



SAN MATEO COUNTY LAW LIBRARY RESEARCH GUIDE #7S

ORDEN DE RESTRICCIÓN POR VIOLENCIA DOMÉSTICA

Esta guía de recursos sólo proporciona orientación y no constituye asesoramiento legal. Si necesitas consejo legal necesitas hablar con un abogado. Para encontrar un abogado que lo ayude, puede ponerse en contacto con el Servicio de referencia de abogados del condado de San Mateo a (650) 369-4149.

SI NECESITA ASISTENCIA PARA PRESENTAR UNA ORDEN DE RESTRICCIÓN DE VIOLENCIA DOMÉSTICA, HAY AGENCIAS QUE LE PUEDEN ASISTIR. Si se encuentra en peligro inmediato y no puede presentar una aplicación de una orden de restricción de inmediato, puedes pedir a la policía por una orden de protección de emergencia. Esta es una orden que la policía puede solicitar de un juez por teléfono, 24 horas al día, 365 días al año. Es efectivo inmediatamente. Una orden de protección de emergencia tiene una duración de cinco días judiciales o siete días calendario.

¿DONDE PUEDO ENCONTRAR AYUDA?

- Puede ir a la Oficina del Family Law Facilitator ubicada en el sexto piso del Tribunal Superior del Condado de San Mateo en 400 County Center, Redwood City, California 94063. Consulte sus horarios [aquí](#).
- Puede llamar a Bay Area Legal a (650) 358-0745, localizado en 1048 El Camino Real, Suite A, Redwood City. Hablan español.

¿QUÉ ES UNA ORDEN DE RESTRICCIÓN POR VIOLENCIA DOMÉSTICA?

Una orden de restricción por violencia doméstica es una orden de la corte de familia. Este orden protege a las personas que han sido abusadas o amenazadas con abuso. Estos tipos de órdenes pueden:

- Exigirle al abusador que se mantenga alejado de usted, su(s) hijo(s) y cualquier otra familia o los miembros del hogar;
- Exigirle al abusador que no se comunique con usted por correo, correo electrónico, teléfono, o cualquier otra manera;
- Exigirle al abusador que se mude de la casa;
- Exigirle al abusador que pague manutención de los hijos y/ o del cónyuge;
- Exigirle al abusador que pague cualquier daño que ocurrió por el abuso;
- Establezca un horario temporal de visitas para los niños.

¿CUANTO CUESTA?

No hay costos para solicitar o presentar una orden de restricción de violencia doméstica.

¿QUIEN PUEDE CONSEGUIR UNA ORDEN DE RESTRICCIÓN POR VIOLENCIA DOMÉSTICA?

Para poder presentar una orden de restricción de violencia doméstica, una persona debe tener uno de los siguientes relaciones actuales o anteriores con el individuo que están tratando de restringir (el “abusador”):

- Comprometido, esposo, esposa, pareja de hecho registrada, novio, novia, o pareja de sexo opuesto, salir en citas o antes salieron en citas;
- Otro padre de un hijo que tienen juntos;
- Viven juntos o vivieron juntos*;
- Relacionado dentro del segundo grado de afinidad o consanguinidad. Significa- madre o suegra, padre o suegro, niño(s) o nieto(s), niño(s) legalmente adoptado, abuelo(s), hermana o cuñada, hermano o cuñado, hija o nuera, hijo o nuero. La relación con los suegros DEBE ser a través de un matrimonio ACTUAL ([Family Code Section 6211](#))
- También debe vivir regularmente en el hogar.

Si no se aplica ninguna de las relaciones enumeradas anteriormente, por favor mire la guía #5 de recurso de orden de acoso civil para obtener información adicional. Estos tipos de órdenes se aplican a: compañeros de trabajo, vecinos, tías/tíos/primos, etc.

¿CÓMO PIDO POR UNA ORDEN DE RESTRICCIÓN?

Todos los formularios abajo están disponibles en <https://www.courts.ca.gov/forms.htm>. Para una orden de restricción, debería tener: request for child custody y visitation orders.

NOTA: LOS FORMULARIOS ESTÁN DISPONIBLE EN ESPAÑOL, PERO SOLAMENTE ES UNA GUÍA. DEBE COMPLETAR Y PRESENTAR LOS FORMULARIOS EN INGLÉS.

- [CLETS-001](#): Confidential CLETS Information (**Información confidencial de CLETS**)
- [DV-109](#): Notice of Court Hearing
 - [DV-109 S](#) (**Aviso de audiencia**)
- [DV-110](#): Temporary Restraining Order
 - [DV-110 S](#) (**Orden de restricción temporal**)
- [DV-100](#): Request for Domestic Violence Restraining Order
 - [DV-100 S](#) (**Solicitud de orden de restricción por violencia doméstica**)
- [DV-101](#): Description of Abuse (Descripción del abuso) [Extra]
- [Local Form FL-8](#): Declaration Re: Notice of Ex Parte Application for Orders
- [Local Form AD-10](#): Stipulation for Court Commissioner to Act as Temporary Judge for All Purpose

Si tiene hijos con la persona de la que desea protección, también debe completar:

Más importante:

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

- [DV-105 S](#) (**Solicitud de órdenes de custodia y visitación de los hijos**)
- [DV-140](#): *Child Custody and Visitation Order*
 - [DV-140 S](#) (**Orden de custodia y visitación de los hijos**)

Extra:

- [DV-145](#): *Order: No Travel with Children*
 - [DV-145 S](#) (**Orden: No viajar con los hijos**)
- [DV-108](#): *Request for Order: No Travel with Children*
 - [DV-108 S](#) (**Solicitud de orden: No viajar con los hijos**)
- [DV-150](#): *Supervised Visitation and Exchange Order*
 - [DV-150 S](#) (**Orden de visitación supervisada e intercambio**)

Si solicita manutención infantil o manutención conyugal, también debe completar FL-150 o FL-155 :

- [FL-150](#): *Income and Expense Declaration*
 - [FL-150 S](#) (**Declaración de ingresos y gastos**)
- [FL-155](#): *Financial Statement*
 - [FL-155 S](#) (**Estado financiero**)

Para determinar qué formulario entre [FL-150](#) y [FL-155](#) es adecuado para usted, lea el formulario [DV-570](#) : *¿Que formulario financiero: FL-150 o FL-155?*

Hay otros formularios que se necesitarán más adelante:

- [DV-120](#): *Response to Request for a Domestic Violence Restraining Order*
 - [DV-120 S](#) (**Respuesta a la solicitud de una orden de restricción por violencia doméstica**)
- [DV-200](#): *Proof of Personal Service*
 - [DV-200 S](#) (**Prueba de Servicio Personal**)

¿QUÉ SUCEDE DESPUÉS QUE PRESENTO LOS DOCUMENTOS?

Necesita llevar los formularios a la oficina de secretarios. La corte otorgará, denegará o concederá en su momento su solicitud de una orden de protección. El juez decidirá dentro de un día hábil si hacer o no órdenes temporales. A veces el juez decide antes. Pregunte a la secretaria si debería esperar o volver más tarde para obtener copias de su [DV-109](#): *Notice of Court Hearing (Aviso de audiencia)* y [DV-110](#): *Temporary Restraining Order (Orden de restricción temporal)*.

Si su orden es **OTORGADO**:

- Tendrá la protección que solicitaste
- Tendrá una fecha de audiencia para comparecer ante el tribunal en aproximadamente tres semanas en el salón de Justicia en Redwood City. En la audiencia, el juez determinará si darle un DVRO “permanente”, que puede durar hasta cinco (5) años.

- Necesita PRESENTAR la orden del juez. La secretaria se queda con los formularios originales para la corte, y presentara el sello de hasta tres copias para usted. Si necesita más, usted mismo puede hacer copias.
- Necesita quedarse con una copia del orden a todo tiempo. Es posible que deba mostrárselo a la policía.
- Quédese con otra copia en un lugar seguro.
- Entregue una copia a cualquier otra persona que esté protegida por la orden.
- Lleve las copias a cualquier lugar donde no pueda ir la persona restringida (escuela, trabajo, cuidado de niños, etc.)
- Entregue una copia al personal de seguridad de su lugar de trabajo o complejo de apartamentos.

Los órdenes de restricción se entran en un sistema estatal llamado "CLETS". Este sistema permite a las autoridades que sepan sobre de su orden de restricción. La corte ingresará la orden en el sistema CLETS por usted.

Si su orden es **PARCIALMENTE OTORGADO O DENEGADO:**

- Solamente tendría una porción de la protección que usted solicitud si se le otorga parcialmente o ninguna protección si se le niega;
- Usted tendría una audiencia programada para aparecer en el tribunal en aproximadamente tres semanas en el Salón de Justicia en Redwood City;
- En esta audiencia, el juez determinará si le otorga un DVRO "permanente" que puede durar hasta cinco años; y/o
- Puede escribir una declaración más detallada y volver a presentar la orden, pero no puede ser garantizado que el juez aprobará otra orden.

¿QUÉ SUCEDE EN LA AUDIENCIA?

Se representará a usted mismo en la audiencia. Solicitará que se emita un DVRO. Estas órdenes pueden durar hasta cinco años. Si no se presenta en la audiencia, ya no tendrás un DVRO en efecto. Si el abusador no se presenta, usted todavía puede solicitar que se extienda el DVRO. Eso es posible que el tribunal ordene todo lo que solicitó en su solicitud de DVRO. También es posible que sus solicitudes no se concedan o se concedan en porción.

¿QUÉ NECESITO TRAER CONMIGO?

Puede traer cualquier cosa que ayude a demostrar el abuso.

- Una declaración escrita de un testigo, hecha bajo juramento
- Testigos
- Fotos
- Reportes Médicos o de Policía
- Propiedades dañadas
- Cartas, correos electrónicos, o mensajes de texto amenazantes

¿VERÉ A LA PERSONA RESTRINGIDA EN LA AUDIENCIA?

Si la persona restringida llega al tribunal, la verá en la sala del tribunal. La persona restringida no tiene el derecho a hablar con usted. Si usted tiene miedo, avisa al sheriff que está presente en la sala del tribunal.

¿CÓMO SABRÁ LA PERSONA RESTRINGIDA SOBRE LA ORDEN?

La persona de la que solicita protección debe ser notificada. Alguien que tiene 18 años o más, NO USTED NI CUALQUIER PERSONA QUE ESTÉ SUJETA A PROTECCIÓN POR EL PEDIDO, debe entregar una copia de la orden en persona a la persona que será restringida. La policía o el Sheriff lo hacen gratis, pero necesita preguntar. La forma [DV-200-INFO](#): *Que es la "Prueba de entrega en persona"*? Puede ayudar a contestar a sus preguntas sobre los trámites del servicio de procesos.

¿QUÉ PASA SI LA PERSONA RESTRINGIDA NO OBEDECE LA ORDEN?

LLAMA A LA POLICÍA. La persona restringida puede ser arrestado/a y acusado/a de un delito.

¿PUEDE LA PERSONA RESTRINGIDA Y YO CANCELAR LA ORDEN?

No. Después que la orden es emitida, solamente el juez puede cambiar o cancelar la orden.

¿DONDE MAS PUEDO ENCONTRAR AYUDA?

Este puede ser un momento emocional y confuso. Abajo se muestra una lista de agencias locales adicionales que puede ayudarlo:

- **SI ESTA ES UNA EMERGENCIA MARCA 911- Una protección de emergencia puede ser emitido.**
- **CORA- Community Overcoming Relationship Abuse (La comunidad supera el abuso en las relaciones) - (800) 300-1080** o localmente a (650) 259-1855. También disponen asistencia las 24 horas del día a través de su línea de crisis, incluyendo vivienda.
- **Keller Center For Family Violence Intervention- (650) 573-2623.** Disponen asistencia médica Y psicológica y servicios sociales.

CLETS-001 Confidential Information for Law Enforcement

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

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

Court fills in case number when form is received.

Case Number: _____

Date received by court: _____

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

1 Person You Want a Restraining Order Against

*Name: EL NOMBRE COMPLETO DE LA OTRA PERSONA AQUÍ _____

Other names used: _____

Marks, scars, or tattoos: _____ SSN: _____

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

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

Name of employer and address: _____

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

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

No I don't know

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

2 *Your Name: TU NOMBRE COMPLETO AQUÍ _____

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

3 Your information

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

Race: _____ Telephone: _____

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

4 Other People You Want Protected

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

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

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

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

Check here if you have more people to list. Write them on a separate piece of paper and write "Item 3" at the top and attach it to this form.

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

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar Number, Address) TU NOMBRE COMPLETO AQUÍ UNA DIRECCIÓN DONDE PUEDE RECIBIR CORREO DEL TRIBUNAL AQUÍ TELEPHONE NO: _____ FAX NO.(Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): IN PRO PER	Reserved for Clerk's Office Stamp
<input checked="" type="checkbox"/> Southern Division, 400 County Center, Redwood City, CA 94063 <input type="checkbox"/> Northern Division, 1050 Mission Road So. San Francisco, CA 94080	
PETITIONER: TU NOMBRE COMPLETO AQUÍ RESPONDENT: EL NOMBRE COMPLETO DE LA OTRA PERSONA AQUÍ	
DECLARATION RE: NOTICE OF EX PARTE APPLICATION FOR ORDERS	CASE NUMBER:

I, the undersigned declare:

1. I am in this case the (choose one):
 - A. attorney for Petitioner attorney for respondent attorney for child(ren)
 - B. self-represented Petitioner self-represented Respondent
 - C. other (explain): _____

2. The opposing party is represented by an attorney: Yes No
 The minor child(ren) is/are represented by an attorney: Yes No
 [If you checked "Yes", fill in the attorney's name, address, and telephone number. If you checked "No", fill in the other party's name, address and telephone number.]
 Party/Attorney Name: _____
 Address and Telephone number: _____

 Child(ren)'s attorney name: _____
 Address and Telephone number: _____

3. **NOTICE TO OPPOSING PARTY REQUIREMENT**
 - A. **I gave reasonable notice of my Ex Parte Application for Orders (see CRC 5.151) to the opposing party and/or their attorney of record on Date: _____ Time: _____ in the following manner:**
 - Personal delivery Fax (by prior agreement) In person By telephone
 - Other: _____

 - B. **I served copies of the Ex Parte Application and supporting papers to the opposing party and/or their attorney of record on Date: _____ Time: _____ in the following manner:**
 - Personal delivery Fax (by prior agreement) In person By telephone
 - Other: _____

 - C. **I have been informed that the opposing party has received my Application and supporting papers and will be opposing my request for Ex Parte Orders. (describe):** _____

D. I HAVE NOT given notice of the ex parte request for orders because (Check all that apply. You must explain below):

- This is an application for Domestic Violence Prevention Act (DVPA) restraining orders.
- Great or irreparable injury will result to me before the matter can be heard on notice (explain below).
- A good faith effort was made to notify the opposing party but notice was unable to be given (explain below).

- The other party agrees to the orders requested.
- No significant direct burden or inconvenience to the adverse party will be likely to result from the orders sought herein(explain below.)
- I fear for my physical safety (and that of my children, if applicable).
- Other:

Explanation:

E. A hearing between the parties is already set on _____, 20____ at _____AM PM and I am asking that this motion be heard at the same time.

4. There are the following (temporary) (permanent) orders currently in effect (list orders and dates issued):

5. The parties have have not been to Family Court Services for mediation. If yes, mediation was held on _____, 20____, and the mediator was _____. The recommendation of the mediator was:

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

Date: FECHA DE PRESENTACIÓN AQUÍ

TU NOMBRE COMPLETO AQUÍ

[Type or Print Name]

TU FIRMA AQUÍ

[Signature]

Clerk stamps date here when form is filed.

Instructions

To ask for a domestic violence restraining order, you will need to complete this form and other forms (see page 12 for list of forms). If this case includes sensitive information about a minor child (under 18 years old), see form DV-160-INFO, Privacy Protection For a Minor (Person Under 18 Years Old) Domestic Violence Prevention for more information on how to protect the child's information.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

UNA DIRECCIÓN DONDE PUEDE RECIBIR CORREO DEL TRIBUNAL AQUÍ

1 Person Asking for Protection

a. Your name: TU NOMBRE COMPLETO AQUÍ

b. Your age: TU EDAD

c. Address where you can receive court papers

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

Address: City: State: Zip:

d. Your contact information (optional)

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

Telephone: Fax: Email Address:

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

Name: State Bar No.: Firm Name:

2 Person You Want Protection From

a. Full name: EL NOMBRE COMPLETO DE LA OTRA PERSONA AQUÍ

b. Age (give estimate if you do not know exact age): SI NO SABE LA EDAD O FECHA DE NACIMIENTO, ESTIME Y ESCRIBA 1/1 con año estimado

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**SU RELACIÓN CON LA OTRA PERSONA**

(If you do not have one of these relationships with the person in 2, do not complete the rest of this form. You may be eligible for another type of restraining order. Learn more at <https://selfhelp.courts.ca.gov/restraining-orders>.)

(Check all that apply)

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

4 Other Restraining Orders and Court Cases**OTRAS ÓRDENES DE RESTRICCIÓN O CASOS JUDICIALES**

- 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 <i>(child welfare or juvenile justice):</i> | _____ |
| <input type="checkbox"/> Guardianship | _____ |
| <input type="checkbox"/> Criminal | _____ |
| <input type="checkbox"/> Other <i>(what kind of case?):</i> | _____ |

This is not a Court Order.



Describe Abuse

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

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

5 Most recent abuse ABUSO MÁS RECIENTE

- 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.

Si no hay suficiente espacio, utilice los formularios MC25, MC20 o un documento M. Word

- 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. ¿LA PERSONA ABUSÓ DE USTED DE UNA MANERA DIFERENTE A LA QUE DESCRIBIÓ EN 5?

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.

Si no hay suficiente espacio, utilice los formularios MC25, MC20 o un documento M. Word

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.

¿HAY OTRO ABUSO QUE QUIERES QUE EL JUEZ CONOZCA?

- 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.

Si no hay suficiente espacio, utilice los formularios MC25, MC20 o un documento M. Word

- 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? **EXPLICAR POR QUÉ**

¿LA OTRA PERSONA TIENE UN ARMA?

9 Does Person in (2) Have Firearms (Guns), Firearm Parts, or Ammunition?

(A firearm includes a handgun, rifle, shotgun, and assault weapon. A firearm part means a receiver, frame, or unfinished receiver or unfinished frame. Ammunition includes bullets, shells, cartridges, and clips.)

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

Describe firearms (guns), firearm parts, or ammunition	How many or what amount?	Location, if known
(1) _____	_____	_____
(2) _____	_____	_____
(3) _____	_____	_____
(4) _____	_____	_____
(5) _____	_____	_____
(6) _____	_____	_____

This is not a Court Order.



Choose the Orders That You Want a Judge to Make

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

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

10 **Order to Not Abuse**

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

Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace. (For more information on what "disturbing the peace" means, read [form DV-500-INFO](#), *Can A Domestic Violence Restraining Order Help Me?*)

11 **No-Contact Order**

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

12 **Stay-Away Order**

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

(Check all that apply)

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

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

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

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

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

This is not a Court Order.



13 **Order to Move Out** **ORDEN DE MUDANZA**

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

(Give address): _____ **MUY IMPORTANTE**

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** **CUSTODIA DE NIÑOS Y VISITAS**

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

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

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

USTED PUEDE SOLICITAR NO VISITAS HASTA LA AUDIENCIA EN EL TRIBUNAL Y EL TRIBUNAL PUEDE AYUDAR A DETERMINAR SI ES POSIBLE UN HORARIO DE VISITA SEGURO. EN ESE CASO, SELECCIONE NO VISITAS AL LLENAR LOS FORMULARIOS DV-105 Y DV-140.

This is not a Court Order.



16 **Protect Animals**

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

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

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

(Check all that apply)

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

17 **Control of Property**

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

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

18 **Health and Other Insurance**

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

19 **Record Communications** **REGISTRAR COMUNICACIONES**

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. **SELECCIONA ESTO SI QUIERES GRABAR CONVERSACIONES LEGALMENTE CON LA OTRA PERSONA**

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 if the Judge Grants Restraining Order**29 No Firearms (Guns), Firearm Parts, or Ammunition**

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

30 Cannot Look for Protected People

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

31 Additional pages ESCRIBA EL N. DE PAGINAS DE LOS ANEXOS, INCLUYENDO PAGINAS DE EVIDENCIA

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

32 Your signature

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

Date:

Type or print your name

Sign your name

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

Date: _____

Lawyer's name

Lawyer's signature

Your Next Steps**1 You must complete at least three additional forms:**

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

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

Clerk stamps date here when form is filed.

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

1 Person Asking for Protection

Name: TU NOMBRE COMPLETO AQUÍ

2 Person to Be Restrained

Name: EL NOMBRE COMPLETO DE LA OTRA PERSONA AQUÍ

The court will fill out the rest of this form.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

3 Notice of Hearing

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



Date: Time: Dept.: Room:

Name and address of court if different from above:

You may attend your court date remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to: www.courts.ca.gov/find-my-court.htm.

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

a. Temporary Restraining Orders (any order requested under Family Code section 6320): (Check one):

- (1) All granted until the court hearing.
(2) All denied until the court hearing. (Reasons for denial are given below in b.)
(3) Partly granted and partly denied until the court hearing. (Reasons for denial are given below in b.)

b. Reasons for denial of some or all of the orders requested on form DV-100.

- (1) The facts given in the request (form DV-100) do not show reasonable proof of a past act or acts of abuse. (Family Code sections 6300, 6320, and 6320.5.)
(2) The facts given in the request do not give enough detail about the most recent incidents of abuse, including what happened, the dates, who did what to whom, or any injuries or history of abuse.
(3) Other reasons for denial:



5 Confidential Information Regarding Minor

- a. A *Request to Keep Minor's Information Confidential* (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

LA OFICINA DELSHERIFF ES MEJOR PARA SERVIR
LOS PAPELES, NO EL DEPARTAMENTO DE POLICÍA.

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 Minor*, and DV-165, *Order on Request to Keep Minor's Information Confidential* (file-stamped), **if granted**
- g. Other (*specify*): _____

Judge's Signature

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 attend 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 attend 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 grant a long-term restraining order 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, like form DV-200, *Proof of Personal Service*.
- 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?*
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask the judge to reschedule your court date. Read form DV-115-INFO, *How to Ask for a New Hearing Date*.
- Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making an order. At the hearing, tell the judge why you agree or disagree with the orders requested. Bring any evidence or witnesses you have. Read form DV-520-INFO, *Get Ready for Your Restraining Order Court Hearing*.
- **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, sell, or store any firearms (guns), firearm parts, or ammunition that you own or have.**

**Request for Accommodations**

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

(Clerk will fill out this part.)

—Clerk's Certificate—

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.

Original Order Amended Order

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): TU NOMBRE COMPLETO AQUI

2 Restrained Person

*Full Name EL NOMBRE COMPLETO DE LA OTRA PERSONA AQUI

*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, firearm parts, 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 8 through 11.

Table with 3 columns: Full name, Relationship to person in 1, Age. Includes empty rows for listing protected people.

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

(The court will complete the rest of this form)

4 Your Hearing Date (Court Date)



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

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

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

This is a Court Order.



To the Person in 2

The judge has granted temporary orders. See items 5 through 20. If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine. It is a felony to take or hide a child in violation of this order.

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

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

6 Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

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

b. Ammunition

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

This is a Court Order.



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

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



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

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

8 **Cannot Look for Protected People**

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

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

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

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

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

This is a Court Order.



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

- a. You must **not contact** the person in ① the persons in ③ directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.
- b. Exception to 10a:
 - (1) You may have brief and peaceful contact with the person in ① only to communicate about your children for court-ordered visits.
 - (2) You may have contact with your children only during court-ordered contact or visits.
 - (3) Other (*explain*): _____
- c. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.

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

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

<input type="checkbox"/> Person in ①.	<input type="checkbox"/> School of person in ①.
<input type="checkbox"/> Home of person in ①.	<input type="checkbox"/> Persons in ③.
<input type="checkbox"/> Job or workplace of person in ①.	<input type="checkbox"/> Children’s school or child care.
<input type="checkbox"/> Vehicle of person in ①.	<input type="checkbox"/> Other (<i>explain</i>): _____
- b. Exception to 11a:
The stay-away orders do not apply:
 - (1) For you to exchange your children for court-ordered visits. You must do so briefly and peacefully.
 - (2) For you to visit with your children for court-ordered contact or visits.
 - (3) Other (*explain*): _____

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

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

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

**UTILIZAR PARA CASOS DONDE LA OTRA PERSONA, POR EJEMPLO,
TE ACOSA A TRAVÉS DE LAS REDES SOCIALES**

This is a Court Order.



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

Granted on the attached form DV-140, Child Custody and Visitation Order, and

(list other form): _____.

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

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

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

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

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

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

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

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

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

This is a Court Order.



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

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

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

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

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

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

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

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

22 No Fee to Serve (Notify) Restrained Person

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

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

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

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.



Certificate of Compliance With VAWA

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

Warnings and Notices to the Restrained Person in ②

Your Address to Receive Court Orders

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

Child Custody, Visitation, and Support

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

Firearms (Guns), Firearm Parts, and Ammunition

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

This is a Court Order.



Instructions for Law Enforcement

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

Duties of Officer Serving This Order

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

- Ask if the Restrained Person is in possession of any of the prohibited items listed in (6), or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.

Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

Arrest Required if Order Is Violated

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

If the Protected Person Contacts the Restrained Person

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

Child Custody and Visitation

Child custody and visitation orders are listed on form DV-140 or another attached form. If the judge made these orders, look at items (10) and (11) of this order to see if the judge granted an exception for brief and peaceful contact with the person in (1) as needed to follow court-ordered visits. Contact by the person in (2) that is **not** brief and peaceful is a violation of this order. **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

This is a Court Order.



Conflicting Orders—Priorities for Enforcement

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

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item ⑩ is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Family Code sections 6383(h)(2) and 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Penal Code section 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

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

1 Your Information

Name: TU NOMBRE COMPLETO AQUÍ

Relationship to children: [X] Parent [] Legal Guardian [] Other (describe):

2 Person You Want Protection From

Name: EL NOMBRE COMPLETO DE LA OTRA PERSONA AQUÍ

Relationship to children: [] Parent [] Legal Guardian [] Other (describe):

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

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

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

4 City and State Where Children Lived Ciudad y estado donde viven sus hijos

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

- [] Yes (Complete section 4b.)
[] No (If no, do not complete the section below. Instead, use form DV-105(A)).

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

Table with columns: Dates (month/year), City, State, and Tribal Land, Children lived with (Me, Person in 2, Other*)

Other* (relationship to child):

This is not a Court Order.



5 History of Court Cases Involving Your Children *Historia de los casos judiciales que involucran a sus hijos*

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

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

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

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

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

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

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

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

Why do you want to change the order?

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

Name: _____ Parent Legal Guardian

This is not a Court Order.



Orders a Judge Can Make to Protect Your Children

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

NO ES NECESARIO LLENAR A CONTINUACIÓN SI ELIGE ÓRDENES DE CUSTODIA Y NO VISITAS EN LA PÁGINA 4 EN N° 9 Y 10

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

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

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

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

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

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

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

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

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

- Medical, dental, and mental health
- School and daycare
- Extracurricular activity, including summer camps and sports teams
- Other (*describe*): _____

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

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

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

This is not a Court Order.



Child Custody

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

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

MEJOR QUE LA OTRA PERSONA NO TENGA VISITAS HASTA LA AUDIENCIA

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

No

¿Quieres que el juez haga órdenes de custodia?

Yes (Complete the section):

Legal Custody (check one):

Sole to me

Sole to person in ②

Jointly (shared) by me and person in ②.

Other (describe):

Physical Custody (check one):

Sole to me

Sole to person in ②

Jointly (shared) by me and person in ②.

Other (describe):

Visitation (Parenting Time) with Children

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

¿Quieres que la persona en 2 tenga visitas con los niños?

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

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

Yes (Go to ⑪.)

NO ES NECESARIO LLENAR A CONTINUACIÓN SI ELIGE ÓRDENES DE CUSTODIA Y NO VISITAS EN LA PÁGINA 4 EN Nº 9 Y 10

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

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

Yes (Go to ⑫.)

No (Go to ⑬.)



12 Details of Supervised (Monitored) Visits

(Complete a and b):

a. Who do you want to supervise the visits?

(Check one):

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

Professional (list name, if known): _____

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

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

(Check one):

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

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

Other (describe): _____

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

Schedule for Supervised Visits			
<i>(List the days and times the person in (2) should visit with the children.)</i>			
	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start: End, if applies:		
Tuesday	Start: End, if applies:		
Wednesday	Start: End, if applies:		
Thursday	Start: End, if applies:		
Friday	Start: End, if applies:		
Saturday	Start: End, if applies:		
Sunday	Start: End, if applies:		
Follow the schedule listed above (check one):			
<input type="checkbox"/> Every week <input type="checkbox"/> Every other week <input type="checkbox"/> Other _____			
Start date for visits (month, day, year) _____			

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



13 Details of Unsupervised Visits

(Complete a and b):

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

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

- No
 Yes (Complete the section below):

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

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

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

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

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

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

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

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

② **Name of Restrained Person:** EL NOMBRE COMPLETO DE LA OTRA PERSONA AQUÍ
 Relationship to children: Parent Legal Guardian Other (describe): _____

③ **Children Under 18 Years Old**

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

(Check here if you have more children to list. On a separate piece of paper write "DV-105, Children" at the top and attach it to this form.)

NO NECESITA LLENAR A CONTINUACIÓN SI ELIGE ÓRDENES DE CUSTODIA Y NO VISITAS EN LA PÁGINA 2 EN N. 7 Y 8

④ **No Travel With Children Without Permission**

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

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

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

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

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

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

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

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

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

This is a Court Order.



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

7 Child Custody

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

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

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

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

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

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

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

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

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

NO NECESITA LLENAR A CONTINUACIÓN SI ELIGE ÓRDENES DE CUSTODIA Y NO VISITAS EN LA PÁGINA 2 EN N. 7 Y 8

9 Supervised (Monitored) Visitation with Children

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

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

Professional (name, if known): _____

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

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

Person in ② contact provider by (date): _____

b. Provider's contact information, if known

Address: _____ Telephone: _____

c. Schedule of supervised visits

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

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

(3) Follow the Visitation Schedule listed in ⑫.

(4) Other schedule (describe): _____

This is a Court Order.



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

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

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

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

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

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

This is a Court Order.

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

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

Follow the schedule listed above (check one):

Every week Every other week Other _____

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

13 **Other Orders**

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

14 **Country of Habitual Residence**

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

15 **Jurisdiction and Notice**

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

16 **Penalties for Violating This Order**

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

This is a Court Order.