



**SUPERIOR COURT OF CALIFORNIA**  
**County of Kings**  
**1640 Kings County Drive, Hanford, CA 93230**  
**(559) 582-1010**

# **DOMESTIC VIOLENCE RESTRAINING ORDER WITH MINOR CHILDREN PACKET**



Online Assistance: [www.courts.ca.gov/selfhelp.htm](http://www.courts.ca.gov/selfhelp.htm)  
The California Courts Self-Help Center

E-file California: <https://california.tylerhost.net>

Kings County Superior Court: [www.kings.courts.ca.gov](http://www.kings.courts.ca.gov)

Hours of Operation (Except for Court Holidays): Monday – Friday 8:00a.m. to 4:00p.m.

FORMS INCLUDED IN THIS PACKET	
Can a Domestic Violence Restraining Order Help Me?	Judicial Council Form DV-500-INFO
How Do I Ask for a Temporary Restraining Order?	Judicial Council Form DV-505-INFO
Request for Domestic Violence Restraining Order	Judicial Council Form DV-100
Description of Abuse	Judicial Council Form DV-101
Notice of Court Hearing	Judicial Council Form DV-109
Temporary Restraining Order	Judicial Council Form DV-110
Request for Child Custody and Visitation Orders	Judicial Council Form DV-105
Request for Order: No Travel with Children	Judicial Council Form DV-108
Child Custody and Visitation Order	Judicial Council Form DV-140
Order: No Travel with Children	Judicial Council Form DV-145
Supervised Visitation and Exchange Order	Judicial Council Form DV-150
Income and Expense Declaration	Judicial Council Form FL-150
<b>Filing Fee:</b>	<b>No Filing Fee Required</b>

**What is a “domestic violence restraining order”?**

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

**Can I get a domestic violence restraining order?**

You can ask for one if:

- A person has abused you or threatened to abuse you *and*
- You have one of the following relationships with that person: married, divorced, separated, registered domestic partnership, have a child together, dating or used to date, live together or used to live together\*;
- Or you are related within the second degree of affinity or consanguinity. This means: mother or mother-in-law, father or father-in-law, child or stepchild or legally adopted child, grandparent or grandparent-in-law, grandchild or grandchild-in-law, sister or sister-in-law, brother or brother-in-law, stepparent, daughter-in-law or son-in-law. The in-law must be through a current marriage. (See Family Code § 6211).

\* You have to regularly reside in the household.

**What is abuse?**

Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or sexually assault you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to molest, attack, hit, stalk, threaten, batter, harass, telephone, or contact you; or to disturb your peace; or destroy your personal property. Abuse can be spoken, written, or physical. (See Family Code §§ 6203, 6320).

**How soon can I get the order?**

The judge will decide within one business day whether or not to make any temporary orders. Sometimes the judge decides sooner. Ask the clerk if you should wait or come back later to get copies of the *Notice of Court Hearing* (Form DV-109) and *Temporary Restraining Order* (Form DV-110).

**What if I don't have the relationship necessary to qualify for a domestic violence restraining order?**

There are other kinds of orders you can ask for:

- Civil harassment order (can be used for neighbors, roommates, cousins, uncles, and aunts)
- Dependent adult or elder abuse restraining order
- Workplace violence order

Ask the court clerk for the forms you need for these special kinds of orders, or visit [www.courts.ca.gov](http://www.courts.ca.gov). You may also want to talk to a lawyer.

**How will the restraining order help me?**

The court can order the restrained person to:

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

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

The forms are available at any California courthouse or county law library or at: [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms).

You may get assistance in completing and filing your request from the court's self-help center or a legal aid association.

After completing the forms, give them to the clerk of the court. The clerk will write a hearing date on the *Notice of Court Hearing* (Form DV-109). If your request for temporary orders is granted, the clerk will also give you a copy of the *Temporary Restraining Order* (DV-110) signed by a judicial officer.

See Form DV-505-INFO, *How Do I Ask for a Temporary Restraining Order?* to know which forms you need and for steps to follow after you complete the forms.

**How long does the order last?**

If the judge makes a temporary order, it will last until the hearing date. At that time, the judge will decide to continue or cancel the order. The restraining order can last up to 5 years. Child custody, visitation, child support, and spousal support orders can last longer than 5 years and they do not end when the restraining order ends.

**How much does it cost?**

Nothing.

**How will the person to be restrained know about the order?**

Someone who is at least 18—**not you** or anyone else to be protected by the order—must “serve” (give) the person to be restrained a copy of the order in person. The sheriff or marshal will do it for free, but you have to ask. For help with service, ask the court clerk for form DV-200-INFO, *What Is “Proof of Personal Service”?* or visit [www.courts.ca.gov](http://www.courts.ca.gov).

**What if the restrained person doesn't obey the order?**

Call the police. The restrained person can be arrested and charged with a crime.

**Do I have to go to court?**

Yes. Go to court on the date the clerk gives you. If you do not, your order will end.

**Do I need a lawyer?**

Having a lawyer is always a good idea, especially if you have children, but it is not required. You are not entitled to a free court-appointed lawyer. Ask the court clerk about free and low cost legal services and domestic violence help centers in your county. You can also go to the Family Law Facilitator for help with child support.

**Do I need to bring a witness to the court hearing?**

No. But it helps to have proof of the abuse. You can bring:

- A written statement from a witness, made under oath
- Witnesses
- Photos
- Medical or police reports
- Damaged property
- Threatening letters, e-mails, or telephone messages

The judge may or may not let a witness speak at the hearing.

So if possible, you should bring their written statement under oath to the hearing. (*You can use Form MC-030, Declaration, for this purpose.*)

**Will I see the restrained person at the court hearing?**

If the restrained person comes to the hearing, yes. But that person does not have the right to speak to you. If you are afraid, tell the court officer. Read *Get Ready for the Court Hearing* (Form DV-520-INFO).

**Can I bring someone with me to court?**

Yes. You can bring someone to sit with you during the court hearing. But that person cannot speak for you in court. Only you or your lawyer (if you have one) can speak for you.

**What if I don't speak English?**

When you file your papers, ask the clerk if a court interpreter is available. If the interpreter is not available for your court date, bring someone to interpret for you. Do not ask a child, or anyone to be protected by the order, to interpret for you.

**What if I don't have a green card?**

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



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

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

**Need more information?**

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

**1-800-799-7233**

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

It's free and private.

They can help you in more than 100 languages.

**Can the restrained person and I agree to cancel the order?**

No. After the order is issued, only the judge can change or cancel it.

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

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

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

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

**What if I want to leave the county or state?**

The restraining order is valid anywhere in the United States. If you move out of California, contact the local police so they will know about your orders.

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

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

a. For a restraining order you need these forms:

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

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

- DV-105 *Request for Child Custody and Visitation Orders*
- DV-140 *Child Custody and Visitation Order*

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

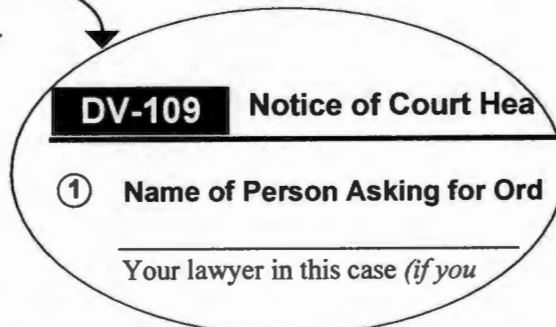
- FL-150\* *Income and Expense Declaration* or
- FL-155\* *Financial Statement (Simplified)*

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

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

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

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



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

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

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

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

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

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



# DV-505-INFO How Do I Ask For a Temporary Restraining Order?

## 5 Know your hearing date: Form DV-109

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

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

You have the right to cancel the hearing. Read page 2 of form DV-109 for information.

## 6 "Serve" the restrained party.

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

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

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

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

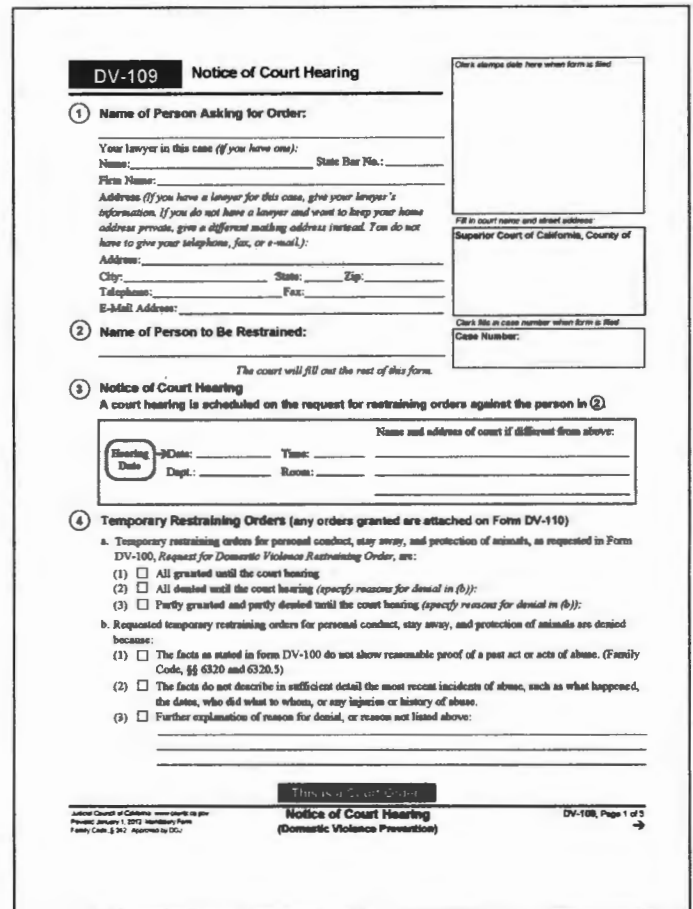
If law enforcement or the process server uses a different proof of service form, make sure the form lists all the forms served.

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

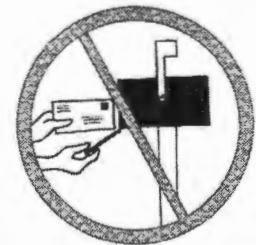
The *Proof of Personal Service* shows the judge and police that the restrained person got a copy of the request for orders. Make three copies of the completed *Proof of Personal Service*. Take the original and copies to the court clerk as soon as possible **before your hearing**. The clerk will keep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

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

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



The image shows a sample of Form DV-109, Notice of Court Hearing. The form is titled "DV-109 Notice of Court Hearing" and includes several sections for the filer to complete. Section 1 is "Name of Person Asking for Order," which includes fields for the filer's name, lawyer's name and firm, and address. Section 2 is "Name of Person to Be Restrained," with a note that the court will fill out the rest of this form. Section 3 is "Notice of Court Hearing," which includes a table for the hearing date, time, and location. Section 4 is "Temporary Restraining Orders," which includes checkboxes for whether the orders are granted or denied, and a section for reasons for denial. The form also includes a "This is a Court Order" stamp and a footer with the text "Notice of Court Hearing (Domestic Violence Prevention) DV-109, Page 1 of 3".



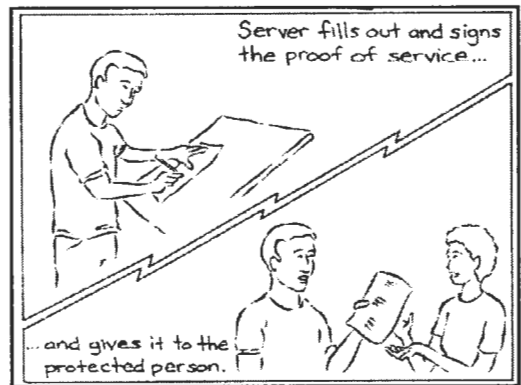
*Don't serve it by mail!*



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

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

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



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

**9 Need help?**

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

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

**10 Need more help?**

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

**1-800-799-7233**

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

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

Clerk stamps date here when form is filed.

Instructions: To ask for a domestic violence restraining order, you will need to complete this form and other forms. After you complete this form, see next steps on page 12.

1 Person Asking for Protection

a. Your name: \_\_\_\_\_

b. Your age: \_\_\_\_\_

c. ! Address where you can receive court papers

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

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

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

d. ! Your contact information (optional)

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

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

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

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

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

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

Fill in court name and street address:

Superior Court of California, County of \_\_\_\_\_

Court fills in case number when form is filed.

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

2 Person You Want Protection From

a. Full Name: \_\_\_\_\_

b. Age (give estimate if you do not know exact age): \_\_\_\_\_

c. Date of Birth (if known): \_\_\_\_\_

d. Gender:  M  F  Nonbinary

e. Race: \_\_\_\_\_

This is not a Court Order.





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

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

**Check all that apply**

- a.  We have a child or children together  
(names of children): \_\_\_\_\_
- b.  We are married or registered domestic partners.
- c.  We used to be married or registered domestic partners.
- d.  We are dating or used to date.
- e.  We are or used to be engaged to be married.
- f.  We are related. The person in 2 is my (check all that apply):
 

<input type="checkbox"/> Parent, stepparent, or parent-in-law	<input type="checkbox"/> Brother, sister, sibling, or sibling-in-law
<input type="checkbox"/> Child, stepchild, or legally adopted child	<input type="checkbox"/> Grandparent or grandparent-in-law
<input type="checkbox"/> Child's spouse	<input type="checkbox"/> 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)?  

<input type="checkbox"/> Yes	<input type="checkbox"/> 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.)
 

<input type="checkbox"/> Custody _____
<input type="checkbox"/> Divorce _____
<input type="checkbox"/> Juvenile Court _____
<input type="checkbox"/> Criminal _____
<input type="checkbox"/> Other (what kind of case?): _____

**This is not a Court Order.**



**Describe Abuse**

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

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

**5 Most recent abuse**

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

**This is not a Court Order.**

**6 Has the person in 2 abused you in a different way from the abuse you described in 5? If yes, describe below.**

a. Date of abuse (give an estimate if you don't know the exact date): \_\_\_\_\_

b. Did anyone else hear or see what happened on this day?  
 I don't know    No    Yes (If yes, give names): \_\_\_\_\_

c. Did the person in 2 use or threaten to use a gun or other weapon?  
 No    Yes (If yes, describe gun or weapon): \_\_\_\_\_

d. Did the person in 2 cause you any emotional or physical harm?  
 No    Yes (If yes, describe harm):  
\_\_\_\_\_  
\_\_\_\_\_

e. Did the police come?  I don't know    No    Yes (If the police gave you a restraining order, list it in 4.)

f. Give more details about how the person in 2 was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

g. How often has the person in 2 abused you like this?  
 Just this once    2-5 times    Weekly    Other: \_\_\_\_\_  
Give dates or estimates of when it happened, if known:  
\_\_\_\_\_  
\_\_\_\_\_

**This is not a Court Order.**

**7 Is there other abuse by the person in 2 that you want the judge to know about?  
If yes, describe below.**

a. Date of abuse (give an estimate if you don't know the exact date): \_\_\_\_\_

b. Did anyone else hear or see what happened on this day?  
 I don't know  No  Yes (If yes, give names): \_\_\_\_\_

c. Did the person in 2 use or threaten to use a gun or other weapon?  
 No  Yes (If yes, describe gun or weapon): \_\_\_\_\_

d. Did the person in 2 cause you any emotional or physical harm?  
 No  Yes (If yes, describe harm):  
\_\_\_\_\_  
\_\_\_\_\_

e. Did the police come?  I don't know  No  Yes (If the police gave you a restraining order, list it in 4.)

f. Give more details about how the person in 2 was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

g. How often has the person in 2 abused you like this?  
 Just this once  2-5 times  Weekly  Other: \_\_\_\_\_  
Give dates or estimates of when it happened, if known:  
\_\_\_\_\_  
\_\_\_\_\_

Check this box if you need more space to describe the abuse. You can use **form DV-101, Description of Abuse**, and turn it in with this form. You can also use a separate sheet of paper, write "Describe Abuse" abuse at the top, and turn it in with this form.

**This is not a Court Order.**

**8 Other Protected People**

Do you want the restraining order to protect your children, family, or someone you live with?

- a.  No
- b.  Yes *(If yes, complete the section below):*

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

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

(2) Why do these people need protection?

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**9 Does Person in 2 Have Firearms (Guns) or Ammunition?**

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

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

**This is not a Court Order.**



**Choose the Orders That You Want a Judge to Make**

In this section, you will choose the orders you want a judge to make now. Every situation is different.  
Choose the orders that fit your situation.

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

**10  Order to Not Abuse**

I ask the judge to order the person in (2) to not do the following things to me or anyone listed in (8):

Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace.

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

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

**11  No-Contact Order**

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

**12  Stay-Away Order**

a. I ask the judge to order the person in (2) to stay away from:

*Check all that apply*

Me.

My vehicle.

My children's school or childcare.

My home.

My school.

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

My job or workplace.

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

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

100 yards (300 feet)     Other (*give distance in yards*): \_\_\_\_\_

**This is not a Court Order.**



**12 Stay-Away Order (continued)**

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

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

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

 No  Yes (If yes, check all that apply): Work together at (name of company): \_\_\_\_\_ Go to the same school (name of school): \_\_\_\_\_ Other (please explain): \_\_\_\_\_**13  Order to Move Out**

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

(Give address): \_\_\_\_\_

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

 Check all that apply 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 court to make or change a child custody/visitation order. You must also fill out form DV-105, Request for Child Custody and Visitation Orders, and attach**This is not a Court Order.**

**16**  **Protect Animals**

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

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

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

Check all that apply

(1)  Stay away from the animals by at least:

100 yards (300 feet)     Other (give distance in yards): \_\_\_\_\_

(2)  Not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.

(3)  Give me sole possession, care, and control of the animals because (check all that apply):

Person in ② abuses the animals.     I take care of these animals.

I purchased these animals.     Other (please explain): \_\_\_\_\_

**17**  **Control of Property**

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

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

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

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

**18**  **Health and Other Insurance**

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

**19**  **Record Communications**

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

**This is not a Court Order.**





**20**  **Property Restraint** (only if you are married or a registered domestic partner with the person in 2.)

I ask the judge to order the person in 2 not to borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in 2 to notify me of any new or big expenses and to explain them to the court.

**21**  **Extend My Deadline to Give Notice to Person in 2**

(Usually, the judge will give you about two weeks to give notice, or to "serve" the person in 2 of your request. If you need more time to serve, the judge may be able to give you a few extra days.)

I ask the judge to give me more time to serve the person in 2 because (explain why you need more time):

\_\_\_\_\_

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

(If you want the person in 2 to pay any debts owed for property, list them and explain why. The amount can be for the entire bill or only a portion. Some examples include rent, mortgage, car payment, etc.)

a. I ask the judge to order the person in 2 to make these payments while the restraining order is in effect:

(1) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

(2) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

(3) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

Explain why you want the person in 2 to pay the debts listed above:

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

b. **Special decision (finding) by the judge if you did not agree to the debt (optional)**

(If you did not agree to the debt or debts listed above, you can ask the judge to decide (find) that one or more debts was made without your permission and resulted from the person in 2's abuse. This may help you defend against the debt if you are sued in another case.)

Do you want the judge to make this special decision (finding)?

No  Yes (If yes, answer the questions below.)

(1) Which of the debts listed above resulted from the abuse? (check all that apply):

a(1)  a(2)  a(3)

(2) Do you know how the person in 2 made the debt or debts?

No  Yes

(If yes, explain how the person in 2 made the debt or debts):

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

**This is not a Court Order.**



**Orders That You Want a Judge to Make at Your Court Date**

Below is a list of orders that a judge cannot make right away but can make at your court date in a few weeks. The person in (2) must be notified of your court date before the judge can consider making any of the orders listed below. Check all the orders that you want the judge to make at your court date.

**(23)  Pay Expenses Caused by the Abuse**

I ask the judge to order the person in (2) to pay for things **caused directly** by the person in (2) (damaged property, medical care, counseling, temporary housing, etc.). Bring proof of these amounts to your court date.

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_  
Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_  
Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

**(24)  Child Support** *(this only applies if you have a minor child with the person in (2))*

Check all that apply

- a.  I do not have a child support order and I want one.
- b.  I have a child support order and I want it changed *(attach a copy if you have one)*.
- c.  I now receive or have applied for TANF, Welfare, or CalWORKS.

**(25)  Spousal Support** *(this only applies if you are married or a registered domestic partner with person in (2))*

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

**(26)  Lawyer's Fees and Costs**

I ask that the person in (2) pay for some or all of my lawyer's fees and costs.

**(27)  Batterer Intervention Program**

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

**(28)  Transfer of Wireless Phone Account**

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

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

- a.  My number  Number of child in my care (including area code): \_\_\_\_\_
- b.  My number  Number of child in my care (including area code): \_\_\_\_\_

**This is not a Court Order.**

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

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

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

#### 30 Cannot Look for Protected People

If the judge grants you a restraining order, the person in ② will not be allowed to look for the address or location of any person protected by the restraining order, unless the court finds good cause not to make this order.

#### 31 Additional pages

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

#### 32 Your signature

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

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

\_\_\_\_\_  
Type or print your name

\_\_\_\_\_  
Sign your name

#### 33 Your lawyer's signature (if you have one)

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

\_\_\_\_\_  
Lawyer's name

\_\_\_\_\_  
Lawyer's signature

### Your Next Steps

#### 1 You must complete at least three additional forms:

- Form DV-110, Temporary Restraining Order (only items 1, 2 and 3)
- Form DV-109, Notice of Court Hearing (only items 1 and 2)
- Form CLETS-001, Confidential CLETS Information
- **If you are asking for child custody and visitation, you must complete form DV-105, Request for Child Custody and Visitation Orders and form DV-140, Child Custody and Visitation Order.**

2 Turn in your completed forms to the court. Find out when your forms will be ready for pick up.

3 Once you get your forms back from the court, have someone "serve" a copy of all forms on the person in ②. The sheriff or marshal can do this for free. Learn more about how to "serve" your papers and prepare for your court date: <https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order>.

4 If you are asking for child support, spousal support, or lawyer's fees, you must also complete form FL-150, Income and Expense Declaration. If you are only asking for child support (item 23), you may be eligible to fill out a simpler form, FL-155. Read form DV-570 to see if you are eligible. Turn in your completed form to the court before your court date. You must also have someone mail or personally deliver a copy to the person in ②.

**This is not a Court Order.**

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

1 Name of person asking for protection: \_\_\_\_\_

2 Name of person you want protection from: \_\_\_\_\_

3 Describe abuse to you or your children.

a. Date of abuse: \_\_\_\_\_

b. Who was there? \_\_\_\_\_

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

Multiple horizontal lines for describing the abuse.

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

Horizontal lines for describing the use of weapons.

e. Describe any injuries: \_\_\_\_\_

Horizontal lines for describing injuries.

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

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

The Emergency Protective Order protects  You  The person in 2

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

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

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

- a. Date of abuse: \_\_\_\_\_
- b. Who was there? \_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

e. Describe any injuries: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

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

The Emergency Protective Order protects  You  The person in ②

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

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

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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

Clerk stamps date here when form is filed.

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

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

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

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

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

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

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

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

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

Fill in court name and street address:

**Superior Court of California, County of**

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

\_\_\_\_\_

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

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:**

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

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

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

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

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

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

\_\_\_\_\_



**5 Confidential Information Regarding Minor**

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

**6 Service of Documents by the Person in 1**

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

- a. DV-100, *Request for Domestic Violence Restraining Order* (file-stamped)
- b.  DV-110, *Temporary Restraining Order* (file-stamped) **IF GRANTED**
- c. DV-120, *Response to Request for Domestic Violence Restraining Order* (blank form)
- d. DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- e. DV-250, *Proof of Service by Mail* (blank form)
- f.  DV-170, *Notice of Order Protecting Information of a Minor*, and DV-165, *Order on Request to Keep Minor's Information Confidential* (file-stamped), **IF GRANTED**
- g.  Other (specify): \_\_\_\_\_

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

\_\_\_\_\_  
Judicial Officer**Right to Cancel Hearing: Information for the Person in 1**

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

**To the Person in ① :**

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

**To the Person in ② :**

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



**Request for Accommodations**

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

*(Clerk will fill out this part.)*

**—Clerk's Certificate—**

*Clerk's Certificate*  
*[seal]*

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

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy



Clerk stamps date here when form is filed.

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

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

2 Restrained Person

\*Full Name: \_\_\_\_\_
\*Gender: [ ] M [ ] F [ ] Nonbinary
\*Age: \_\_\_\_\_ (Give estimate, if age unknown.)
Date of Birth: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_
Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_
\*Race: \_\_\_\_\_
Relationship to person in 1: \_\_\_\_\_
Address of restrained person: \_\_\_\_\_
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
Type, number, and location of firearms or ammunition:
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
(Information that has a star (\*) next to it is required to add this order into a California police database. Give all the information you know.)

Fill in court name and street address:

Superior Court of California, County of \_\_\_\_\_

Court fills in case number when form is filed.

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

3 [ ] Other Protected People

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

Table with 3 columns: Full name, Relationship to person in 1, Age. Includes three rows for listing names and relationships.

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

(The court will complete the rest of this form)

4 Your Hearing Date (Court Date)



This order expires at the end of the hearing listed below:
Hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_ [ ] a.m. [ ] p.m.

This is a Court Order.



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

**To the Person in ②**

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

- If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.

**⑤ No Guns, Other Firearms, or Ammunition**

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

**⑥ Cannot Look for Protected People**

You must not take any action to look for any person protected by this order, including their addresses or locations.

- If checked, this order was **not granted** because the judge found good cause not to make the order.

**⑦ Order to Not Abuse**     Not requested     Denied until the hearing     Granted as follows:

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

- Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace.
- "Disturb the peace" means to destroy someone's mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- "Coercive control" means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status.

**This is a Court Order.**



**8 No-Contact Order**     Not requested     Denied until the hearing     Granted as follows:

- a. You must **not contact**  the person in **①**     the persons in **③**  
directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.
- b.  Exception to 8a:
  - (1)  You may have brief and peaceful contact with the person in **①** only to communicate about your children for court-ordered visits.
  - (2)  You may have contact with your children only during court-ordered contact or visits.
  - (3)  Other (*explain*): \_\_\_\_\_
- c. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.

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

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

<input type="checkbox"/> Person in <b>①</b> .	<input type="checkbox"/> School of person in <b>①</b> .
<input type="checkbox"/> Home of person in <b>①</b> .	<input type="checkbox"/> Persons in <b>③</b> .
<input type="checkbox"/> Job or workplace of person in <b>①</b> .	<input type="checkbox"/> Children's school or child care.
<input type="checkbox"/> Vehicle of person in <b>①</b> .	<input type="checkbox"/> Other ( <i>explain</i> ): _____
- b.  Exception to 9a:  
The stay-away orders do not apply:
  - (1)  For you to briefly and peacefully exchange your children for court-ordered visits.
  - (2)  For you to visit with your children for court-ordered contact or visits.
  - (3)  Other (*explain*): \_\_\_\_\_

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

You must take only personal clothing and belongings needed until the hearing and move out immediately from (*address*): \_\_\_\_\_

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

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

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

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

**This is a Court Order.**



**13 Protect Animals**     Not requested     Denied until the hearing     Granted as follows:

- a.  You must stay at least \_\_\_\_\_ yards away from the animals listed below.
- b.  You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
- c.  The person in ① is given the sole possession, care, and control of the animals listed below.

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

**14 Control of Property**     Not requested     Denied until the hearing     Granted as follows:

Until the hearing, **only** the person in ① can use, control, and possess the following property:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**15 Health and Other Insurance**     Not requested     Denied until the hearing     Granted as follows:

The person  in ①  in ② is ordered **not** to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties—or their children, if any—for whom support may be ordered, or both.

**16 Record Communications**     Not requested     Denied until the hearing     Granted as follows:

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

**17 Property Restraint**     Not requested     Denied until the hearing     Granted as follows:

The person  in ①  in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. (If the court granted ⑧, the person in ② must not contact the person in ①. To notify the person in ① of new or big expenses, have a server mail or personally give the information to the person in ① or contact their lawyer, if they have one.)

**18 Pay Debts Owed for Property**     Not requested     Denied until the hearing     Granted as follows:

The person in ② must make these payments until this order ends:

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

**This is a Court Order.**



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

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

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

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

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

**21  Attached pages**

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

**Judge's Signature**

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

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

**Certificate of Compliance With VAWA**

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

**This is a Court Order.**



**Warnings and Notices to the Restrained Person in ②****Your Address to Receive Court Orders**

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

**Child Custody, Visitation, and Support**

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

**Instructions for Law Enforcement**

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

**Arrest Required if Order Is Violated**

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

**If the Protected Person Contacts the Restrained Person**

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

**This is a Court Order.**

**Conflicting Orders—Priorities for Enforcement**

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced according to the following priorities (see Penal Code, § 136.2, and Family Code, §§ 6383(h), 6405(b)):

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

**Child Custody and Visitation**

- The custody and visitation orders are on form DV-140. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- At items 8b(1) or 9b(1) of this order, the judge may allow the person in ② to have brief and peaceful contact with the person in ①, as needed to follow court-ordered visits. Conduct of the person in ② that is not brief and peaceful is a violation of this order.
- Forms DV-100 and DV-105 are not orders. Do not enforce them.

*(The clerk will fill out this part.)*

*Clerk's Certificate*  
*[seal]*

**—Clerk's Certificate—**

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

Guardianship of (*all children's names*): \_\_\_\_\_

**This child's name:** \_\_\_\_\_

Fill out a separate copy of this form for **each child** for whom your petition asks the court to appoint a guardian.

**This form is attached to the Petition,  form GC-210, item 2, or  form GC-210(P), item 8.**

The petition asks the court to appoint a guardian of this child's (*specify*):  person  estate  person and estate.

**1 Tell the court about this child**

a. Child's full legal name: \_\_\_\_\_ Date of birth: \_\_\_\_\_  
*First Middle Last mm/dd/yyyy*

b. Child's current address: \_\_\_\_\_  
\_\_\_\_\_

c. Indian child inquiry (*Complete only if your petition asks the court to appoint a guardian of this child's person or person and estate. If your petition asks the court to appoint a guardian of this child's estate only, skip this item and go to item 1d.*)

I have asked whether the child is or may be a member of one or more Indian tribes recognized by the federal government, or eligible for membership in such a tribe and the biological child of a tribal member, and whether the child or parents live or are domiciled on a reservation or rancheria or in an Alaskan Native village. Form ICWA-010(A), *Indian Child Inquiry Attachment*, is attached to this form.

I have not asked about the child's Indian heritage because the parents are unavailable or deceased.

*(For more information about your duties under the federal Indian Child Welfare Act (ICWA) (25 U.S.C. §§ 1901–1963) and California law, including making the inquiry and completing form ICWA-010(A) if the child is or may be an Indian child, see Information Sheet on Indian Child Inquiry Attachment and Notice of Child Custody Proceeding for Indian Child (form ICWA-005-INFO).)*

d. Is this child married?  Yes  No  Never married If you checked "No," was this child married in the past but the marriage was dissolved or ended in divorce?  Yes  No  
*(The court cannot appoint a guardian of the person for a minor child who is married or whose marriage was dissolved or ended in divorce.)*

e. Is this child receiving public benefits?  Yes  No  I don't know (*If you checked "Yes," fill in below.*)

Type of Aid	Monthly Benefit	Type of Aid	Monthly Benefit
<input type="checkbox"/> TANF (Temporary Asst. for Needy Families)	\$ _____	<input type="checkbox"/> Other ( <i>explain</i> ):	\$ _____
<input type="checkbox"/> Social Security	\$ _____	<input type="checkbox"/> Other ( <i>explain</i> ):	\$ _____
<input type="checkbox"/> Dept. Veterans Affairs Benefits	\$ _____		

f. Name and address of the person with *legal* custody of this child: \_\_\_\_\_  
\_\_\_\_\_

g.  (*Check this box and fill out below if the person the child lives with is not the person in f. with legal custody.*)  
Name and address of the person this child lives with (who takes care of the child): \_\_\_\_\_  
\_\_\_\_\_





Guardianship of (all children's names): \_\_\_\_\_

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

This child's name: \_\_\_\_\_

**1 Tell the court about this child (continued)**

h.  (Check this box if this child has been involved in an adoption, juvenile court, marriage dissolution (divorce), domestic relations, child custody, or other similar court case.) Describe the court case below:

Type of Case	Court District or County and State or Tribe	Case Number (if known)

i.  (Check this box if this child is in or on leave from an institution supervised by the California Department of Developmental Services or the California Department of State Hospitals.) Write the name of the institution here:

**2 List the names and addresses of this child's relatives and all other persons shown below:**

Relationship	Name	Home Address (Street, City, State, Zip)
Mother	_____	_____
Father	_____	_____
Grandmother (Mother's mother)	_____	_____
Grandfather (Mother's father)	_____	_____
Grandmother (Father's mother)	_____	_____
Grandfather (Father's father)	_____	_____
Sibling	_____	_____
Sibling	_____	_____
Sibling	_____	_____
Sibling	_____	_____
Sibling	_____	_____
Sibling	_____	_____
Sibling	_____	_____

(Check here if this child has additional relatives, including parents, grandparents, siblings, or half-siblings, and list their names and addresses on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Item 2: Other Relatives" at the top of the paper and attach it to this form.)



Guardianship of (all children's names): \_\_\_\_\_

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

This child's name: \_\_\_\_\_

**2 List the names and addresses of this child's relatives and all other persons shown below:**

Relationship	Name	Home Address (Street, City, State, Zip)
Spouse <i>(Guardianship of the estate only)</i>	_____	_____
Person nominated as guardian of this child <i>(if someone other than a proposed guardian named in 3)</i>	_____	_____
Indian custodian <i>(if any)</i>	_____	_____
Child's tribe <i>(if any and if known)</i>	_____	_____

(Check here if there is more than one tribe that the child may be eligible for membership in, and list the names and addresses on a separate sheet of paper. Write "Form GC-210(CA)," the name of the child, and "Attachment 2: Child's tribes" at the top of the paper and attach it to this form.)

**3 Information about the proposed guardian:**

a. Name (name all proposed guardians if more than one):  
\_\_\_\_\_  
\_\_\_\_\_

b. Relationship(s) to the child named in 1 (check all that apply):

- Relative (specify relationship(s) to the child of each proposed relative guardian):  
\_\_\_\_\_
- Not a relative (explain interest in or connection to this child):  
\_\_\_\_\_  
\_\_\_\_\_

c. Did the child's parent(s) nominate the proposed guardian(s)?  Yes  No  I don't know  
*(If you checked "Yes," attach the written nomination as Attachment 3c.)*

d. Does this child currently live with the proposed guardian(s)?  Yes  No  I don't know  
If "Yes," how long has the child lived with the proposed guardian(s)? (years, months): \_\_\_\_\_

e. If the court approves the guardianship, will this child live with the proposed guardian(s)?  Yes  No

f. Does/do the proposed guardian(s) currently plan to adopt this child?  Yes  No  I don't know

**4 Explain why appointing a guardian for the child named in 1 would be in the child's best interest:**

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

(Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Attachment 4: Guardianship—Best Interest of Child" at the top of the paper and attach it to this form.)



Guardianship of (all children's names): \_\_\_\_\_

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

This child's name: \_\_\_\_\_

5 Explain why appointing the person named in 3 to be this child's guardian would be in the child's best interest:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Check here if you need more space. Continue your explanation on a separate sheet of paper. Write "Form GC-210(CA)," the name of this child, and "Attachment 5: Proposed Guardian—Best Interest of Child" at the top of the paper and attach it to this form.)

6 a. Does one or do both of this child's parents agree:

(1) That the court needs to appoint a guardian for the child?  
Parent (name): \_\_\_\_\_  Yes  No  I don't know  
Parent (name): \_\_\_\_\_  Yes  No  I don't know

(2) That the person named in 3 should be the child's guardian?  
Parent (name): \_\_\_\_\_  Yes  No  I don't know  
Parent (name): \_\_\_\_\_  Yes  No  I don't know

b. If the child is an Indian child and in the care and custody of an Indian custodian, does the Indian custodian agree:

(1) That the court needs to appoint a guardian for the child?  
Custodian (name): \_\_\_\_\_  Yes  No  I don't know  
(2) That the person named in 3 should be the child's guardian?  
Custodian (name): \_\_\_\_\_  Yes  No  I don't know

7  Check this box if you (the petitioner) are not the person named in 3, and fill in below.

Your relationship to this child:  
 Relative (specify relationship): \_\_\_\_\_  
\_\_\_\_\_  
 Not a relative (explain your interest in or connection to this child):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8 Except as otherwise stated in this form, the statements made in the petition to which this form is attached fully apply to this child.

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

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

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

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

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

3  Child Custody  
I ask the court for custody as follows:

Legal Custody to (Person who makes decisions about health, education, and welfare):

Physical Custody to (Person you want the child to live with):

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

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

4  Change Current Court Order  
I want to change a current child custody or visitation court order.

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

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

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

5 Child's Address

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

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

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

This is not a Court Order.



**6 Other Children's Addresses**

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

**7 Other Custody Case**

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

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

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

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

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

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

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

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

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

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

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

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

- has custody  claims custody rights  claims visitation rights

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

**9 Visitation**

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

Check all that apply

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

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

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

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

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

**This is not a Court Order.**



**10**  **Other Visitation**

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

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

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

I ask the court to order that:

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

**12**  **Supervised Visitation**

- a. I ask that the visitation in **9** be supervised by:
  - a professional supervisor  a nonprofessional supervisor  Other: \_\_\_\_\_
  - (Name and telephone number, if known): \_\_\_\_\_
- b. I ask that the visitation in **10** be supervised by:
  - a professional supervisor  a nonprofessional supervisor  Other: \_\_\_\_\_
  - (Name and telephone number, if known): \_\_\_\_\_
- c. I ask that any costs for supervision be paid by:
  - Mom \_\_\_\_\_ % Dad \_\_\_\_\_ % Other (name): \_\_\_\_\_ %

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

I ask the court to order that:

- Mom  Dad  Other (name): \_\_\_\_\_ **must have written permission from the other parent, or a court order, to take the children outside of:**
  - a.  California
  - b.  County of (list): \_\_\_\_\_
  - c.  Other place(s) (list): \_\_\_\_\_

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

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

**Important Instructions**

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

**This is not a Court Order.**

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

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

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

\*If "Other," specify relationship with children: \_\_\_\_\_

③ Do you think the other parent may take the children without your permission to:

a.  Another county in California?  Yes  No *If "yes," what county?* \_\_\_\_\_

b.  Another state?  Yes  No *If "yes," what state?* \_\_\_\_\_

c.  A foreign country?  Yes  No *If "yes," what country?* \_\_\_\_\_

*If "Yes," is the other parent a citizen of that country?*  Yes  No

*If "Yes," does the other parent have family or emotional ties to that country?*  Yes  No

*Explain:*

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

④ Why do you think the other parent may take the children without your permission?

The other parent: *(Check all that apply)*

a.  Has violated — or threatened to violate — a custody or visitation order in the past.

b.  Does not have strong ties to California.

c.  Has done things recently that make it easy for him or her to take the children away without permission.

He or she has: *(Check all that apply)*

Quit his or her job

Sold his or her home

Closed a bank account

Ended a lease

Sold or gotten rid of assets

Hidden or destroyed documents

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

d.  Has a history of: *(Check all that apply)*

Domestic violence

Child abuse

Not cooperating with me in parenting

Child abduction

e.  Has a criminal record

f. Please explain your answers to a–e:

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

**This is not a Court Order.**

**What orders do you want? Check the boxes that apply to your case.** 

- 5**  **Post a Bond**  
I ask the court to order the other parent to post a bond for \$ \_\_\_\_\_. If the other parent takes the children without my permission, I can use this money to bring the children back.
- 6**  **Do Not Move Without My Permission or Court Order**  
I ask the court to order the other parent *not* to move with the children without my written permission or a court order.
- 7**  **No Travel Without My Permission**  
I ask the court to order the other parent *not* to travel with the children outside: *(Check all that apply)*  
 This county    California    The United States    Other *(specify)*: \_\_\_\_\_
- 8**  **Notify Other State of Travel Restrictions**  
I ask the court to order the other parent to register this order in the state of \_\_\_\_\_ before the children can travel to that state for visits.
- 9**  **Turn In and Do Not Apply for Passports or Other Vital Documents**  
I ask the court to order the other parent to turn in and *not* apply for passports or other documents (such as visas or birth certificates) that can be used for travel.
- 10**  **Provide Itinerary and Other Travel Documents**  
If the other parent is allowed to travel with the children, I ask the court to order the other parent to give me before leaving:  
 The children's travel itinerary  
 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 *(specify)*:
- 11**  **Notify Foreign Embassy or Consulate of Passport Restrictions**  
I ask the court to order the other parent to notify the embassy or consulate of \_\_\_\_\_ of this order and to provide the court with proof of that notification within \_\_\_\_\_ calendar days.
- 12**  **Foreign Custody and Visitation Order**  
I ask the court to order the other parent to get a custody and visitation order equal to the most recent U.S. order before the child can travel to that country for visits. I understand that foreign orders may be changed or enforced depending on the laws of the country.
- 13** I declare under penalty of perjury under the laws of the State of California that the information on this form is true and correct.

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

\_\_\_\_\_  
*Type or print your name*\_\_\_\_\_  
*Sign your name***This is not a Court Order.**



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

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

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

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

The Court Orders:

3  Child Custody is ordered as follows:

Legal Custody to: (Person who makes decisions about health, education. Check at least one.)

Physical Custody to: (Person the child lives with. Check at least one.)

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

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

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

4  Child Visitation is ordered as follows:

- a.  No visitation to  Mom  Dad  Other (name): \_\_\_\_\_
b.  See the attached \_\_\_\_\_ - page document, dated: \_\_\_\_\_
c.  The parties must go to mediation at: \_\_\_\_\_
d.  Until the next court order, visitation for  Mom  Dad  Other (name): \_\_\_\_\_ will be:

(1)  Weekends (starting): \_\_\_\_\_ (The 1st weekend of the month is the 1st weekend with a Saturday.)
 1st  2nd  3rd  4th  5th weekend of month
from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m. to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.

(2)  Weekdays (starting): \_\_\_\_\_
from \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m. to \_\_\_\_\_ at \_\_\_\_\_  a.m.  p.m.

(3)  Other Visitation

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

5  Supervised Visitation or Exchange

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

This is a Court Order.

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

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

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

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

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

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

**8**  **Child Abduction**

There is a risk that one of the parents will take the children out of California without the other parent’s permission.  The orders in Form DV-145, *Order: No Travel with Children*, are attached and must be obeyed. (Fill out and attach Form DV-145 to this form.)

**9**  **Other Orders**

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

**10** **Jurisdiction**

This court has jurisdiction to make child custody orders in this case under the Uniform Child Custody Jurisdiction and Enforcement Act (part 3 of the California Family Code starting with § 3400).

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

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

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

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

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

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

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

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

**This is a Court Order.**

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

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

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

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

### The Court Finds:

③ There is a risk that (*name of parent*): \_\_\_\_\_ might take the children without permission because that parent (*check all that apply*):

- a.  Has violated—or threatened to violate—a custody or visitation order in the past  
 b.  Does not have strong ties to California  
 c.  Has done things that make it easy for him or her to take the child without permission.

He or she has (*check all that apply*):

- |  |  |
|--|--|
| <input type="checkbox"/> Quit his or her job   | <input type="checkbox"/> Sold his or her home          |
| <input type="checkbox"/> Closed a bank account   | <input type="checkbox"/> Ended a lease                 |
| <input type="checkbox"/> Sold or gotten rid of assets  | <input type="checkbox"/> Hidden or destroyed documents |
| <input type="checkbox"/> Applied for a passport, birth certificate, or school or medical records |  |

- d.  Has a history of (*check all that apply*):  
 Domestic violence  
 Child abuse  
 Not cooperating with the other parent in parenting  
 Taking the children without permission

e.  Has a criminal record

f.  Has family or emotional ties to another county, state or foreign country

*Note: If (f) is checked, at least one other item in items (a)–(e) must be checked also.*

### The Court Orders:

The Court makes the orders, checked below, to prevent the parent in ③ from taking the children without permission. These orders are valid in other states and any country that has signed The Hague Convention on the Civil Aspects of International Child Abduction.

④  **Post a Bond**  
 The parent in ③ must post a bond for \$ \_\_\_\_\_.

⑤  **Do Not Move Without Written Permission of the Other Parent or Court Order**  
 The parent in ③ 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.

⑥  **Do Not Travel Without Permission of the Other Person or Court Order**  
 The parent in ③ must *not* travel with the children outside (*check all that apply*):  
 This county  California  The United States  Other (*specify*): \_\_\_\_\_  
 without written permission of the other parent or a court order. \_\_\_\_\_

**This is a Court Order.**

- 7**  **Notify Other State of Travel Restrictions**  
 The parent in **3** must register this order in the state of \_\_\_\_\_ before the children can travel to that state for visits.
- 8**  **Turn In and Do Not Apply for Passports or Other Vital Documents**  
 The parent in **3** must *not* apply for passports or other documents (such as visas or birth certificates) that can be used for travel, and must turn in the following documents: \_\_\_\_\_
- 9**  **Provide Itinerary and Other Travel Documents**  
 The parent in **3** must give the other parent the following before traveling with the children:
- The children's travel itinerary
  - Copies of round-trip airline tickets
  - Addresses and telephone numbers where the children can be reached
  - An open airline ticket for the other parent in case the children are not returned
  - Other (*specify*): \_\_\_\_\_
- 10**  **Notify Foreign Embassy or Consulate of Passport Restrictions**  
 The parent in **3** must notify the embassy or consulate of \_\_\_\_\_ of this order and provide the court with proof of that notification within \_\_\_\_\_ calendar days.
- 11**  **Foreign Custody and Visitation Order**  
 The parent in **3** must get a foreign custody and visitation order equal to the most recent U.S. order before the children can travel to that country for visits. The court recognizes that foreign orders may be changed or enforced depending on the laws of that country.
- 12**  **Enforcing the 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:  
 \_\_\_\_\_
- 13**  **Other**  
 \_\_\_\_\_

**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, § 3400 et seq.) and The Hague Convention on the Civil Aspects of International Child Abduction (42 U.S.C. § 11601 et seq.). If jurisdiction is based on other factors, they will be listed in paragraph 13 above.

**This is a Court Order.**

This form is attached to  DV-110, *Temporary Restraining Order*  DV-130, *Restraining Order After Hearing*  
 DV-140, *Child Custody and Visitation Order*

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

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

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

### The Court Orders:

③ **Mediation, Visitation and Exchange**

a.  Parties must go to mediation at: \_\_\_\_\_

b.  Visitation of children is supervised.

Parent to be supervised is:  Mom  Dad  Other (name): \_\_\_\_\_

c.  Exchanges of children are supervised.

④ **Schedule of Supervised Visits**

a.  All visits as provided in the schedule on Form DV-140, item ④(d) are to be supervised.

b.  Supervised visits shall be \_\_\_\_\_ visit(s) per week of \_\_\_\_\_ hours(s) each, to be arranged with the provider.

c.  Other schedule of supervised visits is attached. (Check here and attach a sheet of paper with "DV-150, Other Schedule" for a title.)

⑤ **Type of Provider**

a.  Professional (individual or supervised visitation center)

b.  Nonprofessional

⑥ **Provider's Information**

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

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

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

⑦ **Costs Will Be Paid As Follows:**

Mom to pay: \_\_\_\_\_ %

Dad to pay: \_\_\_\_\_ %

Other: \_\_\_\_\_

⑧ **Contact With Provider**

Mom to contact provider before (date): \_\_\_\_\_

Dad to contact provider before (date): \_\_\_\_\_

Other: \_\_\_\_\_

⑨ **The court also orders (specify):** \_\_\_\_\_

**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):	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF</b> STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PETITIONER: RESPONDENT: OTHER PARTY/PARENT/CLAIMANT:	
<b>INCOME AND EXPENSE DECLARATION</b>	CASE NUMBER:

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

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

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

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

**2. Age and education**

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

**3. Tax information**

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

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

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

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

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

\_\_\_\_\_  
 (TYPE OR PRINT NAME) ▶ \_\_\_\_\_  
 (SIGNATURE OF DECLARANT)

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

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

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

	Last month	Average monthly
a. Salary or wages (gross, before taxes).....	\$	_____
b. Overtime (gross, before taxes).....	\$	_____
c. Commissions or bonuses.....	\$	_____
d. Public assistance (for example: TANF, SSI, GA/GR) <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:
--	--------------

**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:<br>(1) <input type="checkbox"/> Rent or <input type="checkbox"/> mortgage..... \$ _____<br>If mortgage:<br>(a) average principal:     \$ _____<br>(b) average interest:     \$ _____<br>(2) Real property taxes..... \$ _____<br>(3) Homeowner's or renter's insurance<br>(if not included above)..... \$ _____<br>(4) Maintenance and repair..... \$ _____<br>b. Health-care costs not paid by insurance..... \$ _____<br>c. Child care..... \$ _____<br>d. Groceries and household supplies..... \$ _____<br>e. Eating out..... \$ _____<br>f. Utilities (gas, electric, water, trash)..... \$ _____<br>g. Telephone, cell phone, and e-mail..... \$ _____ | h. Laundry and cleaning..... \$ _____<br>i. Clothes..... \$ _____<br>j. Education..... \$ _____<br>k. Entertainment, gifts, and vacation..... \$ _____<br>l. Auto expenses and transportation<br>(insurance, gas, repairs, bus, etc.)..... \$ _____<br>m. Insurance (life, accident, etc.; do not include<br>auto, home, or health insurance)..... \$ _____<br>n. Savings and investments..... \$ _____<br>o. Charitable contributions..... \$ _____<br>p. Monthly payments listed in item 14<br>(itemize below in 14 and insert total here)..... \$ _____<br>q. Other (specify): \$ _____<br><div style="border: 1px solid black; padding: 2px; margin-top: 5px;">                     r. <b>TOTAL EXPENSES</b> (a-q) (do not add in<br/>                         the amounts in a(1)(a) and (b)) \$ _____                 </div> s. <b>Amount of expenses paid by others</b> \$ _____ |
|---|---|

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

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

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

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

I confirm this fee arrangement.

Date:

\_\_\_\_\_ ▶ \_\_\_\_\_  
 (TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)



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

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

**16. Number of children**

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

**17. Children's health-care expenses**

- a.  I do  I do not have health insurance available to me for the children through my job.
- b. Name of insurance company:
- c. Address of insurance company:
  
- d. The monthly cost for the **children's** health insurance is or would be *(specify)*: \$ \_\_\_\_\_  
*(Do not include the amount your employer pays.)*

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

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