in my care (including area code): _____

Automatic Orders if the Judge Grants Restraining Order

In this section are orders that the person in (2) would have to follow if the judge grants a restraining order.

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

- Cannot own, possess, or buy firearms (guns), firearm parts, and ammunition.
- Must turn in, sell, or store any firearms (guns), firearm parts, or ammunition that they have or control.

30 **No Body Armor**

- Cannot own, possess, or buy body armor.
- Must relinquish any body armor in their possession.

31 **Cannot Look for Protected People**

Cannot 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.

This is not a Court Order.



32 Additional Pages

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

33 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

34 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 _____, *Temporary Restraining Order (only items 1, 2 and 3)*
 - Form _____, *Notice of Court Hearing (only items 1 and 2)*
 - Form _____, *Confidential Information for Law Enforcement*
 - **If you are asking for child custody and visitation orders**, you must complete **form** _____, *Request for Child Custody and Visitation Orders*, and **form** _____, *Child Custody and Visitation Order*.
- 2** Turn in your completed forms to the court. Find out when your forms will be ready for you.
- 3** Once you get your forms back from the court, have someone “serve” a copy of all forms on the person in **(2)**. The sheriff or marshal can do this for free. See form _____, *Request for Sheriff to Serve Court Papers*. Learn more about service at _____.
- 4** If you are asking for child support or spousal support you must also complete form _____, *Income and Expense Declaration*. If you are only asking for child support, you may be eligible to fill out a simpler form, _____. Read form _____ 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.



Original Order _____ Amended Order

Clerk stamps date here when form is filed.

Instruction: The person asking for a restraining order must complete 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 *Race: _____

*Age: _____ (estimate, if age unknown) Date of Birth: _____

Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

Relationship to person in ①: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

Firearms, firearm parts, or ammunition that restrained person may have:
(Include information from form DV-100, item 9)

(Information that has a star (*) next to it is required to add this order into a California police database. Give all the information you know.)

Fill in court name and street address:

Superior Court of California, County of _____

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 ⑨ through ⑫.

Full name	Relationship to person in ①	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____

Check here if you need to list more people. List them on a separate piece of paper, write "DV-110, Other Protected People" at the top, and attach it to this form.

(The court will complete the rest of this form)

④ **Your Hearing Date (Court Date)**



This order expires at the end of the hearing listed below:

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

This order must be enforced throughout the United States. See page 7.

This is a Court Order.



To the Person in (2): The judge has granted temporary orders. See (5) through (21). If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine. It is a felony to take or hide a child in violation of this order.

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

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.
- b. **Prohibited items are:**
 - (1) Firearms (guns);
 - (2) Firearm parts, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
 - (3) Ammunition.
- c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
- d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
- e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, sold, or stored. (You may use form [DV-800/JV-270, Receipt for Firearms, Firearm Parts, and Ammunition.](#)) If law enforcement served you with the restraining order, you must give a copy of the receipt to that law enforcement agency.

(6) Restrained person has prohibited items

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

Description (include serial number, if known)	Location, if known	Proof of compliance received by the court
(1) _____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	<input type="checkbox"/> (date): _____

b. Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	_____	<input type="checkbox"/> (date): _____

This is a Court Order.



7 **Court Hearing to Review Firearms (Guns), Firearm Parts, and Ammunition Compliance**

In addition to the hearing listed on form DV-109, item **(3)**, you must attend the court hearing listed below to prove that you have properly turned in, sold, or stored all prohibited items (described in **(5)b**) you still have or own, including any items listed in **(6)**. If you do not attend the court hearing listed below, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.

Name and address of court, if different than court address listed on page 1



Date: _____ Dept.: _____
Time: _____ Room: _____

8 **No Body Armor**

You cannot own, possess, or buy body armor (defined in Penal Code section 16288). You must relinquish any body armor you have in your possession.

9 **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.

10 **Order to Not Abuse** **Not requested** **Denied until the hearing** **Granted as follows:**

You must not do the following things to the person in **(1) and any person listed in **(3)**:**

- Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace.
- “Disturb the peace” means to destroy someone’s mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- “Coercive control” means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status. Coercive control includes reproductive coercion meaning controlling someone’s reproductive choices, such as using force, threat, or intimidation to pressure someone to be or not be pregnant, and to control or interfere with someone’s contraception, birth control, pregnancy, or access to health information.

This is a Court Order.



11 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 11a:
 - (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.

12 Stay-Away Order Not requested Denied until the hearing Granted as follows:

- a. You must stay at least (*specify*): _____ yards away from (*check all that apply*):
 - Person in **1**.
 - Home of person in **1**.
 - Job or workplace of person in **1**.
 - Vehicle of person in **1**.
 - School of person in **1**.
 - Persons in **3**.
 - Children's school or child care.
 - Other (*explain*): _____
- b. Exception to 12a:
The stay-away orders do not apply:
 - (1) For you to exchange your children for court-ordered visits. You must do so briefly and peacefully.
 - (2) For you to visit with your children for court-ordered contact or visits.
 - (3) Other (*explain*): _____

13 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*): _____

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

This is a Court Order.



15 Child Custody and Visitation Not requested Denied until the hearing Granted as follows:
Granted on the attached form [DV-140](#), *Child Custody and Visitation Order*, and
 (list other form): _____.

16 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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

17 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:

18 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.

19 Record Communications Not requested Denied until the hearing Granted as follows:
The person in ① may record communications made by the person in ② that violate this order.

This is a Court Order.

20 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 ①, 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.)

21 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: _____

22 Orders That May Be Made at the Hearing Date (Court Date)

If the person in ① checked any of these orders on form DV-100, a judge could grant them at your court date.

- Child Support • Lawyer’s Fees and Costs • Batterer Intervention Program
- Spousal Support • Pay Expenses Caused by Abuse • Transfer of Wireless Phone Account

23 No Fee to Serve (Notify) Restrained Person

The sheriff or marshal will serve this order for free. If you want the sheriff to serve your papers, complete form [SER-001](#), *Request for Sheriff to Serve Court Papers*. Give form SER-001 and a copy of this order to the sheriff.

24 Attached Pages *(All of the attached pages are part of this order.)*

- a. Number of pages attached to this nine-page form: _____
- b. Attachments include forms *(check all that apply)*:
- DV-140 DV-145 DV-820 Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.



Certificate of Compliance With VAWA

This temporary protective order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. section 2265 (1994) (VAWA), upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

Warnings and Notices to the Restrained Person in ②

Your Address to Receive Court Orders

If the judge makes a restraining order at the hearing (court date), which has the same orders as in this Temporary Restraining Order, you will get a copy of that order by mail at your last known address, which is written in ② on page 1. If your address was not listed on this form or is incorrect, contact the court. If you did not attend your hearing and want to know if the judge granted a restraining order against you, contact the court.

Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not attend your hearing (court date), the judge can make custody and visitation orders for your children without hearing from you.
- **Child support:** The judge can order child support based on the income of both parents. The judge can also have that support taken directly from a parent's paycheck. Child support can be a lot of money, and usually you have to pay until the child is age 18. File and serve **form [FL-150](#), *Income and Expense Declaration***, or **form [FL-155](#), *Financial Statement (Simplified)***, if you want the judge to have information about your finances. Otherwise, the court may make support orders without hearing from you.
- **Spousal support:** File and serve **form [FL-150](#), *Income and Expense Declaration***, so the judge will have information about your finances. Otherwise, the court may make support orders without hearing from you.

Firearms (Guns), Firearm Parts, and Ammunition

Under California law, you cannot have any firearms (guns), certain firearm parts, or ammunition. (Family Code sections 6216 and 6389(a)). Ask the court for information on how to properly turn in, sell, or store these items in your city or county. You can also contact your local police department for instructions.

This is a Court Order.



Instructions for Law Enforcement

This order is effective when made. It is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this order are subject to criminal penalties.

Duties of Officer Serving This Order

The officer who serves this order on the Restrained Person must do the following:

- Ask if the Restrained Person is in possession of any of the prohibited items listed in (6), or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Penal Code sections 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Penal Code section 13710(b).)

Child Custody and Visitation

Child custody and visitation orders are listed on form DV-140 or another attached form. If the judge made these orders, look at (11) and (12) of this order to see if the judge granted an exception for brief and peaceful contact with the person in (1) as needed to follow court-ordered visits. Contact by the person in (2) that is **not** brief and peaceful is a violation of this order. **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

This is a Court Order.



Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Penal Code section 136.2 and Family Code sections 6383(h)(2), 6405(b)):

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item (11) is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Family Code sections 6383(h)(2) and 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Penal Code section 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

(The clerk will fill out this part.)

Instructions to Clerk: You must give up to three free (certified, stamped, and endorsed) copies of this order to the protected party.

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.

CLETS-001 Confidential Information for Law Enforcement

Instructions: If you are asking for a restraining order, you must complete this form and give it to the court clerk, along with the other court forms required in your case. If the judge grants the restraining order, information you give on this form will be entered into a database (called CLETS) to help law enforcement enforce the order. If information changes later, you may complete this form again and turn it in to the court.

To Court Clerk: Do not file this form. The information on this form must be entered into the protective order registry in CLETS.

Court fills in case number when form is received.

Case Number: _____

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

Date received by court: _____

1 Person You Want a Restraining Order Against

*Name: _____

Other names used: _____

Marks, scars, or tattoos: _____ SSN: _____

Telephone: _____ Driver's license (number and state): _____

Vehicle type: _____ Model: _____ Year: _____ Plate number: _____

Name of employer and address: _____

Does the person speak English? Yes I don't know No (list language): _____

Does the person have any firearms (guns), firearm parts, ammunition, or body armor?

No I don't know

Yes (Give any information you have below, like the type, amount, or location of any items, if known.)

2 *Your Name: _____

(Skip 3 and 4 if you are asking for a gun violence restraining order (form GV-100).)

3 Your Information

*Age: _____ Date of Birth (month, day, year): _____ *Gender: M F X (nonbinary)

Race: _____ Telephone: _____

Do you speak English? Yes No (list language): _____

4 Other People You Want Protected

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

*Name: _____ *Gender: _____ Race: _____ Date of Birth: _____

Check here if you have more people to list. Write them on a separate piece of paper, write "Item 4" at the top, and attach it to this form.

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

Clerk stamps date here when form is filed.

Original Order Amended Order

1 Protected Person (name):

2 Restrained Person

*Full Name: *Gender: *Race: *Age: Date of Birth: Height: Weight: Hair Color: Eye Color: Relationship to person in 1: Address of restrained person: City: State: Zip: (Information that has a star (*) next to it is required to add this order into a California police database. Give all the information you know.)

Fill in court name and street address:

Superior Court of California, County of

Clerk fills in case number when form is filed.

Case Number:

3 Other Protected People

In addition to the person in 1, the following persons are protected by orders as indicated in 13 through 16.

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

Check here if you need to list more people. List them on a separate piece of paper, write "DV-130, Other Protected People" at the top, and attach it to this form.

4 Expiration Date

This restraining order, except the orders noted below,* end on: (date): at (time): a.m. p.m. or midnight
Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends.
Custody, visitation, and child support orders usually end when the child is 18.
If no date is written, the restraining order ends three years after the date of the hearing in 6 a.
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 10.

This is a Court Order.



5 **Future Court Hearing**The person in ① person in ② must attend court on:Date: _____ Time: _____ a.m. p.m.

Department: _____ Room: _____

to review (*list issues*): _____

6 **Hearing**a. The hearing was on (*date*): _____ with (*name of judicial officer*): _____b. These people attended the hearing (*check all that apply*): The person in ① The lawyer for the person in ① (*name*): _____ The person in ② The lawyer for the person in ② (*name*): _____**7** **Court's Decision**

In making this order, the court has considered whether failure to make any of the orders requested might risk the safety of the person in ① or any children listed on form DV-105. If child or spousal support was requested, the court has considered whether failure to make support orders would risk the safety of the person in ① or any children listed on form DV-105.

To the Person in ② :

The court has granted a long-term restraining order. See ⑦ through ③¹. 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.

This is a Court Order.

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

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.
- b. **Prohibited items are:**
 - (1) Firearms;
 - (2) Firearm parts, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
 - (3) Ammunition.
- c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
- d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
- e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, sold, or stored. (You may use form [DV-800/JV-270](#), *Receipt for Firearms, Firearm Parts, and Ammunition*.) If law enforcement served you with the restraining order, you must give a copy of the receipt to that law enforcement agency.
- f. **Limited Exemption:** The judge has made the necessary findings to grant an exemption under Family Code section 6389(h). Under California law, the person in **(2)** is not required to relinquish this firearm (*make, model, and serial number of firearm*): _____ but must only have it during scheduled work hours and to and from their place of work. Even if exempt under California law, the person in **(2)** may be subject to federal prosecution for possessing or controlling a firearm.

9 Restrained person has prohibited items

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

Description (<i>include serial number, if known</i>)	Location, if known	Proof of compliance received by the court
(1) _____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	<input type="checkbox"/> (date): _____

This is a Court Order.



9 The court finds that you have the following prohibited items:

b. **Ammunition**

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	_____	<input type="checkbox"/> (date): _____

Check here to list additional items. List them on a separate piece of paper, write “DV-130, Restrained Person Has Prohibited Items” at the top, and attach it to this form.

10 **Restrained Person Has Not Complied With Surrendering Prohibited Items**

a. The court finds that you have not fully complied with the orders previously granted on (date): _____
The court has not received a receipt or proof of compliance for all the items listed in 9.

b. Notify Law Enforcement

The court will immediately notify the following law enforcement agency of this violation
(law enforcement agency or agencies): _____

c. Notify Prosecutor

The court will immediately notify the following prosecuting agency of this violation
(prosecuting agency): _____

11 **Court Hearing to Review Firearms (Guns), Firearm Parts, and Ammunition Compliance**

You must attend the court hearing in 5 to prove that you have properly turned in, sold, or stored all prohibited items (described in 8b) you still have or own, including any items listed in 9. If you do not attend the court hearing listed in 5, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.

12 **No Body Armor**

You cannot own, possess, or buy body armor (defined in Penal Code section 16288). You must relinquish any body armor you have in your possession.

This is a Court Order.



13 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.

14 Order to Not Abuse

You must not do the following things to the person in ① and any person listed in ③:

- Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace.
- “Disturb the peace” means to destroy someone’s mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- “Coercive control” means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status. Coercive control includes reproductive coercion meaning controlling someone’s reproductive choices, such as using force, threat, or intimidation to pressure someone to be or not be pregnant, and to control or interfere with someone’s contraception, birth control, pregnancy, or access to health information.

15 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 15a:

- (1) You may have brief and peaceful contact with the person in ① to only communicate about your children for court-ordered visits.
- (2) You may have contact with your children only during court-ordered contact or visits.
- (3) Other (*explain*): _____

c. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.



16 **Stay-Away Order**

a. You **must** stay at least (*specify*): _____ yards away from (*check all that apply*):

- Person in ①.
- Home of person in ①.
- Job or workplace of person in ①.
- Vehicle of person in ①.
- School of person in ①.
- Persons in ③.
- Children's school or child care.
- Other (*specify*): _____

b. Exception to 16a:

The stay-away orders do not apply:

- (1) For you to exchange your children for court-ordered visits. You must do so briefly and peacefully.
- (2) For you to visit with your children for court-ordered contact or visits.
- (3) Other (*explain*): _____

17 **Order to Move Out**

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

18 **Other Orders**

19 **Child Custody and Visitation Order**

The judge has granted orders regarding minor children. The orders are included on **form DV-140**, and (*list other form*): _____

20 **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
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

This is a Court Order.



21 **Control of Property**

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

22 **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.

23 **Record Communications**

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

24 **Property Restraint**

The person in **1** in **2** must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. (If the court granted the order in **15**, 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.)

25 **Pay Debts (Bills) Owed for Property**

a. You must make these payments until this order ends:

(1) Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
(2) Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
(3) Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

b. The court finds that the debt or debts listed above in a(1) a(2) a(3) were the result of abuse in this case, and made without the person in **1**'s agreement.

This is a Court Order.



26 **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: _____

27 **Child Support**

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

28 **Spousal Support**

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

29 **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: _____

30 **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 _____, *Proof of Enrollment for Batterer Intervention Program*.

31 **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 _____, *Order Transferring Wireless Phone Account*.

This is a Court Order.



32 Service (check a, b, or c)

- a. **No other proof of service is needed.** The people in ① and ② attended the hearing, either physically or remotely (by telephone or videoconference), or agreed in writing to this order.
- b. **The person in ② was not present.** Proof of service of form DV-109 and form DV-110 (if issued) was presented to the court. (Check all that apply):
 - (1) This order can be served by mail. The judge's orders in this form are the same as in form DV-110 except for the expiration date. The person in ② must be served, either by mail or in person.
 - (2) This order must be personally served. The judge's orders in this form are different from the orders in form DV-110, or form DV-110 was not issued. The person in ② must be personally served (given) a copy of this order.
 - (3) The court has scheduled a firearms and ammunition compliance hearing. The person in ① must have a copy of this order served on the person in ② by:
 - (a) Personal service by (date): _____
 - (b) Mail at the person in ②'s last known address by (date): _____
- c. **Proof of service of form FL-300 to modify the orders in form DV-130 was presented to the court.**
 - (1) The people in ① and ② attended the hearing or agreed in writing to this order. No other proof of service is needed.
 - (2) The person in ① in ② did not attend the hearing and must be personally served (given) a copy of this amended (modified) order.

33 No Fee to Serve (Notify) Restrained Person

The sheriff or marshal will serve this order for free. If you want the sheriff to serve your papers, (1) complete form _____, *Request for Sheriff to Serve Court Papers*, and (2) give the completed form and a copy of this order to the sheriff.

34 Attached Pages

All of the attached pages are part of this order.

- a. Number of pages attached to this 11-page form: _____
- b. Attachments include forms (check all that apply):
 - DV-140 DV-145 DV-900 FL-341(C) FL-342 FL-343 Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.



Certificate of Compliance With VAWA

This restraining (protective) order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. section 2265 (1994) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and must be enforced as if it were an order of that jurisdiction.**

Instructions for Law Enforcement

Start Date and End Date of Orders

This order starts on the earlier of the following dates:

- The hearing date in (6)a on page 2; or
- The date next to the judge’s signature on this page.

This order ends on the expiration date in (4). If no date is listed, they end three years from the hearing date.

Duties of Officer Serving This Order

The officer who serves this order on the Restrained Person must do the following:

- Ask if the Restrained Person is in possession of any of the prohibited items listed in (8)b, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer’s name and law enforcement agency.

Enforcing the Restraining Order in California

Any law enforcement officer in California who receives, sees, or verifies the orders on a paper copy, in the California Law Enforcement Telecommunications System (CLETS), or in an NCIC Protection Order File must enforce the orders.

Notice/Proof of Service

Law enforcement must first determine if the restrained person had notice of the orders. If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person then fails to obey the orders, the officer must enforce them. (Fam. 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 attended the hearing (see (32)) or was informed of the order by an officer. (Fam. Code, § 6383; Pen. Code, § 836(c)(2).) An officer can obtain information about the contents of the order in the California Restraining and Protective Order System (CARPOS). (Fam. Code, § 6381(b)–(c).)

This is a Court Order.



Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. 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. (Pen. Code, § 13710(b).)

Child Custody and Visitation

Child custody and visitation orders are listed on form DV-140 or another attached form. If the judge made these orders, look at (15) and (16) of this order to see if the judge granted an exception for brief and peaceful contact with the person in (1) as needed to follow court-ordered visits. Contact by the person in (2) that is **not** brief and peaceful is a violation of this order.

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must also be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item (15) is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders includes an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2), 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code section 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must also be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must also be enforced.

(The clerk will fill out this part.)

Instructions to Clerk: You must give up to three free (certified, stamped, and endorsed) copies of this order to the protected party.

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.



**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SACRAMENTO
FAMILY LAW & PROBATE DIVISION**

**DOCUMENT DROP-OFF SHEET FOR
DOMESTIC VIOLENCE AND EX PARTE APPLICATIONS
(FAMILY LAW AND PROBATE CASES)**

Case Number: _____

Case Name: _____

Moving/Filing Party's Name: _____

Moving/Filing Party's Contact Phone Number: _____

Moving/Filing Party's Email Address: _____

I need an interpreter at the hearing for the following language: _____

The following must be completed for Ex Parte Applications only.

Opposing/Responding Party's Name: _____

Opposing/Responding Party's Phone Number: _____

Opposing/Responding Party's Email Address: _____

When orders are ready for pick up the court will contact you by telephone with instructions.

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

① Your Information

Name: _____

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

② Person You Want Protection From

Name: _____

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

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

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

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

④ City and State Where Children Lived

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

Yes (Complete section 4b.)

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

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

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

Other* (relationship to child): _____

This is not a Court Order.



5 History of Court Cases Involving Your Children

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

- No
- Yes *(If yes, complete section below.)*

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

- Custody _____
- Divorce _____
- Juvenile Court *(child welfare, juvenile justice)* _____
- Guardianship _____
- Criminal _____
- Other *(example: child support case)* _____

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

- No
- Yes *(Complete the section below.)*

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

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

Why do you want to change the order?

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

Name: _____ Parent Legal Guardian

This is not a Court Order.



Orders a Judge Can Make to Protect Your Children

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

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

- No
 Yes (Complete the section below):

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

- The county of (list): _____
 California
 Other places (list): _____

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

- Yes
 No (Complete the section below):

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

- All the children listed in 3.
 Only the children listed here (names): _____

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

- Medical, dental, and mental health
 School and daycare
 Extracurricular activity, including summer camps and sports teams
 Child's employment (including volunteer and unpaid positions)
 Other (describe): _____

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

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

- No
 Yes (To ask for orders to help prevent abduction, you must complete [form DV-108, Request for Orders to Prevent Child Abduction](#), and attach it to this form.)

This is not a Court Order.



Child Custody

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

- **Legal custody** means the person that makes decisions about the child's health, education, and welfare.
 - **Physical custody** means the person that the child regularly lives with.
- For both types of custody, parents can share custody (joint) or one parent can have full custody (sole).

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

- No
- Yes (Complete the section):

Legal Custody (check one):

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

Physical Custody (check one):

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

Visitation (Parenting Time) with Children

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

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

- No, I ask the judge to order that person in ② have no visits. (Stop here. You have finished completing this form.)
- Yes (Go to ⑪.)

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

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

- Yes (Go to ⑫.)
- No (Go to ⑬.)



12 Details of Supervised (Monitored) Visits

(Complete a and b):

a. Who do you want to supervise the visits?

(Check one):

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

Professional (list name, if known): _____

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

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

(Check one):

Once a week, for (number of hours): _____ each visit.

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

Other (describe): _____

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

Schedule for Supervised Visits

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

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

Follow the schedule listed above (check one):

Every week Every other week Other _____

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

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



13 Details of Unsupervised Visits

(Complete a and b):

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

Do you want child exchanges to be supervised by a third-party?

No

Yes (Complete the section below):

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

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

Professional (list name, if known): _____

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

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

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

Schedule for Unsupervised Visits			
	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start: ----- End, if applies:		
Tuesday	Start: ----- End, if applies:		
Wednesday	Start: ----- End, if applies:		
Thursday	Start: ----- End, if applies:		
Friday	Start: ----- End, if applies:		
Saturday	Start: ----- End, if applies:		
Sunday	Start: ----- End, if applies:		
Follow the schedule listed above (check one): <input type="checkbox"/> Every week <input type="checkbox"/> Every other week <input type="checkbox"/> Other _____			
Start date for visits (month, day, year) _____			



1 This form is attached to (check one):

- DV-105 (For person in ①: Use this form if you have children that have not lived together for the last five years.)
- DV-125 (For person in ②: Use this form to list where your children have lived for the last five years.)
- DV-305 (Use this form if you have children who have not lived together for the last five years.)
- DV-325 (Use this form to list where your children have lived for the last five years.)

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

a. Name of child or children: _____

b. Dates (month/year)	City and State <i>(include tribal land, if applies)</i>	Children lived with (check all that apply):		
		Person in ①	Person in ②	Other (relationship to child)
From: _____ To present	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Check here if this address is private (confidential). List the state only.				
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3 List another child or children who have not lived with the child or children listed above. List where they have lived for the last five years. Start with their current location.

a. Name of child or children: _____

b. Dates (month/year)	City and State <i>(include tribal land, if applies)</i>	Children lived with (check all that apply):		
		Person in ①	Person in ②	Other (relationship to child)
From: _____ To present	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Check here if this address is private (confidential). List the state only.				
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____ Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Check here to list other children with a different residence history than the children you've already listed. Use another form DV-105(A) and attach it to this form.

This is not a Court Order.

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

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

① **Your Name:** _____

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

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

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

The person in ② (check all that apply):

- a. Has violated or threatened to violate a custody or visitation order.
- b. Does not have strong ties to California.
- c. Has done things recently that make it easy to take our children, like (check all that apply):
 - Quit a job
 - Applied for a passport, birth certificate, or school or medical records
 - Closed a bank account
 - Hidden or destroyed documents
 - Sold or gotten rid of property
 - Other (explain): _____
 - Sold a home or ended a lease
- d. Has a history of:
 - Abusing me
 - Taking away or hiding our children from me
 - Child abuse
 - Threatening to take away or hide our children from me
 - Abusing other partners
 - Not cooperating with me in parenting
- e. Has a criminal record
- f. Has strong ties in:
 - Another county in California (list county): _____
 - Another state (list state): _____
 - Another country (list country): _____
- g. Is a citizen of another country (list country or countries): _____
 Does the person in ② have strong family, cultural, or emotional ties to that country? Yes No
 Give examples or reasons for your answers above:

The statements made above are made under penalty of perjury as declared on the request form (DV-100, ③).

This is not a Court Order.

Orders a Judge Can Make to Prevent Abduction

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

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

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

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

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

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

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

6 **Provide Travel Plan and Documents**

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

(Check all that apply.)

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

7 **Notify Other State of Travel Restrictions**

I ask the judge to order the person in ② to register this order with

(list county and state): _____ before the children can travel to that state for visits.

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

I ask the judge to order the person in ② to notify *(name of embassy or consulate)*: _____

of this order and to file proof of the notification with the court by *(date)*: _____

9 **Foreign Custody and Visitation Order**

I ask the judge to order the person in ② to get a custody and visitation order equal to the most recent U.S. order before the child can travel to *(list country)*: _____ for visits.

(Note that foreign orders may be changed or enforced depending on the laws of the country.)

10 **Post a Bond**

I ask the judge to order the person in ② to post a bond for \$ _____.

If the person in ② takes the children without my permission, I can use this money to bring the children back.

This is not a Court Order.

Parent-Child Relationship Declaration
(Family Code Section 6323)

Case Name _____ Case Number _____

I, _____, declare:
 (print name of declarant)

I am the father mother and the other party is the father mother of the following child(ren):

_____	Date of Birth _____
_____	Date of Birth _____
_____	Date of Birth _____

CHECK THE STATEMENT(S) THAT APPLY TO YOU:

1. _____ I gave birth to (all of) the child(ren).
2. _____ The child(ren) was/were born during marriage/domestic partnership or within 300 days after separation.
3. _____ I/we adopted the child(ren) or are in process of adoption the child(ren).
4. _____ I have/the other party has signed a declaration of paternity.
5. _____ The Juvenile Dependency Court has made a determination that there is a parent-child relationship between the father and the child(ren)/mother and the child(ren).
6. _____ A court has determined paternity in a child support agency case where custody and/or visitation was an issue.
7. _____ I have been determined to be the parent of the child(ren) through a Uniform Parentage Act court order.
8. _____ Current child custody and visitation orders as follows:

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

Date: _____

 Signature of Declarant

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

1 Name of Protected Person: _____
 Relationship to children: Parent Legal Guardian Other (*describe*): _____

2 Name of Restrained Person: _____
 Relationship to children: Parent Legal Guardian Other (*describe*): _____

3 Children Under 18 Years Old

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

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

4 No Travel With Children Without Permission

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

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

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

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

a. The person in **2** must not access or have access to the records or information for:

All the children listed in **3**.
 Only the children listed here (*names*): _____

b. From the following (*check all that apply*):

Medical, dental, and mental health providers
 School and daycare providers
 Extracurricular activity providers, including summer camps and sports teams
 Child's employers (including volunteer and unpaid positions)
 Other (*describe*): _____

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

This is a Court Order.



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

7 **Child Custody**

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

- Sole to Person in **1** Jointly (shared) by persons in **1** and **2**.
 Sole to Person in **2** Other *(describe)*: _____

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

- Sole to Person in **1** Jointly (shared) by persons in **1** and **2**.
 Sole to Person in **2** Other *(describe)*: _____

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

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

- Judge's reasons given at the hearing *(See minute order or ask for the transcript.)*
 Judge's reasons listed here: _____

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

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

9 **Supervised (Monitored) Visitation with Children**

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

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

Professional *(name, if known)*: _____

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

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

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

b. Provider's contact information, if known

Address: _____ Telephone: _____

c. Schedule of supervised visits

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

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

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

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

This is a Court Order.



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

- a. Person to be supervised: Person in **1** Person in **2** by:
- Nonprofessional (name and relationship to child): _____
Safe location for exchanges: _____
(For more information on safe locations, go to <https://selfhelp.courts.ca.gov/guide-supervised-visitation>.)
- Professional (list name, if known): _____
- (1) Fees paid by: Person in **1** _____ % Person in **2** _____ % Other: _____ %
- (2) Person in **1** contact provider by (date): _____
Person in **2** contact provider by (date): _____
- (3) Location of exchanges to be decided by provider.
- b. Provider's contact information, if known:
Address: _____ Telephone: _____

11 **Visits With No Supervision (Unmonitored)**

- a. If the judge granted unsupervised visits to the person in **2**, the judge must explain why.
(For judge to complete. Check all that apply):
- Judge's reasons given at the hearing (See minute order or ask for the transcript.)
- Judge's reasons listed here: _____

- b. Person in **1** Person in **2** will visit with the children as follows:
- (1) Visitation schedule described below:

- (2) Follow the Visitation Schedule listed in **12**.

This is a Court Order.

12 **Visitation Schedule for Person in (2)**

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

Follow the schedule listed above (check one):
 Every week Every other week Other _____
Start date for visits (month, day, year) _____

13 **Other Orders**

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

14 **Country of Habitual Residence**

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

15 **Jurisdiction and Notice**

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

16 **Penalties for Violating This Order**

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

This is a Court Order.

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

1 Name of Protected Person: _____
 Relationship to children: Parent Legal Guardian Other (*describe*): _____

2 Name of Restrained Person: _____
 Relationship to children: Parent Legal Guardian Other (*describe*): _____

3 Children Under 18 Years Old

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

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

4 No Travel With Children Without Permission

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

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

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

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

a. The person in **2** must not access or have access to the records or information for:

All the children listed in **3**.
 Only the children listed here (*names*): _____

b. From the following (*check all that apply*):

Medical, dental, and mental health providers
 School and daycare providers
 Extracurricular activity providers, including summer camps and sports teams
 Child's employers (including volunteer and unpaid positions)
 Other (*describe*): _____

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

This is a Court Order.



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

7 **Child Custody**

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

- Sole to Person in **1** Jointly (shared) by persons in **1** and **2**.
 Sole to Person in **2** Other *(describe)*: _____

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

- Sole to Person in **1** Jointly (shared) by persons in **1** and **2**.
 Sole to Person in **2** Other *(describe)*: _____

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

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

- Judge's reasons given at the hearing *(See minute order or ask for the transcript.)*
 Judge's reasons listed here: _____

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

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

9 **Supervised (Monitored) Visitation with Children**

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

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

Professional *(name, if known)*: _____

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

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

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

b. Provider's contact information, if known

Address: _____ Telephone: _____

c. Schedule of supervised visits

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

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

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

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

This is a Court Order.



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

- a. Person to be supervised: Person in **1** Person in **2** by:
- Nonprofessional (name and relationship to child): _____
Safe location for exchanges: _____
(For more information on safe locations, go to <https://selfhelp.courts.ca.gov/guide-supervised-visitation>.)
- Professional (list name, if known): _____
- (1) Fees paid by: Person in **1** _____ % Person in **2** _____ % Other: _____ %
- (2) Person in **1** contact provider by (date): _____
Person in **2** contact provider by (date): _____
- (3) Location of exchanges to be decided by provider.
- b. Provider's contact information, if known:
Address: _____ Telephone: _____

11 **Visits With No Supervision (Unmonitored)**

- a. If the judge granted unsupervised visits to the person in **2**, the judge must explain why.
(For judge to complete. Check all that apply):
- Judge's reasons given at the hearing (See minute order or ask for the transcript.)
- Judge's reasons listed here: _____

- b. Person in **1** Person in **2** will visit with the children as follows:
- (1) Visitation schedule described below:

- (2) Follow the Visitation Schedule listed in **12**.

This is a Court Order.

12 **Visitation Schedule for Person in** **2**

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

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

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

13 **Other Orders**

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

14 **Country of Habitual Residence**

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

15 **Jurisdiction and Notice**

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

16 **Penalties for Violating This Order**

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

This is a Court Order.



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

1 Name of Protected Person: _____
 Relationship to children: Parent Legal Guardian Other (*describe*): _____

2 Name of Restrained Person: _____
 Relationship to children: Parent Legal Guardian Other (*describe*): _____

3 Court's Decision

Based on the information given, the judge finds that:

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

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

(*Check all that apply*):

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

(2) Does not have strong ties to California.

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

Quit a job

Sold a home or ended a lease

Closed a bank account

Hidden or destroyed documents

Sold or gotten rid of property

Applied for a passport, birth certificate, or school or medical records

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

Abusing person in **(1)**

Taking the children without permission

Abusing other partners

Not cooperating with person **(1)** in parenting

Child abuse

(5) Has a criminal record

(6) Has strong ties in:

Another county in California (*list county*): _____

Another state (*list states*): _____

Another country (*list country*): _____

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

(8) Other reasons: _____

The Orders are Granted as Follows:

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

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

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

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

This is a Court Order.



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

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

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

6 **Provide Travel Plan and Documents**

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

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

7 **Notify Other State of Travel Restrictions**

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

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

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

9 **Foreign Custody and Visitation Order**

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

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

10 **Post a Bond**

The person in **(2)** must post a bond for \$ _____.

11 **Enforcing Order**

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

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

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

This is a Court Order.

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

1 Name of Protected Person: _____
 Relationship to children: Parent Legal Guardian Other (*describe*): _____

2 Name of Restrained Person: _____
 Relationship to children: Parent Legal Guardian Other (*describe*): _____

3 Court's Decision

Based on the information given, the judge finds that:

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

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

(*Check all that apply*):

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

(2) Does not have strong ties to California.

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

Quit a job

Sold a home or ended a lease

Closed a bank account

Hidden or destroyed documents

Sold or gotten rid of property

Applied for a passport, birth certificate, or school or medical records

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

Abusing person in **(1)**

Taking the children without permission

Abusing other partners

Not cooperating with person **(1)** in parenting

Child abuse

(5) Has a criminal record

(6) Has strong ties in:

Another county in California (*list county*): _____

Another state (*list states*): _____

Another country (*list country*): _____

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

(8) Other reasons: _____

The Orders are Granted as Follows:

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

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

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

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

This is a Court Order.



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

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

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

6 **Provide Travel Plan and Documents**

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

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

7 **Notify Other State of Travel Restrictions**

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

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

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

9 **Foreign Custody and Visitation Order**

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

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

10 **Post a Bond**

The person in **(2)** must post a bond for \$ _____.

11 **Enforcing Order**

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

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

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

This is a Court Order.

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

CHILD SUPPORT INFORMATION AND ORDER ATTACHMENT

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

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

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

2. **Income**

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

	<u>Gross monthly income</u>	<u>Net monthly income</u>	<u>Receiving TANF/CalWORKS</u>
Petitioner/plaintiff: \$	\$	\$	<input type="checkbox"/>
Respondent/defendant: \$	\$	\$	<input type="checkbox"/>
Other parent/party: \$	\$	\$	<input type="checkbox"/>

b. Imputation of income. The court finds that the Petitioner/plaintiff Respondent/defendant
 Other parent/party has the capacity to earn:
 \$ per and has based the support order upon this imputed income.

3. **Children of this relationship**

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

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

4. **Hardships**

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

	<u>Petitioner/ plaintiff</u>	<u>Respondent/ defendant</u>	<u>Other parent/ party</u>	<u>Approximate ending time for the hardship</u>
a. <input type="checkbox"/> Other minor children:	\$	\$	\$	
b. <input type="checkbox"/> Extraordinary medical expenses:	\$	\$	\$	
c. <input type="checkbox"/> Catastrophic losses:	\$	\$	\$	

THE COURT ORDERS

5. **Low-income adjustment**

a. The low-income adjustment applies.

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

6. **Child support**

a. **Base child support**

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

<u>Child's name</u>	<u>Date of birth</u>	<u>Monthly amount</u>	<u>Payable to (name):</u>
---------------------	----------------------	-----------------------	---------------------------

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

THIS IS A COURT ORDER.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT/PARTY:	CASE NUMBER:
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THE COURT FURTHER ORDERS

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

- (1) Child-care costs related to employment or reasonably necessary job training
 - (a) Petitioner/plaintiff must pay: % of total or \$ per month child-care costs.
 - (b) Respondent/defendant must pay: % of total or \$ per month child-care costs.
 - (c) Other parent/party must pay: % of total or \$ per month child-care costs.
 - (d) Costs to be paid as follows (*specify*):

c. **Mandatory additional child support**

- (2) Reasonable uninsured health-care costs for the children
 - (a) Petitioner/plaintiff must pay: % of total or \$ per month.
 - (b) Respondent/defendant must pay: % of total or \$ per month.
 - (c) Other parent/party must pay: % of total or \$ per month.
 - (d) Costs to be paid as follows (*specify*):

d. **Additional child support**

- (1) Costs related to the educational or other special needs of the children
 - (a) Petitioner/plaintiff must pay: % of total or \$ per month.
 - (b) Respondent/defendant must pay: % of total or \$ per month.
 - (c) Other parent/party must pay: % of total or \$ per month.
 - (d) Costs to be paid as follows (*specify*):
- (2) Travel expenses for visitation
 - (a) Petitioner/plaintiff must pay: % of total or \$ per month.
 - (b) Respondent/defendant must pay: % of total or \$ per month.
 - (c) Other parent/party must pay: % of total or \$ per month.
 - (d) Costs to be paid as follows (*specify*):

e. **Non-Guideline Order**

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

Total child support per month: \$
--

7. **Health-care expenses**

- a. Health insurance coverage for the minor children of the parties must be maintained by the petitioner/plaintiff respondent/defendant other parent/party if available at no or reasonable cost through their respective places of employment or self-employment. Both parties are ordered to cooperate in the presentation, collection, and reimbursement of any health-care claims. The parent ordered to provide health insurance must seek continuation of coverage for the child after the child attains the age when the child is no longer considered eligible for coverage as a dependent under the insurance contract, if the child is incapable of self-sustaining employment because of a physically or mentally disabling injury, illness, or condition and is chiefly dependent upon the parent providing health insurance for support and maintenance.
- b. Health insurance is not available to the petitioner/plaintiff respondent/defendant other parent/party at a reasonable cost at this time.
- c. The party providing coverage must assign the right of reimbursement to the other party.

8. **Earnings assignment**

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

THIS IS A COURT ORDER.

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

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

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

12. Notices

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

13. Child Support Case Registry Form

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

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

THIS IS A COURT ORDER.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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SPOUSAL, PARTNER, OR FAMILY SUPPORT ORDER ATTACHMENT

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

THE COURT FINDS

1. **Net income.** The parties' monthly income and deductions are as follows (*complete a, b, or both*):

	<u>Total gross monthly income</u>	<u>Total monthly deductions</u>	<u>Total hardship deductions</u>	<u>Net monthly disposable income</u>
a. Petitioner: <input type="checkbox"/> receiving TANF/CalWORKS \$	\$	\$	\$	\$
b. Respondent: <input type="checkbox"/> receiving TANF/CalWORKS \$	\$	\$	\$	\$

2. A printout of a computer calculation of the parties' financial circumstances is attached for all required items not filled out above (*for temporary support only*).

3. **Judgment for spousal or partner support**

- a. Modifies a judgment or order entered on (*date*):
- b. The parties were married for (*specify numbers*): _____ years _____ months.
- c. The parties were registered as domestic partners or the equivalent for (*specify numbers*): _____ years _____ months.
- d. The parties are both self-supporting, as shown on the *Declaration for Default or Uncontested Dissolution or Legal Separation* (form FL-170).
- e. The marital standard of living was (*describe*):

See Attachment 3d.

THE COURT ORDERS

- 4. The issue of spousal or partner support for the petitioner respondent is reserved for a later determination.
- 5. The court terminates jurisdiction over the issue of spousal or partner support for the petitioner respondent.

6. a. The petitioner respondent must pay to the petitioner respondent
 a temporary spousal support family support partner support
 \$ _____ per month, beginning (*date*): _____, payable through (*specify end date*): _____

- payable on the (*specify*): _____ day of each month.
- Other (*specify*): _____

- b. Support must be paid by check, money order, or cash. The support payor's obligation to pay support will terminate on the death of either party, remarriage, or registration of a new domestic partnership of the support payee.
- c. An earnings assignment for the foregoing support will issue. (**Note:** The payor of spousal, family, or partner support is responsible for the payment of support directly to the recipient until support payments are deducted from the payor's earnings, and for any support not paid by the assignment.)
- d. Service of the earnings assignment is stayed provided the payor is not more than (*specify number*): _____ days late in the payment of spousal, family, or partner support.

THIS IS A COURT ORDER.

PETITIONER/PLAINTIFF: RESPONDENT/DEFENDANT: OTHER PARENT:	CASE NUMBER:
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7. The petitioner respondent should make reasonable efforts to assist in providing for his or her support needs.
8. The parties must promptly inform each other of any change of employment, including the employer's name, address, and telephone number.
9. This order is for family support. Both parties must complete and file with the court a *Child Support Case Registry Form* (form FL-191) within 10 days of the date of this order. The parents must notify the court of any change of information submitted within 10 days of the change by filing an updated form. A *Notice of Rights and Responsibilities (Health-Care Costs and Reimbursement Procedures) and Information Sheet on Changing a Child Support Order* (form FL-192) is attached.
10. Notice: If this form is attached to *Restraining Order After Hearing (CLETS-OAH) (Order of Protection)* (form DV-130), the orders issued on this form (FL-343) do not expire upon termination of the restraining orders issued on form DV-130.
11. Other orders (*specify*):

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

THIS IS A COURT ORDER.

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

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

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

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

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

2. **Age and education**

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

3. **Tax information**

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

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

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

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

Date: _____

(TYPE OR PRINT NAME)



(SIGNATURE OF DECLARANT)

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:
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Attach copies of your pay stubs for the last two months and proof of any other income. Take a copy of your latest federal tax return to the court hearing. (Black out your Social Security number on the pay stub and tax return.)

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

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

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

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

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

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

Number of years in this business (specify): _____

Name of business (specify): _____

Type of business (specify): _____

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

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

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

10. **Deductions**

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

11. **Assets**

	Total
a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts.....	\$ _____
b. Stocks, bonds, and other assets I could easily sell.....	\$ _____
c. All other property, <input type="checkbox"/> real and <input type="checkbox"/> personal (estimate fair market value minus the debts you owe).....	\$ _____

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

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:
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12. The following people live with me:

Name	Age	How the person is related to me (ex: son)	That person's gross monthly income	Pays some of the household expenses?
a.				<input type="checkbox"/> Yes <input type="checkbox"/> No
b.				<input type="checkbox"/> Yes <input type="checkbox"/> No
c.				<input type="checkbox"/> Yes <input type="checkbox"/> No
d.				<input type="checkbox"/> Yes <input type="checkbox"/> No
e.				<input type="checkbox"/> Yes <input type="checkbox"/> No

13. Average monthly expenses Estimated expenses Actual expenses Proposed needs

- | | |
|---|---|
| a. Home: <ul style="list-style-type: none"> (1) <input type="checkbox"/> Rent or <input type="checkbox"/> mortgage..... \$ _____ <li style="padding-left: 40px;">If mortgage: <li style="padding-left: 40px;">(a) average principal: \$ _____ <li style="padding-left: 40px;">(b) average interest: \$ _____ (2) Real property taxes..... \$ _____ (3) Homeowner's or renter's insurance (if not included above)..... \$ _____ (4) Maintenance and repair..... \$ _____ b. Health-care costs not paid by insurance..... \$ _____ | h. Laundry and cleaning..... \$ _____ |
| c. Child care..... \$ _____ | i. Clothes..... \$ _____ |
| d. Groceries and household supplies..... \$ _____ | j. Education..... \$ _____ |
| e. Eating out..... \$ _____ | k. Entertainment, gifts, and vacation..... \$ _____ |
| f. Utilities (gas, electric, water, trash)..... \$ _____ | l. Auto expenses and transportation (insurance, gas, repairs, bus, etc.)..... \$ _____ |
| g. Telephone, cell phone, and e-mail..... \$ _____ | m. Insurance (life, accident, etc.; do not include auto, home, or health insurance)..... \$ _____ |
| | n. Savings and investments..... \$ _____ |
| | o. Charitable contributions..... \$ _____ |
| | p. Monthly payments listed in item 14 (itemize below in 14 and insert total here)... \$ _____ |
| | q. Other (specify): \$ _____ |
| | r. TOTAL EXPENSES (a-q) (do not add in the amounts in a(1)(a) and (b)) \$ _____ |
| | s. Amount of expenses paid by others \$ _____ |

14. Installment payments and debts not listed above

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

15. Attorney fees (This information is required if either party is requesting attorney fees):

- a. To date, I have paid my attorney this amount for fees and costs (specify): \$ _____
- b. The source of this money was (specify): _____
- c. I still owe the following fees and costs to my attorney (specify total owed): \$ _____
- d. My attorney's hourly rate is (specify): _____

I confirm this fee arrangement.

Date: _____

(TYPE OR PRINT NAME OF ATTORNEY)



(SIGNATURE OF ATTORNEY)

PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	CASE NUMBER:
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CHILD SUPPORT INFORMATION
(NOTE: Fill out this page only if your case involves child support.)

16. Number of children

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

17. Children's health-care expenses

- a. I do I do not have health insurance available to me for the children through my job.
- b. Name of insurance company: _____
- c. Address of insurance company: _____

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

18. Additional expense for the children in this case

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

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

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

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

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



*Clerk stamps date here when form is filed.***TO THE WIRELESS SERVICE PROVIDER:** This order is made under California Family Code section 6347.**THE ORDER APPLIES TO:**

- ① Wireless service provider (name): _____
- ② Current account holder (name): _____
Billing telephone number: _____
- ③ New account holder (name): _____
- ④ Transfer of the following wireless phone number(s):
Telephone number (include area code): _____
Telephone number (include area code): _____
Telephone number (include area code): _____
Telephone number (include area code): _____
Telephone number (include area code): _____
- Check box to include attachment with additional telephone number(s).

*Fill in court name and street address:***Superior Court of California, County of***Fills in case number:***Case Number:****⑤ TRANSFER OF RIGHTS AND RESPONSIBILITIES**

All rights and responsibilities for the accounts listed in ④, including all financial responsibility for the telephone numbers, monthly service costs, and costs for any mobile device associated with the telephone numbers, must be immediately transferred to the new account holder (person in ③).

The person in ③ will be financially responsible for the accounts listed in ④ starting:

- the date the account is transferred by the wireless service provider
- (specify date) _____

- ⑥ The person in ③ must send this order and a completed copy of [form DV-901](#) to the wireless service provider listed in ①. For information on where to send this form and Form DV-901, go to the following website: <http://www.sos.ca.gov/registries/safe-home/domestic-violence-wireless-plans>. Form DV-901 is a confidential form and must NOT be filed with the court.

Date: _____

*Judicial Officer***ATTENTION WIRELESS SERVICE PROVIDER**

The new account holder's (person in ③) contact information, including information on form DV-901, must NOT be disclosed to the current account holder (person in ②).

This order is made under California's Domestic Violence Prevention Act.

This is a Court Order.

Case Number:

INSTRUCTIONS FOR WIRELESS SERVICE PROVIDER

The orders contained on page 1 of this form must be followed unless the wireless service provider cannot operationally or technically effectuate the order due to certain circumstances, including, but not limited to, any of the following:

- When the current account holder has already terminated the account
- When differences in network technology prevent the functionality of a device on the network
- When there are geographic or other limitations on network or service availability

If the provider determines that transfer CANNOT occur, then the provider MUST notify the person in ③ within 72 hours of receipt of this order (California Family Code section 6347).

(Clerk will fill out this part.)

—Clerk's Certificate—

*Clerk's Certificate
[seal]*

I certify that this order is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Domestic Violence and Child Custody

If you are involved in a family law case involving children and there has been domestic

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 primarily.
- **Legal** custody: The person who makes important decisions about the child’s health care, education and well-being.

When does domestic violence affect who gets custody of child?

Whenever there has been a **finding** by a judge that, within the past 5 years, a parent in this case committed domestic violence against any of the people listed below:

- The other parent in the custody case;
- Your child or your child’s siblings;
- A current spouse or someone they are currently engaged to, living with or dating; or,
- Their parent.

An example of a **finding** is when a judge grants a restraining order for 1 year or more.

How does a finding of domestic violence affect my case?

If a court decides that there is domestic violence, the judge must follow special rules to decide custody of the child. These rules are set in a special law known as “3044” (see page 2).

Usually, the judge *cannot* give custody to the person who committed domestic violence. However, the judge can give that person visitation.

Are there exceptions?

Yes. There are situations when the judge can give custody to the person who committed the domestic violence. To do that, the judge must be convinced that it would not be harmful to the child.

The judge must look at what is going to be best for the child and must consider specific things, like has the person:

- ✓ Had any other incidents of domestic violence?
- ✓ Followed all of the terms of any restraining order?
- ✓ Completed a batterer’s treatment program?
- ✓ Finished an alcohol/drug program, if ordered?
- ✓ Finished a parenting class, if ordered?
- ✓ If on probation or parole, did the person follow all of the terms?

This law applies to any person seeking custody, not only a parent. To read the law, see California Family Code Section 3044. Other laws also apply.

California Courts Online Self-Help Center: www.courtinfo.ca.gov/selfhelp/

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 Sacramento
William R. Ridgeway Family Relations Courthouse
3341 Power Inn Road
Sacramento, CA 95826
Domestic Violence Resources In Sacramento County**

Emergency Police / Medical 911

Crisis Hotlines/Shelters

My Sister's House (Asian/Pan Pacific Services)
916-428-3271

24/7 Stand Up Placer Helpline (Roseville)
800-575-5352

WEAVE
916-920-2952 – main crisis line

St. John's Program for Real Change
916-453-1482

24/7 Sexual Assault Hotline
800-656-HOPE(4673)

24/7 Domestic Violence Hotline
800-799-SAFE(7233)

Reporting Abuse

Adult Protective Services (Elderly / Adult Victims)
916-874-9377

Children's Protective Services (CPS)
916-875-5437

Children's Emergency Services

Parent Support Hotline
916-394-2005

Volunteers with training in child development, discipline techniques, health, cultural issues, community resources, and emergency services are available to help and listen without passing judgment.

Children's Crisis Nursery
916-394-2000

Emergency childcare and shelter services.

Victim Assistance

Victim/Witness Center
916-874-5701

Trained and experienced victim advocates provide crisis counseling, direct assistance, and information about the criminal justice system and community referrals.

Victim Notification of Abuser's Release from Jail
800-491-3064

Victims can register to be notified upon their abuser's release from jail.

Safe at Home
877-322-5227

A Confidential mailing address program for victims of domestic violence offered by the California Secretary of State.

Victim Counseling

My Sister's House
3053 Freeport Blvd. #120, Sacramento, 916-428-3271

24/7 Stand Up Placer Helpline
124 Main Street, Roseville, 916-773-7273, Ext 104

Sacramento Counseling Associates
7844 Madison Avenue, Suite 105, Sacramento, 916-962-7101

Southeast Asian Assistance Center
5625 24th Street, Sacramento, 916-421-1036
Services are available to Vietnamese, Lao, Mien, Hmong, Chinese, Cambodian, Russian, Ukrainian, Bosnian, Croatian, Herzegovinian, and Serbian

WEAVE Counseling Center
1900 K Street, Sacramento, 916-920-2952



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Domestic Violence Resources In Sacramento County

Help Getting a Temporary Restraining Order

Temporary Restraining Order Workshop



Meeting ID: 160 483 1511
Passcode: 405787

Mondays and Wednesdays at 8:45 am via Zoom

This workshop helps survivors (both female and male) who do not have an attorney with the process to apply for a Domestic Violence Restraining Order.

(Please bring an Interpreter if one is needed)

Guide and File

To file a request for a Domestic Violence Restraining Order, you may use the Odyssey Guide and File program. This interactive computer program is used to complete court forms that will be ready for filing. The Guide and File Program can be found at the following link:

<https://california-efm.tylertech.cloud/SRL>

Batterer's Treatment Programs

Batterer's Treatment Programs are for the abuser, male or female, and are focused on stopping the cycle of violence through anger management and personal techniques to reduce conflict and common triggers of abuse. Batterer's Treatment Programs are certified by the Sacramento County Department of Probation.

Other Legal Services

The Family Law Facilitators Office
Self Help Center
3341 Power Inn Road, Room 113
(Monday through Thursday, 8:30 am – 4 pm;
Friday, 8:30 am – 12 pm)

The Family Law Facilitators Office provides assistance with obtaining, responding to, modifying, and renewing domestic violence and elder abuse restraining orders, divorce, child custody, visitation, establishing parentage, child and spousal support, preparation of judgments, instructions on follow up steps through e-Correspondence, and referrals to other resources.

Sacramento Regional Family Justice Center
3701 Power Inn Road, 3rd floor
(Monday through Friday, 9:00 a.m. to 5:00 p.m.)

The Sacramento Regional Family Justice Center provides resources to victims of domestic violence and elder abuse, including safety plans, legal assistance for the preparation of restraining orders, and court accompaniment. Attorneys are available to answer questions after pickup of temporary restraining orders.

1-800-VICTIMS(842-8467)

Legal assistance in family law matters for victims of domestic violence