

# MADERA COUNTY SUPERIOR COURT STATE OF CALIFORNIA

## **DOMESTIC VIOLENCE RESTRAINING ORDER – NO CUSTODY- APPLICANT PACKET**

If you need help right now and are in immediate danger, call “911”. You can also contact Madera County Community Action Agency-Victim Services at 812 W. Yosemite Ave., Madera CA 93637 (559) 661-1000 or their Hotline number for after-hours 1-800-355-8989 to see if they can assist you.

1. Fill out your documents with as much detail as possible. Included in this packet you will find helpful information on form [DV-500-INFO](#), [DV-505-INFO](#), and [DV-520-INFO](#) and [DV-530-INFO](#). Complete the following forms: [DV-100 Request for Domestic Violence Restraining Order](#), [DV-101 Description of Abuse](#) (this page is used if you need to provide additional abuse), [DV-109 Notice of Court Hearing](#), [DV-110 Temporary Restraining Order](#). If you alleged that the other party has firearms, [DV-820 Prohibited Items Finding and Orders](#), [CLETS-001 California Law Enforcement Telecommunications Systems Information](#). **Forms you DO NOT fill out are** [DV-120 Response to Temporary Restraining Order](#), and [DV-120-INFO How can I Respond to a Request for Domestic Violence Restraining Order?](#), [DV-250 Proof of Service by Mail](#). If you alleged that the other party has firearms, [DV-800 Proof of Firearms Turned In, Sold, or Stored](#) and [DV-800-INFO How Do I Turn In, Sell, or Store My Firearms?](#) These forms are to be served to the other party.
2. Once you have completed your forms you can have the Self-Help Office review your paperwork before filing. (located on the 1<sup>st</sup> floor, Mon-Fri 8am-3pm)
3. Take your completed documents to the Civil Division for filing (located on the 4<sup>th</sup> Floor) **OR** you can electronically file your documents. You can eFile documents 24 hours a day, 7 days a week through an approved Electronic Filing Service Provider (EFSP). A list of approved EFSPs can be found here [https://www.madera.courts.ca.gov/system/files/general/list-approved-efsp-alpha-final\\_0.pdf](https://www.madera.courts.ca.gov/system/files/general/list-approved-efsp-alpha-final_0.pdf) . Once the Clerk receives your documents, the clerk will submit them to a judge so that a decision can be made on your request for Temporary Restraining Order. The judge generally rules on your request for Temporary Restraining Order within 24 hours from when you file. If the judge grants (gives) the temporary orders requested, the “temporary” orders will only last until your court date. The judge may not grant everything you requested, so carefully check your orders. The court will set a hearing date regardless of whether Temporary Restraining Orders are granted or not.
4. Once you get your papers back, you must have the other party served at least **5 days** before your court date. Refer to the “Notice of Hearing CH-109” form to determine the deadline to serve and what forms to serve on the restrained person. Have someone at least 18 years old, NOT you or NOT a protected person in the case; personally, serve/give the other party all the documents listed on page 2, item 6 of form CH-109 *Notice of Hearing*. Have the person who served the other party fill out form [DV-200 Proof of Personal Service](#). Once it is filled out, make sure to file the Proof of Service at the Civil Division **before** your hearing date. Included in this packet you can find further information on [DV-200-INFO What is a “Proof of Personal Service?”](#). You can also ask the Civil Sheriff’s Office serve for you. If you choose to have the Civil Sheriff serve complete the attached [SER-001 Request for Sheriff to Service Court Papers](#).
5. Appear the day of your hearing in the department assigned, you could also check the court calendar in the front lobby the morning of your hearing.

**NOTE: You can also begin the process online, from home, or on one of the public computers located in the Self-Help Office on the 1<sup>st</sup> Floor at <https://www.butte.courts.ca.gov/self-help> (see attached flyer)**

# GET STARTED ON YOUR DOCUMENTS NOW!

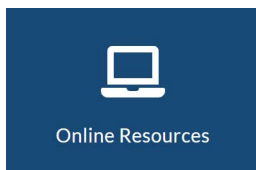
You can begin the process from your phone, your computer at home, or one of the computers in the Self Help Center.

## This option is available for these case types:

- Divorce
- Request/Response to Domestic Violence Restraining Order
- Guardianship
- Name Change
- Request for Order
- Income & Expense Declaration
- Answer to Child Support
- Parentage Petition and Response
- Request/Response to Civil Harassment Restraining Order
- Request/Response Elder Abuse Restraining Order
- Eviction/Unlawful Detainer-Landlord/Tenant
- Petition for Custody and Support

## To get started:

- 1 Go to **www.sharpcourts.org** and click on the “**Online Resources**” tab.



- 2 Select the case type with which you need help.
- 3 We strongly recommend that you create an account so that you do not lose your work. You can note your username and password below. Keep this in a safe place!  
**Username:** \_\_\_\_\_ **Password:** \_\_\_\_\_
- 4 Fill out the prompts.
- 5 When finished click "**SAVE**", then have the Self Help Center review your paperwork. Their information is below.

### **Madera Family Law Facilitator / Self Help Center**

200 South “G” Street, Madera, CA 93637

Mon-Fri: 8AM - 3PM

(559) 416-5520

facilitator@madera.courts.ca.gov



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

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

**How can a restraining order help me?**

A judge can order the restrained person to:

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

**Does this request cost money to file?**

No, filing this request with the court is free.

**How long can a restraining order last?**

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

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

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

**How old must I be to ask for one?**

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

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

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

**Can a restraining order protect my children?**

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

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

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



**Am I eligible?**

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

**Required relationship**

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

**Abuse**

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

What does disturbing the peace mean?

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

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

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

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

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

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

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

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

**Will I have a court hearing (court date)?**

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



### Do I need a lawyer to make this request?

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

### Where can I find a self-help center?

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

### What if I need an interpreter?



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

### I have a disability. How can I get help?

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

### Request for Accommodations



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

### Confidential Address Program

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

### For more information on other steps of the process

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

### Information about the court process is also available online

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

### Where can I find other help?

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

**Part 1: Complete court forms**

You will need to complete at least three forms to ask for a domestic violence restraining order:

**Required forms:**

- [Form DV-100](#);
- [Form DV-109](#);
- [Form DV-110](#); and
- [Form CLETS-001](#).

**Optional forms:**

If you have a child or children with the other side, you can ask for additional protection, like child custody orders. To make these requests, you must complete two more forms:

- [Form DV-105](#); and
- [Form DV-140](#).

If you want to ask for child support or spousal support, make the request on form DV-100 (see item ⑳ or ㉑) and complete one more form:

- [Form FL-150](#).

**Most court forms are public documents. What does "public" mean?**

When you file papers with the court, those papers become "public." This means that anyone may ask the court to see the information you put on your papers. Also, the person you are asking for protection from will see all the information on your court papers, because you will have to have these papers personally delivered to them. This is called "personal service," and more information is available on [form DV-200-INFO, What Is "Proof of Personal Service"?](#)

**How old must I be to ask for my own restraining order against someone?**

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

**Tips for completing form DV-100****Required relationship**

At item ③, you must have one of the listed relationships between you and the person you want protection from. If none apply, go to <https://selfhelp.courts.ca.gov/restraining-orders> for information on other types of restraining orders you might qualify for.

**Describe the abuse**

At items ⑤–⑦, you must describe the abuse that happened. This part is important, because a judge will decide whether to give you a restraining order based on the information you give. For more information of what abuse means under the law, see form [DV-500-INFO, Can A Domestic Violence Restraining Order Help Me?](#)

**I don't want people to see my address**

You may not want someone to be able to see certain information, like your address. You do not have to give the address to where you live on form DV-100, item ①. You can use a different address, like a friend's address or P.O. box. Just be sure to get the person's permission to use their address first, because any papers the court or other side mails to you will go to the address you list in item ①. And make sure that person will tell you right away if you get mail from the court.

**I don't want people to see information I provide about a child (minor)**

You can ask the court to make some of the information you provide about a child private (confidential). If the court makes information about a child private, the public will not be able to see this information on your court papers. See [form DV-160-INFO](#) for help with asking the court to make a child's information private.



### What if the other side has firearms (guns) or ammunition?

In item (9), list information you have about any firearms (guns), firearm parts, or ammunition that the other side might own or have access to. This information is important to the judge. The judge can notify law enforcement about any firearms, including illegal or untraceable firearms called "ghost guns." Once notified, law enforcement must do what they can to get the firearms if there is a restraining order in place.

### What does "Other orders" (item (14)) mean?

This section allows you to make any special requests that you need to prevent more abuse by the other side.

### What is the difference between "Pay Debts Owed for Property (item (22)) and "Pay Expenses Caused by the Abuse (item (23))?

If you want the other side to pay a debt owed for property, like a car or mortgage, you can make this request at item (22). If you want the other person to pay you back for damage that happened because of their abuse, like breaking your cellphone or for medical bills, you can make this request at item (23).

### What is "Spousal Support" (item (25))?

If you are married to the person you want protection from or in a registered domestic partnership, you can ask a judge to order them to pay you spousal support. The amount of spousal support depends on different factors, including how much you make versus how much the other side makes. It is important to know that in California, you cannot get spousal support for "common law" marriages, where parties have lived like a married couple but never legally married. California does not recognize "common law" marriage.

### What is a "Batterer Intervention Program" (item (27))?

In most cases, it is a year-long program that helps a person recognize abusive behavior so that they will stop the abuse. Unlike anger management programs, the goal of batterer intervention programs is to stop a person from using power and control in their relationships. If ordered to complete the program by a judge, the restrained person will have to pay program fees. The program will keep track of progress and attendance.

## Part 2: File your court papers

Filing is when you turn in your completed court papers to the court. To file your court papers, you can call the court clerk to see find out which courthouse to go to. If you want to file online (e-file), check your local court's website for more information. To find your local court or their website, go to:

[www.courts.ca.gov/find-my-court.htm](http://www.courts.ca.gov/find-my-court.htm).

## Part 3: Get your papers from court

After you turn in your court papers, you will need to get them back from the court. Your papers will be ready the same day or the next business day. Ask the court clerk when your court papers will be ready. You may have to return to the courthouse to pick up your papers if the court cannot return them to you electronically. Look at your papers to see if the judge granted you a temporary restraining order, on form DV-110.

- ▶ If the judge **granted** you temporary protection and you want it to last longer, make sure you attend your court hearing (listed on form DV-109).
- ▶ If the judge **did not** grant you a temporary restraining order, the judge can grant you a restraining order at your court hearing (listed on form DV-109).



## Part 4: Have someone serve your papers

You must have an adult personally give a copy of all your court papers to the person you want a restraining order against. It cannot be you or anyone listed on the restraining order. Serving papers can be a dangerous situation. If you want the sheriff to serve your papers, they will do so for free. For more information on service, read [form DV-200-INFO](#), *What Is "Proof of Personal Service"?*

## Part 5: Get ready for and go to your court hearing

At your court hearing, the judge will decide whether to grant you a long-term restraining order that can last up to five years. You have the option of attending your hearing in-person or remotely (by phone, or videoconference if available). For information on how to attend your hearing remotely, go to the court's website. Some courts may require advance notice. At the hearing, you and the other side will have the opportunity to tell your side of the story. For more information, read [form DV-520-INFO](#), *Get Ready for the Restraining Order Court Hearing*. If you need more time to prepare your case, you may ask for a new court date. Read form [DV-115-INFO](#), *How to Ask For a New Hearing Date*, for more information.

## Information about the process is also available online

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

## Where can I find free help?

Free legal help is available at your court's self-help center. Find your local court's self-help center at [www.selfhelp.courts.ca.gov/find](http://www.selfhelp.courts.ca.gov/find). Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case, and help you with the forms. Staff may also refer you to other agencies who may be able to help you.

## What if I am worried about my safety?

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



### **Report a violation to the police**

Now that you have a domestic violence restraining order, you may need to enforce it if the restrained person violates the order. Enforce usually means to call the police to report a violation. To have the police enforce your order, call 911. If the restrained person has firearms (guns), “ghost guns” (a homemade or unregistered gun), or other weapons, make sure to tell the police.

### **What can the police do?**

The police can arrest the restrained person for violating the restraining order. Based on your report of the violation, the district attorney or prosecutor can charge the restrained person with a crime. If you have questions about a case or whether a criminal case was filed, you can call the District Attorney's Office in your county, or the county where the violation happened. The restrained person can go to jail or pay a fine if convicted of violating your restraining order.

### **Ask the judge to act on the violation**

Violating the restraining order means that the restrained person did not obey the judge's order. This could have consequences for the restrained person. For example, if you have a child with the restrained person, a violation could affect the restrained person's parenting time with your child. You can ask the judge to change custody or visitation orders because of the violation. You can also ask the judge to order the restrained person to pay you or the court money as “sanctions” or to hold the restrained person “in contempt of court,” and the restrained person can be ordered to pay money to the court, do community service, and/or spend up to five days in jail per violation. For more information about what a judge can do, contact your local self-help center or talk to a lawyer. For more information about self-help centers, see page 2.

### **What form is my restraining order on?**

Here are some examples:

- DV-130
- DV-730
- CR-160
- DV-110
- DV-116
- EPO-001

### **Keep a copy of your restraining order with you**

You should have a copy of your restraining order with you at all times. Make sure it is the **most recent** restraining order and still in effect (not expired). If you have more than one, have a copy of each one. If you have a cellphone, use your cellphone to take a picture of all the pages so you always have proof of it. If the restrained person was not at the court hearing, make sure you have a copy of the proof of service form too. The proof of service proves that the restrained person knows about the restraining order and must follow the order.

### **What if the judge granted orders to protect my children?**

You can give a copy of the restraining order to any place that your child will be. If the restrained person is not allowed to have access to your child's medical records, school records, or other information, make sure to let your child's providers know right away. It may be a good idea to change your passwords to any shared online accounts, and update your contact information with those providers.



**Give copies of the order to other people**

If you want other people to know about your restraining order and help you enforce it, give them a copy. This is optional and should only be done if it is safe to do so. Here are some examples:

- Your child's school or childcare, if your restraining order protects your child.
- Other people protected by your restraining order, when appropriate.
- Your employer, if you are worried about being harassed or abused at work.
- Local police department: Giving a copy to your local police department is optional because all law enforcement agencies have access to restraining orders through a law enforcement database.

**Where can I find other help?**

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

**What if I have more than one restraining order against the same person?**

Keep a copy of all active restraining orders with you. If you call the police to enforce the order, the police will need to follow the rules of enforcement (see "Priority of Enforcement" listed on the back of forms DV-110, DV-130, and CR-160). If you have questions about any of the orders, contact your local self-help center or talk to a lawyer.

**Where can I find a self-help center?**

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

**Need an interpreter?** | ¿Necesita un intérprete?

**REQUEST FOR INTERPRETER SERVICES** | solicitud para servicios de un intérprete

Fill out this form if you or your witness in your case needs an interpreter when you are in court. | Si usted o un testigo en su caso necesita un intérprete cuando esté en la corte, llene este formulario.

**Case Number(s)** | numero(s) del caso: \_\_\_\_\_

**Case Name** | nombre del caso: \_\_\_\_\_

**Hearing Date** | fecha de audiencia: \_\_\_\_\_

**Time** | hora: \_\_\_\_\_

**Dept** | sala: \_\_\_\_\_

**INTERPRETER NEEDED IN THE FOLLOWING LANGUAGE** | necesito un intérprete para el siguiente idioma:

- |  |                                       |  |  |
|--|---------------------------------------|--|--|
| <input type="checkbox"/> Spanish/español | <input type="checkbox"/> Chatino*     | <input type="checkbox"/> Cambodian     | <input type="checkbox"/> Arabic            |
| <input type="checkbox"/> Amuzgo*         | <input type="checkbox"/> Triqui Alto* | <input type="checkbox"/> Cantonese     | <input type="checkbox"/> Russian           |
| <input type="checkbox"/> Mixteco Alto*   | <input type="checkbox"/> Triqui Bajo* | <input type="checkbox"/> Mandarin      | <input type="checkbox"/> Hmong             |
| <input type="checkbox"/> Mixteco Bajo*   | <input type="checkbox"/> Punjabi      | <input type="checkbox"/> Farsi/Persian | <input type="checkbox"/> Lao               |
| <input type="checkbox"/> Zapoteco*       | <input type="checkbox"/> ASL          | <input type="checkbox"/> Vietnamese    | <input type="checkbox"/> Other/Otro: _____ |

\*For indigenous languages, include state and town of origin | para los idiomas indígenas, incluya el estado y pueblo de origen ó region: \_\_\_\_\_

**INTERPRETER NEEDED FOR** | se necesita intérprete para:

- Plaintiff/Petitioner**  
 Demandante/Solicitante

- Defendant/Respondent**  
 Demandado(a)

\_\_\_\_\_ **# of Witnesses** | cantidad de testigos

**Estimated duration time of witness** | tiempo estimado de duración del testimonio: \_\_\_\_\_

**REQUESTING PARTY'S INFORMATION** | datos del solicitante:

**Name** | nombre: \_\_\_\_\_

**Email** | correo electrónico: \_\_\_\_\_

**Phone Number** | número de teléfono: \_\_\_\_\_

**Please email this request to** | favor de enviar esta solicitud por correo electrónico a:

[Interpreter.Madera@madera.courts.ca.gov](mailto:Interpreter.Madera@madera.courts.ca.gov)

**or file it with the clerk's office** | ó entregue este formulario a la oficina del secretario

**Please submit this form a minimum of two weeks in advance.** | favor de presentar este formulario con un mínimo de dos semanas antes de la fecha de su audiencia

# CLETS-001 Confidential Information for Law Enforcement

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

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

*Court fills in case number when form is received.*

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

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

Date received by court: \_\_\_\_\_

## 1 Person You Want a Restraining Order Against

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

Other names used: \_\_\_\_\_

Marks, scars, or tattoos: \_\_\_\_\_ SSN: \_\_\_\_\_

Telephone: \_\_\_\_\_ Driver's license (number and state): \_\_\_\_\_

Vehicle type: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_ Plate number: \_\_\_\_\_

Name of employer and address: \_\_\_\_\_

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

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

No  I don't know

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

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

## 2 \*Your Name: \_\_\_\_\_

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

## 3 Your Information

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

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

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

## 4 Other People You Want Protected

\*Name: \_\_\_\_\_ \*Gender: \_\_\_\_\_ Race: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

\*Name: \_\_\_\_\_ \*Gender: \_\_\_\_\_ Race: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

\*Name: \_\_\_\_\_ \*Gender: \_\_\_\_\_ Race: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

\*Name: \_\_\_\_\_ \*Gender: \_\_\_\_\_ Race: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

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

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

Clerk stamps date here when form is filed.

Instructions

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

Fill in court name and street address:

Superior Court of California, County of Madera
200 S. G Street
Madera, California 93637
Civil Division

Court fills in case number when form is filed.

Case Number:

1 Person Asking for Protection

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

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

c. ! Address where you can receive court papers

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

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

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

d. ! Your contact information (optional)

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

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

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

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

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

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

2 Person You Want Protection 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, 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, stepsibling, 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**

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

**This is not a Court Order.**



**Describe Abuse**

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

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

**5 Most Recent Abuse**

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

**This is not a Court Order.**



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

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

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

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

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

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

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

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

**This is not a Court Order.**



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

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

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

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

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

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

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

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

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

**This is not a Court Order.**

**8 Other Protected People**

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

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

<u>(1) 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), firearm parts, or ammunition?**

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

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

<u>Describe Firearms (Guns), Firearm Parts, or Ammunition</u>	<u>Number or Amount</u>	<u>Location, if known</u>
---	-------------------------	---------------------------

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

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

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

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

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

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

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

**This is not a Court Order.**



**13**  **Order to Move Out**

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

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

(Check all that apply)

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

**14**  **Other Orders**

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

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

**15**  **Child Custody and Visitation**

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

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

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

**This is not a Court Order.**



**16**  **Protect Animals**

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

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

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

(Check all that apply)

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

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

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

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

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

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

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

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

**19**  **Record Communications**

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

**This is not a Court Order.**



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

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

**21**  **Extend my deadline to give notice to person in 2**

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

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

\_\_\_\_\_

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

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

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

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

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

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

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

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

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

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

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

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

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

- No  Yes

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

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

**This is not a Court Order.**



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

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

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

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

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

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

*(Check all that apply)*

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

**(25)  Spousal Support**

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

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

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

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

**This is not a Court Order.**



**27**  **Batterer Intervention Program**

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

**28**  **Transfer of Wireless Phone Account**

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

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

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

**Automatic Orders if the Judge Grants Restraining Order**

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

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

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

**30** **No Body Armor**

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

**31** **Cannot Look for Protected People**

Cannot look for the address or location of any person protected by the restraining order, unless the court finds good cause not to make this order.

**This is not a Court Order.**



**32 Additional Pages**

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

**33 Your Signature**

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

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

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



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

**34 Your Lawyer's Signature** *(if you have one)*

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

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



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

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

- Form [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 Information for Law Enforcement*
- **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 you.

**3** Once you get your forms back from the court, have someone “serve” a copy of all forms on the person in **2**. The sheriff or marshal can do this for free. See form [SER-001](#), *Request for Sheriff to Serve Court Papers*. Learn more about service at <https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order>.

**4** If you are asking for child support or spousal support 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: \_\_\_\_\_

*Fill in court name and street address:*

**Superior Court of California, County of Madera  
200 S. G Street  
Madera, California 93637  
Civil Division**

*Court fills in case number when form is filed.*

**Case Number:**

**② Person to Be Restrained**

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

**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](http://www.courts.ca.gov/find-my-court.htm)

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

**To the person in ②:**

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



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

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

**5 Confidential Information Regarding Minor**

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

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

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

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

**Judge's Signature**

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

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

**To the Person in ① :**

- **At the hearing:** The judge will decide if a restraining order is needed to keep you or your children safe. If the judge grants you a restraining order at the hearing, it can last up to five years. You must attend the hearing if you want the judge to make any of the orders you requested on form DV-100. Bring any evidence or witnesses you have. For more information, read form [DV-520-INFO](#), *Get Ready for Your Restraining Order Court Hearing*.
- **Option to cancel hearing:** If item ④a(2) or ④a(3) is checked, you have the option of canceling the hearing. If you cancel the hearing, your request for restraining order will not move forward. Any temporary orders made will expire on the day of the hearing. If you want to cancel the hearing, use form [DV-112](#), *Waiver of Hearing on Denied Request for Temporary Restraining Order*.
- **Before the hearing:** You must have someone personally serve (give) the person in ② a copy of all the papers listed in ⑥ by the deadline listed in ⑥. For more information, read form DV-200-INFO, *What Is "Proof of Personal Service"?* You may ask to reschedule the hearing if you are unable to serve the person in ② and need more time to serve the documents, or for other good reasons. Read form [DV-115-INFO](#), *How to Ask for a New Hearing Date*.

**To the Person in ② :**

- **Respond in writing** (optional): You can respond in writing by completing form DV-120, *Response to Request for Domestic Violence Restraining Order*. For more information, read form [DV-120-INFO](#), *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- **At the hearing:** Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making an order. At the hearing, tell the judge why you agree or disagree with the orders requested. Bring any evidence or witnesses you have. Read form [DV-520-INFO](#), *Get Ready for Your Restraining Order Court Hearing*.
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask the judge to reschedule your court date. Read form [DV-115-INFO](#), *How to Ask for a New Hearing Date*.

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://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  
[seal]

—Clerk's Certificate—

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

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

Clerk stamps date here when form is filed.

Original Order  Amended Order

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

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

2 Restrained Person

\*Full Name: \_\_\_\_\_
\*Gender: [ ] M [ ] F [ ] Nonbinary \*Race: \_\_\_\_\_
\*Age: \_\_\_\_\_ (estimate, if age unknown) Date of Birth: \_\_\_\_\_
Height: \_\_\_\_\_ Weight: \_\_\_\_\_
Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_
Relationship to person in 1: \_\_\_\_\_
Address of restrained person: \_\_\_\_\_
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
Firearms, firearm parts, or ammunition that restrained person may have:
(Include information from form DV-100, item 9)
\_\_\_\_\_
\_\_\_\_\_
\_\_\_\_\_
(Information that has a star (\*) next to it is required to add this order into a California police database. Give all the information you know.)

Fill in court name and street address:

Superior Court of California, County of Madera
200 S. G Street
Madera, California 93637
Civil Division

Court fills in case number when form is filed.

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

3 Other Protected People

In addition to the person named in 1, the people listed below are protected by the orders listed in 9 through 12.

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

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

(The court will complete the rest of this form)

4 Your Hearing Date (Court Date)



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

Hearing Date: \_\_\_\_\_ Time: \_\_\_\_\_ [ ] a.m. [ ] p.m.

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

This is a Court Order.



**To the Person in ②:** The judge has granted temporary orders. See ⑤ through 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, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
  - (3) Ammunition.
- c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
- d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
- e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, sold, or stored. (You may use form [DV-800/JV-270](#), *Receipt for Firearms, Firearm Parts, and Ammunition*.) If law enforcement served you with the restraining order, you must give a copy of the receipt to that law enforcement agency.

**⑥  Restrained person has prohibited items**

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

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

b. Ammunition

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

**This is a Court Order.**





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

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



Date: \_\_\_\_\_ Dept.: \_\_\_\_\_  
Time: \_\_\_\_\_ Room: \_\_\_\_\_  
Name and address of court, if different than court address listed on page 1  
\_\_\_\_\_  
\_\_\_\_\_

**8** **No Body Armor**

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

**9** **Cannot Look for Protected People**

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

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

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

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

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

**This is a Court Order.**



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

- a. You must **not contact**     the person in ①     the persons in ③  
directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.
- b.  Exception to 11a:
- (1)  You may have brief and peaceful contact with the person in ① only to communicate about your children for court-ordered visits.
  - (2)  You may have contact with your children only during court-ordered contact or visits.
  - (3)  Other (*explain*): \_\_\_\_\_
- c. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.

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

- a. You must stay at least (*specify*): \_\_\_\_\_ yards away from (*check all that apply*):
- |   |   |
|---|---|
| <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 12a:  
The stay-away orders do not apply:
- (1)  For you to exchange your children for court-ordered visits. You must do so briefly and peacefully.
  - (2)  For you to visit with your children for court-ordered contact or visits.
  - (3)  Other (*explain*): \_\_\_\_\_

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

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

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

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

**This is a Court Order.**



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

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

a.  You must stay at least \_\_\_\_\_ yards away from the animals listed below.

b.  You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.

c.  The person in ① is given the sole possession, care, and control of the animals listed below.

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

**17 Control of Property**     Not requested     Denied until the hearing     Granted as follows:  
 Until the hearing, **only** the person in ① can use, control, and possess the following property:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**18 Health and Other Insurance**     Not requested     Denied until the hearing     Granted as follows:  
 The person  in ①  in ② is ordered **not** to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties—or their children, if any—for whom support may be ordered, or both.

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

**This is a Court Order.**



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

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

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

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

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

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

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

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

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

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

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

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

**Judge's Signature**

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

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

**This is a Court Order.**



### Certificate of Compliance With VAWA

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

## Warnings and Notices to the Restrained Person in ②

### Your Address to Receive Court Orders

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

### Child Custody, Visitation, and Support

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

### Firearms (Guns), Firearm Parts, and Ammunition

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

**This is a Court Order.**



## Instructions for Law Enforcement

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

### Duties of Officer Serving This Order

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

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

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

### Arrest Required if Order Is Violated

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

### If the Protected Person Contacts the Restrained Person

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

### Child Custody and Visitation

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

**This is a Court Order.**



## Conflicting Orders—Priorities for Enforcement

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

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

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

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

*Clerk's Certificate*  
[seal]

### —Clerk's Certificate—

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

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

**This is a Court Order.**

## What is "service"?

Service is the act of giving your court papers to the other party in your case. There are different ways to serve the other party: in person, by mail, and others.

## Why do I have to serve my legal papers?

Before a judge can grant a domestic violence restraining order (that can last up to five years), the person you want a restraining order against must know about your request and have a chance to go to court to explain their side. Also, if a restraining order is in place, the police cannot arrest the restrained person for violating the restraining order until the restrained person is served with the order.



## What is "personal service"?

Personal service is when someone, known as a server, personally delivers your court papers to the other party.

In most cases, these forms must be served to the other party by personal service:

- ▶ [Form DV-109](#);
- ▶ [Form DV-100](#);
- ▶ [Form DV-110](#);
- ▶ [Form DV-120](#) (leave this form blank);
- ▶ [Form DV-120-INFO](#); and
- ▶ [Form DV-250](#) (leave this form blank).

## Who can serve?

Any adult who is not protected by the restraining order can serve your court papers. **You cannot serve your own court papers.**



Some situations may be dangerous. Think about people's safety when deciding who you want to serve your papers.

A sheriff or marshal will serve your court papers for free. A registered process server is a business you pay to deliver papers. To hire a process server, look for "process server" on the internet or in the yellow pages.

## How do I have my court papers served?

### ○ Step 1: Choose a server

The person who gives your court papers to the other party is called a server. Your server must be at least 18-years-old. They must not be protected by the restraining order or involved in your case. This means that you cannot serve your own court papers.

### ○ Step 2: Have your server give your court papers to the other party

Give your server these instructions:

- ➊ Before you serve the forms, note which forms you have, including the name of the form and the form number. See [form DV-200](#) for a list of forms.
- ➋ Find the person you need to serve. Make sure you are serving the right person by asking the person's name.
- ➌ Give the person the papers. If the person refuses to take the papers, put them on the ground or somewhere next to the person. The person doesn't have to touch or sign for the papers. It is okay if they tear them up.
- ➍ Fill out [form DV-200](#) completely and sign.
- ➎ File [form DV-200](#) with the court or give [form DV-200](#) to the person who is asking for the restraining order so they can file it.

### ○ Step 3: File proof with the court

The court needs proof that service happened and that it was done correctly. If your server was successful, have your server fully complete and sign [form DV-200](#). **The person you want restrained does not sign anything.**

Take [form DV-200](#) to the court to file in your case as soon as possible. This information will automatically go into a restraining order database that police have access to.

If the sheriff or marshal served your court papers, they may use another form for proof besides [form DV-200](#). Make sure a copy is filed with the court and that you get a copy.





**When is the deadline to serve my court papers?**

It depends. To know the exact date, you need to look at two items on [form DV-109](#). Follow these steps:

- **Step 1: Look at the court date listed under ③ on page 1.**

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

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

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

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

- **Step 3: Look at a calendar.** Subtract the number of days in ⑥ from the court date. That's the deadline to have your court papers served. It's okay to serve your court papers before the deadline.

If nothing is written in ⑥, you must have your court papers served at least five days before your court date.

**What happens if I can't get my court papers served before the court date?**

You will need to ask the court to reschedule (continue) your court date. Fill out and file [form DV-115](#) and [form DV-116](#). These forms ask the judge for a new court date and to make any temporary orders last until the end of the new court date.

If the judge gives you a new court date, the person you want restrained will have to be served with [form DV-116](#), [form DV-115](#), and the original papers you filed. You should keep a copy of [form DV-115](#), [form DV-116](#), and a copy of your original paperwork. That way, the police will know your orders are still in effect.

For more information on asking for a new court date, read [form DV-115-INFO](#).

**What if the other party is avoiding (evading) service?**

If you've tried many times to serve the the restrained person, and you can show the judge that the restrained person is avoiding (evading) service, you may ask the court to allow you to serve another way. If you want to make this request, at your first court date tell the judge details about your attempts to have the restrained person served. The judge may require a written statement for this.

Read [form DV-205-INFO](#), *What if the Person I Want Protection From is Avoiding (Evading) Service?*, for more information.

Clerk stamps date here when form is filed.

1 Name of Party Asking for Protection:

2 Name of Party to Be Restrained:

3 Notice to Server

The server must:

- Be 18 years of age or older.
• Not be listed in items 1 or 8 of form DV-100, Request for Domestic Violence Restraining Order.
• Give a copy of all documents checked in 4 to the restrained party in 2 (you cannot send them by mail). Then complete and sign this form, and give or mail it to the party in 1.



Fill in court name and street address:

Superior Court of California, County of MADERA
200 SOUTH G STREET
MADERA, CALIFORNIA 93637

Court clerk fills in case number when form is filed.

Case Number:

4 I gave the party in 2 a copy of all the documents checked:

- a. [ ] DV-109 with DV-100 and a blank DV-120 (Notice of Court Hearing; Request for Domestic Violence Restraining Order; blank Response to Request for Domestic Violence Restraining Order)
b. [ ] DV-110 (Temporary Restraining Order)
c. [ ] DV-105 and DV-140 (Request for Child Custody and Visitation Orders, Child Custody and Visitation Order)
d. [ ] FL-150 with a blank FL-150 (Income and Expense Declaration)
e. [ ] FL-155 with a blank FL-155 (Financial Statement (Simplified))
f. [ ] DV-115 (Request to Continue Hearing)
g. [ ] DV-116 (Order on Request to Continue Hearing)
h. [ ] DV-130 (Restraining Order After Hearing)
i. [ ] Other (specify):

5 I personally gave copies of the documents checked above to the party in 2 on:

- a. Date: \_\_\_\_\_ Time: \_\_\_\_\_ [ ] a.m. [ ] p.m.
b. At this address: \_\_\_\_\_
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

6 Server's Information

Name: \_\_\_\_\_
Address: \_\_\_\_\_
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
Telephone: \_\_\_\_\_

(If you are a registered process server):

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

7 Server's 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 server's name

Server to sign here

**CONFIDENTIAL**

**Instructions:** Each county in California has a sheriff (and sometimes a marshal's office) that can serve different types of court papers, including restraining orders. Note that the sheriff cannot guarantee that they will be successful in finding the person you need served, but they will try to serve based on the information you put on this form.

- Complete this form for each set of papers you need served. You must complete a separate form for each person you need served.
- Find out where the person you need served is located. Give your papers to the sheriff or marshal's office in that county.
- You may have to pay for service of some court papers. For more information, see page 5 of this form, or go to <https://selfhelp.courts.ca.gov/sheriff-serves>.
- Do not use this form if you are asking the sheriff to enforce a wage garnishment order on an employer. Instead, use forms WG-001, *Application for Earnings Withholding Order*, and WG-035, *Confidential Statement of Judgment Debtor's Social Security Number*.
- If you want the sheriff to enforce a writ or levy, complete this form and form SER-001A, *Special Instructions for Writs and Levies—Attachment*.

**To Court Clerk: Do not file this form.****Sheriff File Number** (for sheriff to complete, if needed):

Fill in case number:

**Court Case Number:**

All information is required unless it is listed as optional or does not apply to your case.

① **To the Sheriff or Marshal of (name of county):** \_\_\_\_\_

② **Your Information**

a. Your name (party requesting service): \_\_\_\_\_

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

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

Firm name: \_\_\_\_\_

c. Court case name: \_\_\_\_\_

(example: Garcia v. Smith)

d. Contact information for the sheriff or marshal to reach you

(Give an address where you can receive mail regularly, like a post office box, a Safe at Home address, or another safe address. If you have a lawyer, give the lawyer's information.)

Address to receive mail: \_\_\_\_\_

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

Telephone number (optional): \_\_\_\_\_ Email address (optional): \_\_\_\_\_

**CONFIDENTIAL****This is not a court form. Do not file with the court.**

**3 Information About Person or Entity You Want Served**

(Check a or b)

a.  I ask the sheriff to serve a person (complete section below)

(1) Name of person: \_\_\_\_\_  
Nicknames or aliases (optional): \_\_\_\_\_

(2) Telephone number (optional): \_\_\_\_\_

(3) Can you describe the person?

No, I do not have any information about the person's description.

Yes (complete the section below with any information you have):

Gender:  Male  Female  Nonbinary

Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair color: \_\_\_\_\_ Eye color: \_\_\_\_\_

Date of birth or age (give estimate, if unknown): \_\_\_\_\_

Race/Ethnicity: \_\_\_\_\_

Special marks or features (tattoos, scars, etc.): \_\_\_\_\_

Vehicle (type, model, year, color, plate number): \_\_\_\_\_

Check here if you are including a picture of the person.

(4) Do you know of any safety or accessibility issues?

No

Yes (complete the section below with any information you have):

The person (check all that apply):

Has a gun or other weapon.

Is on probation or parole.

Has a history of violence or abuse.

Has an aggressive animal.

Has special training (examples: military, first responder).

Has mental health issues.

Is deaf or hard of hearing.

Does not speak English (list language): \_\_\_\_\_

Add any other information about safety or accessibility that you know about:

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

b.  I ask the sheriff to serve an entity (examples: business or government agency)

(1) Name and type of entity: \_\_\_\_\_  
Telephone number (optional): \_\_\_\_\_

(2) If there is a specific person who should be served, give name: \_\_\_\_\_

(3) If there is an agent for service of process, give name: \_\_\_\_\_

(4) List any safety or accessibility issues (examples: weapons, aggressive animals, language barrier):

\_\_\_\_\_

**CONFIDENTIAL**

**This is not a court form. Do not file with the court.**



**4 Address Where Person or Entity Should Be Served**

*(The sheriff typically serves during normal business hours. Check with the sheriff's office for the exact times.)*

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

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

Gate code or special instructions: \_\_\_\_\_

Best time to serve at this address *(example: 8 a.m.–noon)*: \_\_\_\_\_

Check here if the person is in jail or prison *(give name of facility)*: \_\_\_\_\_

*Alternate address (optional)*

*(If the person cannot be found at the address listed above, some sheriffs may try a second address if it's in the same county. If you have a second address for the person you want served, complete the section below.)*

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

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

Gate code or special instructions: \_\_\_\_\_

Best time to serve at this address *(example: 8 a.m.–noon)*: \_\_\_\_\_

**5 Information About Your Request**

a. What type of court papers are you giving the sheriff to serve *(examples: summons, restraining order, eviction, small claims, bank levy, or writ of attachment)*?

\_\_\_\_\_

b. List all forms or court papers you want served on the person in **3** a. *(optional)*.

*(Note: You can list each form by its form number (example: FL-100, SC-100). If there is no form number, give the title of the document. The court may have ordered you to serve certain papers. Look at the court's order and list all forms required. If you do not know which papers you need to serve, ask a lawyer, or contact your local self-help center for free information.)*

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

c. Is there a court hearing (court date)?

I don't know

No

Yes *(if yes, give date of hearing)*: \_\_\_\_\_

**CONFIDENTIAL**

**This is not a court form. Do not file with the court.**



5 d. Is there a deadline for service?  
 I don't know  
 No  
 Yes (if yes, give deadline): \_\_\_\_\_

e. Has the court allowed you to serve your court papers in another way besides personal service (example: substituted service)?  
 I don't know  
 No  
 Yes (if yes, include a copy of the order allowing another type of service)

f. Is there any other information you want or need to give to the sheriff to serve your court papers?  
 No  
 Yes (if yes, give information below):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6 Enforcement of Writ or Levy

If you want the sheriff to enforce a writ or levy, you must complete form SER-001A, Special Instructions for Writs and Levies—Attachment, and turn it in with this form.

(Only complete this section if you want the sheriff to enforce a writ or levy.)

Do you want the sheriff to both serve your court papers and act as levying officer?

- Yes
- No. I only want the sheriff to act as levying officer. A registered process server has or will serve my papers.

Your Signature (party asking for service, or their lawyer)

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

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



\_\_\_\_\_  
Sign your name (may be electronic)

CONFIDENTIAL

This is not a court form. Do not file with the court.



## Your Next Steps

- Find out if you need to pay a fee for service by asking the court's self-help center, a lawyer, or the sheriff's office. Here are some situations where you **do not** need to pay for service:
  - If you have a fee waiver in your case (fee waiver granted by a judge on form FW-003 or FW-005).
  - If you are serving a domestic violence, elder abuse, or gun violence restraining order.
  - If you have a civil harassment, workplace violence, or school violence restraining order based on a credible threat of violence or stalking.
- Give this form and a copy of all the court papers you need served to the sheriff or marshal, including a copy of a fee waiver (if you have one). If you do not have to pay a fee to the sheriff, you can send your papers electronically. If you have to pay a fee, contact the sheriff to find out your options for turning in your request. Note that you can always turn in your request in person.
- You should get a form back from the sheriff.
  - If the sheriff was able to serve your court papers, you should receive a form (called a proof of service). **Make sure you get a copy from the sheriff and file it with the court.** Note that if there is a court stamp at the top right corner of the first page, it has already been filed and you do not need to file it with the court.
  - If the sheriff was unable to serve your court papers, you should receive a form (sometimes called declaration of due diligence) that tells you that service was unsuccessful and will give details about when the sheriff tried to serve the person. If the sheriff was unable to serve your papers, you can ask a lawyer or court's self-help center about your next steps.
- To find your local court self-help center, go to <https://selfhelp.courts.ca.gov/>. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case. Services are free.

### To Sheriff or Marshal

- This form is confidential and must not be made public.
- Any papers submitted with this form should be served and listed on the applicable proof of service form.
- Note that (5) b is optional and may help to identify documents that should have been submitted but were not received by your office.
- Under Government Code section 26666.2, once you've received a completed copy of this form and forms for service, you must attempt service unless:
  - Any order submitted does not have a judge's signature or other representation of a judge's signature; clerk's endorsement; or court stamp, seal, or other court endorsement; or
  - A court case number is not listed on the order, summons, or other notice.

**CONFIDENTIAL**

**This is not a court form. Do not file with the court.**



## **DO NOT**

**WRITE ON THE FOLLOWING BLANK FORMS!**

**THESE BLANK FORMS**

**MUST BE SERVED ON THE**

**OTHER PARTY,**

SO THAT THE OTHER PARTY MAY  
RESPOND TO THIS ACTION.

ALONG WITH THE BLANK FORMS YOU MUST  
ALSO INCLUDE A COPY OF THE FORMS  
THAT YOU PREPARED AND FILED

## **ES NECESARIO**

**DEJAR LOS SIGUIENTES DOCUMENTOS**

**EN BLANCO.**

**ESTOS DOCUMENTOS TIENEN QUE**

**SER ENTREGADOS A LA OTRA PERSONA,**

PARA QUE PUEDA RESPONDER A ESTA ACCION.

INCLUYA CON ESTOS DOCUMENTOS UNA COPIA DE  
LOS DOCUMENTOS QUE USTED LLENO Y ARCHIVO.



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

## I was served with form DV-100, DV-109, or DV-110. What does this mean?

Someone has asked for a domestic violence restraining order against you. On the forms, you are the "person in ②" and the person who wants a restraining order against you is listed in ① on all the forms.

**Form DV-100:** This form has all the orders that the person in ① has asked the judge to order.

**Form DV-109:** Your court hearing (court date) is listed on this form. You should attend the court hearing if you do not agree to the orders requested. If you do not attend, the judge can make orders against you without hearing from you.

**Form DV-110:** If you were served with form DV-110, it means that the judge granted a temporary restraining order against you. You must follow the orders.

## What is a Domestic Violence Restraining Order?

It is a court order that can help protect people who have been abused by someone they have been intimate with, or are closely related to. To be eligible, the person asking for the restraining order must be:

- Someone you date or used to date
- A spouse, ex-spouse, registered domestic partner, or ex-domestic partner
- Someone you live or lived with (more than a roommate)
- Your parent, sibling, child, grandparent, or grandchild related by blood, marriage, or adoption

## What if I have children with the person asking for a restraining order?

A restraining order can include orders for your children, including listing them as protected persons. It can also include child custody and visitation orders and orders to limit your ability to travel with your children.

## What can a restraining order do?

A restraining order can include orders for you to:

- Not contact or harm the protected person, including children or others listed as protected people
- Stay away from all protected people and places
- Not have any firearms (guns), firearm parts, ammunition, or body armor. This includes homemade or untraceable guns, like "ghost guns."
- Move out of the place that you share with the protected person
- Follow custody and visitation orders
- Pay child support
- Pay spousal support
- Pay debt for property
- Give control of property (examples: cell phone, car, home) to the person asking for protection.

## How long does the order last?

If the judge granted a temporary restraining order (form DV-110), it will last until the hearing date. At your court hearing, the judge will decide whether to extend the order or cancel the order. The judge can extend the order for up to five years. Custody, visitation, child support, and spousal support orders can last longer than five years and they do not end when the restraining order ends.

## What if I don't obey the order?

The police can arrest you. You can go to jail and pay a fine. You must still follow the orders even if you are not a U.S. citizen. If you are worried about your immigration status, talk to an immigration lawyer.

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

You must still comply with the restraining order, including custody and visitation orders. The restraining order is valid anywhere in the United States.



**What do I do next?****Part 1: Turn in or sell prohibited items**

If there is a temporary restraining order against you (see form DV-110), then you must immediately turn in, sell, or store any prohibited items you have or own.

Prohibited items include:

- **Firearms**, including any handgun, rifle, shotgun, and assault weapon
- **Firearm parts**, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame
- **Ammunition**, including bullets, shells, cartridges, and clips

You must then prove to the court that you've complied with the orders. Bring form [DV-800/JV-270, Receipt for Firearms, Firearm Parts, and Ammunition](#), to a gun dealer or law enforcement when you turn in your items. After DV-800/JV-270 is complete, file it with the court. You may ask the court for information on how to turn in, sell, or store these items in your city or county. You can also read form [DV-800-INFO/JV-270-INFO, How Do I Turn In, Sell, Or Store My Firearms, Firearm Parts, and Ammunition?](#).

**Part 2: Relinquish body armor**

If there is a temporary restraining order against you (see form DV-110), you must relinquish any body armor that you have or own.

Note: If you need to have and use body armor for your work, livelihood, or safety, you may ask for an exception with a chief of police or sheriff in the county where you will have and use the body armor (see Penal Code section 31360(c)).

**Part 3: Respond in writing (optional)**

"Respond" means to let the judge and the other side know whether you agree or disagree with the request for restraining order, and why. Responding in writing is optional and there is no penalty if you don't. If you need more time to prepare for your case, talk to a lawyer or self-help center staff before you file a response.

If you want to respond in writing, complete form [DV-120, Response to Request for Domestic Violence Restraining Order](#). After you complete the form, file it with the court. There is no court fee to file this form. Then "serve" the form on the person asking for the restraining order. "Serve" means to have someone 18 years old or older mail a copy to the person asking for the restraining order. You cannot be the one to mail your papers. The person who mails your form must fill out form [DV-250, Proof of Service by Mail](#). After form DV-250 is completed, file it with the court.

**Part 4: Get ready and go to your court hearing**

Your court hearing is listed on form DV-109, *Notice of Court Hearing*. You have the option of attending your hearing in-person or remotely (by phone, or videoconference if available). For information on how to attend your hearing remotely, go to the court's website. Some courts may require advance notice. At the hearing, you and the other side will have the opportunity to tell your side of the story. For more information, read form [DV-520-INFO, Get Ready for the Restraining Order Court Hearing](#). If you need more time to prepare your case, you may ask the judge for a new court date. The judge will decide whether to grant your request. Read form [DV-115-INFO, How to Ask For a New Hearing Date](#), for more information. Note that if the judge does give you a new court date and if there is a temporary restraining order against you, the judge will usually extend the temporary restraining order until the next court date.



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

## Do I need a lawyer?

It's possible to go through this process without a lawyer. But having a restraining order against you may have a lot of consequences, and you may want to hire a lawyer. If you don't hire a lawyer, you can get free help from your court's self-help center.

## What if I was arrested or have criminal charges against me?

Anything you write in your court papers or say at a hearing for this case and for any criminal case can be used against you. Talk to a lawyer if you have any concerns about what you can do and say.

## What if I have more than one restraining order against me?

If the police are called to enforce the order, they will need to follow the rules of enforcement (see "Priority of Enforcement" listed on the back of form DV-110, DV-130, and CR-160). If you have questions about any of the orders against you, contact your local self-help center or talk to a lawyer. Find your local court's self-help center at [www.selfhelp.courts.ca.gov/find](http://www.selfhelp.courts.ca.gov/find).

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

Do not use form DV-120 to request a domestic violence restraining order. For information on how to file your own restraining order, read form [DV-505-INFO](#). You can also ask the court clerk about free or low-cost legal help.

## Can I use the restraining order to get divorced or end a domestic partnership?

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

## Where can I find a self-help center?

Free legal help is available at your court's self-help center. Find your local court's self-help center at [www.selfhelp.courts.ca.gov/find](http://www.selfhelp.courts.ca.gov/find). Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case, and help you with the forms. Staff may also refer you to other agencies who may be able to help you.

## Information about the court process is also available online

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

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

The National Domestic Violence Hotline provides free and private safety tips. Help is available in over 100 languages. Visit online at [www.thehotline.org](http://www.thehotline.org) or call 1-800-799-7233; 1-800-787-3224 (TTY).

## What if I need an interpreter?



You may use form [INT-300](#) to request an interpreter or ask the clerk how you can request one.

## Request for Accommodations

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



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

Clerk stamps date here when form is filed.

Use this form if someone has asked for a domestic violence restraining order against you, and you want to respond in writing. You will need a copy of form DV-100, *Request for Domestic Violence Restraining Order*, that was filled out by the person who asked for a restraining order against you. There is no cost to file this form with the court.

**Do not use this form** if you want to ask for your own restraining order. Read form [DV-500-INFO](#), *Can a Domestic Violence Restraining Order Help Me?* to find out more about this type of restraining order.

Fill in court name and street address:

Superior Court of California, County of Madera  
200 South G Street  
Madera, California 93637  
Civil Division

Fill in case number:

Case Number:

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

(See form DV-100, item 1):

\_\_\_\_\_

**2 Your Name:****! Address where you can receive court papers**

(This address will be used by the court and by the person in 1 to send you official court dates, orders, and papers. For privacy, you may use another address like a post office box, 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: \_\_\_\_\_

**! Your contact information (optional)**

(The court could use this information to contact you. If you don't want the person in 1 to have this information, leave it blank or provide a safe phone number or email address. If you have a lawyer, give their information.)

Email Address: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

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

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

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

**3 Your Hearing Date (Court Date)**

Your hearing date is listed on form DV-109, *Notice of Court Hearing*. If you do not agree to having a restraining order against you, attend your hearing date. If you do not attend your hearing, the judge could grant a restraining order that could last up to five years.

**This is not a Court Order.**

**How to complete this form:** To answer the questions below, look at the form DV-100 filled out by the person in ①. Tip: When the restraining order forms say "the person in ②" that means you, and the "person in ①" means the person who is asking for a restraining order against you.

**4 Information About You** (see item ② on form DV-100)

The person in ① listed your name, age, gender, and date of birth. If any of the information is incorrect, use the space below to give the correct information.

**5 Your Relationship to the Person in ①**

In item ③ of form DV-100, has the person in ① correctly described your relationship with them?

Yes  No If no, what is your relationship with the person in ①?:

**6 History of Court Cases and Restraining Orders** (see item ④ on form DV-100)

The person in ① may have listed other court cases or restraining orders involving you. If information is incorrect or missing, use the space below to give information.

Check here if you are including a copy of restraining order or court order that you want the judge to know about.

**7 Other Protected People**

If the judge grants a restraining order, it can include family or household members of the person in ①. See item ⑧ on form DV-100 to see if the person in ① is asking for other people to be protected by the restraining order.

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

**8 Order to Not Abuse** (see item ⑩ on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

**This is not a Court Order.**



**9**  **No-Contact Order** (see item **11** on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_

**10**  **Stay-Away Order** (see item **12** on form DV-100)

- a.  I agree to the orders requested.  
b.  I do not agree to the orders requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_

**11**  **Order to Move Out** (see item **13** on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_

**12**  **Other Orders** (see item **14** on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_

**13**  **Child Custody and Visitation** (see item **15** on form DV-100 and DV-105)

- a.  I am **not** the parent of the child listed in form DV-105, *Request for Child Custody and Visitation Orders*  
b.  I am the parent of the child or children listed in form DV-105 (check one):  
(1)  I agree to the orders requested.  
(2)  I do not agree to the orders requested. (Complete form DV-125, *Response to Request for Child Custody and Visitation Orders*, and attach it to this form.)

**This is not a Court Order.**



**14**  **Protect Animals** (see item 16 on form DV-100)

- a.  I agree to the orders requested.  
b.  I do not agree to the orders requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_**15**  **Control of Property** (see item 17 on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_**16**  **Health and Other Insurance** (see item 18 on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_**17**  **Record Communications** (see item 19 on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

**18**  **Property Restraint** (see item 20 on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_**19**  **Pay Debt (Bills) Owed for Property** (see item 22 on form DV-100)

- a.  I agree to the orders requested.  
b.  I do not agree to the orders requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_**This is not a Court Order.**

**20**  **Pay Expenses Caused by the Abuse** (see item 23 on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_

**21**  **Child Support** (see item 24 on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.  
c.  I agree to pay guideline child support. (Learn more about guideline child support at [www.courts.ca.gov/selfhelp-support.htm](http://www.courts.ca.gov/selfhelp-support.htm).)

**22**  **Spousal Support** (see item 25 on form DV-100)

- a.  I agree to the order requested.  
b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_

**23**  **Lawyer's Fees and Costs**

If the person in 1 checked item 26 on form DV-100, this means that they have asked the judge to order you to pay their lawyer's fees and costs. You may also ask for lawyer's fees and costs. The judge can order the person in 1 to pay for your lawyer's fees and cost if:

- (1) The person in 1's request for restraining order is denied;
- (2) The judge decides that the request was frivolous or was made only to abuse, intimidate, or cause unneeded delay; and
- (3) The person in 1 can afford to pay for your lawyer's fees and costs.

Check here if you want the person in 1 to pay for some or all of your lawyer's fees and costs.

**This is not a Court Order.**





**24**  **Batterer Intervention Program** (see item 27 on form DV-100)

- a.  I agree to the order requested.
- b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_

**25**  **Transfer Wireless Phone Account** (see item 28 on form DV-100)

- a.  I agree to the order requested.
- b.  I do not agree to the order requested.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_  
\_\_\_\_\_

**26** **Firearms (Guns), Firearm Parts, or Ammunition** (see item 29 on form DV-100)

If you were served with form DV-110, *Temporary Restraining Order*, you must follow the orders in 5 on form DV-110. You must file a receipt with the court from the law enforcement agency or a licensed gun dealer within 48 hours after you received form DV-110. You may use form [DV-800/JV-270](#), *Receipt for Firearms, Firearm Parts, and Ammunition*.

(Check all that apply):

- a.  I do not own or have any prohibited items (firearms (guns), prohibited firearm parts, or ammunition).
- b.  I have turned in all prohibited items that I have or own to law enforcement or sold/stored them with a licensed gun dealer. A copy of the receipt showing that I turned in, sold, or stored the prohibited items (check all that apply):
- is attached
  - has already been filed with the court.
- c.  I ask for an exception to carry a firearm for work only. (You will have to show the judge that your work requires you to have a firearm, and that your employer cannot reassign you to another position where a firearm is not needed. If you are a peace officer, there are additional requirements. Note: Even if the judge grants an exception under California law, you may be subject to federal prosecution for possessing or controlling a firearm.)

(Give details, like what your job is and why you need a firearm): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This is not a Court Order.**



**27) No Body Armor** (see item 30 on form DV-100)

If you were served with form DV-110, *Temporary Restraining Order*, you are prohibited from owning, possessing, or buying body armor. You must also relinquish any body armor you have in your possession.

(Check all that apply):

- a.  I do not own or have any body armor.
- b.  I have relinquished all body armor that I have in my possession.
- c.  I was granted an exception, or will ask for an exception, to have body armor. Note: this exception is granted by a chief of police or sheriff. See Penal Code section 31360(c). (Attach a copy of the letter granting permission, if you have one.)

**28) Cannot Look for Protected People** (see item 31 on form DV-100)

- a.  I agree to the order.
- b.  I do not agree to the order.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**29) Additional Reasons I Do Not Agree with the Request** (optional)

Explain why you do not agree to any of the orders requested by the person in 1 (give specific facts and reasons):

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

Check here if you need more space. Attach a sheet of paper and write “DV-120, Additional Reasons I Do Not Agree with the Request” at the top.

**This is not a Court Order.**



**30**  **My Out-of-Pocket Expenses**

If the request for restraining order is denied by the judge at the court hearing, I ask the judge to order the person in ① to pay my out-of-pocket expenses because the temporary restraining order was granted without enough supporting facts. The expenses are:

For: _____	Because: _____	Amount: \$ _____
For: _____	Because: _____	Amount: \$ _____
For: _____	Because: _____	Amount: \$ _____

**31** **Additional Pages**

Number of pages attached to this form, if any: \_\_\_\_\_

**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**

- Turn in your completed form with the court.
- If the person in ① asked for child support, spousal support, or lawyer's fees, you must complete form [FL-150](#), *Income and Expense Declaration*. If the person in ① is only asking for child support (item 24 on form DV-100), you may be eligible to fill out a simpler form, form [FL-155](#). Read form [DV-570](#) to see if you are eligible to fill out form FL-155. Before your court date, you must file form FL-150 or FL-155 with the court.
- Have someone else (not you) mail the person in ① a copy of your forms, and complete form [DV-250](#), *Proof of Service by Mail*. File form DV-250 with the court. *(The person who mails this form must be at least 18 years old and cannot be you or someone protected on the restraining order.)*
- Prepare for your court date by gathering evidence or witnesses, if you have any. Learn more at <https://selfhelp.courts.ca.gov/respond-domestic-violence-restraining-order>. More information is also available on form [DV-120-INFO](#), *How Can I Respond to a Request for Domestic Violence Restraining Order?*

**This is not a Court Order.**

Clerk stamps date here when form is filed.

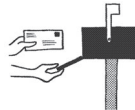
**1 Name of Person Asking for Protection:**

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

**3 Notice to Server**

The server must:

- Be 18 years of age or over.
- Not be listed in items **1**, **2** or **3** of form DV-100, *Request for Domestic Violence Restraining Order*.
- Mail a copy of all documents checked in **4** to the person in **5**.



Fill in court name and street address:

**Superior Court of California, County of MADERA**  
200 SOUTH G STREET  
MADERA, CALIFORNIA 93637

**4 I (the server) am 18 years of age or over and live in or am employed in the county where the mailing took place. I mailed a copy of all documents checked below to the person in 5:**

Fill in case number:

**Case Number:**

- a.  DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*
- b.  DV-120, *Response to Request for Domestic Violence Restraining Order*
- c.  FL-150, *Income and Expense Declaration*
- d.  FL-155, *Simplified Financial Statement*
- e.  DV-130, *Restraining Order After Hearing (Order of Protection)*
- f.  Other (*specify*): \_\_\_\_\_

**5 I placed copies of the documents checked above in a sealed envelope and mailed them as described below:**

- a. Name of person served: \_\_\_\_\_
- b. To this address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- c. Mailed on (*date*): \_\_\_\_\_
- d. Mailed from (*city*): \_\_\_\_\_ (*state*): \_\_\_\_\_

**6 Server's Information**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

If you are a registered process server:

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

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

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

\_\_\_\_\_  
*Type or print server's name*

\_\_\_\_\_  
*Server to sign here*