

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO**

**DOMESTIC VIOLENCE –
RESTRAINING ORDER
APPLICANT PACKET**



FORMS INCLUDED IN THIS PACKET

Can a Domestic Violence Restraining Order Help Me?	Judicial Council Form #DV-500-INFO
Family Law General Self-Help Information	SDSC Form #D-280
Family Law Certificate of Assignment – Venue Declaration	SDSC Form #D-049
Request for Domestic Violence Restraining Order	Judicial Council Form #DV-100
Description of Abuse	Judicial Council Form #DV-101
Additional page to attach to Judicial Council form or other court paper	Judicial Council Form #MC-020
Temporary Restraining Order (CLETS-TRO)	Judicial Council Form #DV-110
Notice of Court Hearing	Judicial Council Form #DV-109
How to Ask for a New Hearing Date	Judicial Council Form #DV-115-INFO
Order for Removal from Residence	SDSC Form #D-072
Confidential CLETS Information	Judicial Council Form #CLETS-001

What is a “domestic violence restraining order”?

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

Can I get a domestic violence restraining order?

You can ask for one if:

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

* You have to regularly reside in the household.

What is abuse?

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

How soon can I get the order?

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

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

There are other kinds of orders you can ask for:

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

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

How will the restraining order help me?

The court can order the restrained person to:

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

How do I ask for a domestic violence restraining order?

The forms are available at any California courthouse or county law library or at: www.courts.ca.gov/forms.

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

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

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



How long does the order last?

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

How much does it cost?

Nothing.

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

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

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

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

Do I have to go to court?

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

Do I need a lawyer?

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

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

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

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

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

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

Will I see the restrained person at the court hearing?

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

Can I bring someone with me to court?

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

What if I don't speak English?

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

What if I don't have a green card?

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

What if I am deaf or hard of hearing?

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

Need more information?

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

1-800-799-7233

TDD: 1-800-787-3224

It's free and private.

They can help you in more than 100 languages.

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

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

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

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

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

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

What if I want to leave the county or state?

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



SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO

FAMILY LAW SELF-HELP GENERAL INFORMATION

The information contained in this form is intended to provide self-help guidance on family law cases. San Diego City and County Public Libraries, as well as the San Diego Law Library, have computers with free Internet access available.

STATE SELF-HELP RESOURCES. The California Courts website, maintained by the Judicial Council of California, contains information about resources for self-help. Go to the California Courts Home page (<http://www.courts.ca.gov/home.htm>) and click on the category that best matches your needs from the "Self-Help" drop down menu. The primary categories for family law are: (1) Divorce or Separation (<http://www.courts.ca.gov/selfhelp-divorce.htm>); (2) Families & Children (<http://www.courts.ca.gov/selfhelp-family.htm>); and (3) Abuse & Harassment (<http://www.courts.ca.gov/selfhelp-abuse.htm>). Each category includes basic information with links to subcategories that include FAQs, step-by-step instructions for filing and serving the necessary documents, and links to the required forms with video instructions on how to complete each form. Click on the blue links of each category and subcategories that match your needs and follow the instructions. Parentage cases, also known as paternity cases, can be found as a subcategory under "Families & Children" (<http://www.courts.ca.gov/selfhelp-parentage.htm>).

LOCAL SELF-HELP RESOURCES. Visit the San Diego Superior Court's website at www.sdcourt.ca.gov. On the Home page, click on the "Family" category (drop down menu) for information about various case types and Self-Help Services within family law, including family law rules and forms.

FAMILY LAW FACILITATORS (FLF). Relying solely on information obtained from the Internet is not the only option. FLF provides hands-on help to any Self-Represented Litigant (SRL). FLF offices are located at every division of the court. They offer both one-on-one services and group workshops. The services are free but offered on a first-come, first-served basis. Click on the link to "Self-Help Services" in the "Family" drop down menu on the court's website for detailed information about FLF.

REQUEST FOR ORDER (RFO). An RFO is the process used to get most court orders both before and after a judgment has been entered in a case. The most common temporary orders requested are child custody and visitation, and child and spousal support. As in most family law matters, there are mandatory forms and procedures. Detailed information and instructions are on the California Courts website. Go to the Self-Help drop down menu and click on "Families & Children" (<http://www.courts.ca.gov/selfhelp-family.htm>). Follow the links to the subcategories that best match your needs.

DOMESTIC VIOLENCE (DV). Detailed information, forms, and step-by-step instructions can be found on the California Courts website. Click on the "Domestic Violence" subcategory under "Abuse & Harassment" (<http://www.courts.ca.gov/selfhelp-domesticviolence.htm>). Any person may also get free help at any Domestic Violence Restraining Order Clinic. Detailed information about the clinics can be found on the San Diego Superior Court's website at www.sdcourt.ca.gov by clicking on "Domestic Violence" in the "Family" drop down menu.

Domestic Violence Hotline (800) 799-SAFE (7233) / Domestic Violence Restraining Order Clinics listed below:

Downtown San Diego	Downtown San Diego	East County	North County	South County
Central Courthouse 1100 Union St. San Diego, CA 92101	Family Justice Center 1122 Broadway, Suite 200 San Diego, CA 92101 (619) 533-6000	El Cajon Courthouse 250 E. Main Street El Cajon, CA 92020	Vista Courthouse 325 S. Melrose Drive Vista, CA 92081	South Bay Courthouse 500 Third Avenue Chula Vista, CA 91911
Operated by San Diego Volunteer Lawyer Program (SDVLP) www.sdvlp.org	www.sandiegofjc.org	Operated by San Diego Volunteer Lawyer Program (SDVLP) www.sdvlp.org & Center for Community Solutions www.ccssd.org	Operated by San Diego Volunteer Lawyer Program (SDVLP) www.sdvlp.org	Operated by Legal Aid Society of San Diego www.lassd.org

ALTERNATIVE DISPUTE RESOLUTION (ADR). Mediation, arbitration, collaborative family law, and the use of a privately compensated temporary judge are methods of ADR available to litigants in most family law cases. ADR is offered through private businesses at the parties' own cost. The court does not provide a list of these outside resources, nor does it endorse any private business.

OTHER INFORMATIONAL FORMS. The court's website has other local court forms which provide detailed information on topics not included in this form. Click on "Forms" in the "Family" drop down menu and find the forms listed in alphabetical order.

- Family Centered Case Resolution Process General Information (SDSC Form #D-080)
- Mandatory Settlement Conference General Information (SDSC Form #D-047)

NOTE: This form is intended to provide only general information. It is not legal advice, and should not be used as a substitute for legal advice from an attorney licensed by the State Bar of California. If you have any questions about your legal rights, you should talk to an attorney. Also, the San Diego Superior Court does not control or maintain the websites on this form and cannot be responsible for the accuracy of the information or content they contain. In addition, the content of a website may change, and the court would not necessarily be aware of the change. When you access one of these websites, you are subject to the terms of use and privacy policies of that website.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input type="checkbox"/> CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910	
PETITIONER(S)	
RESPONDENT(S)	
OTHER	
FAMILY LAW CERTIFICATE OF ASSIGNMENT-VENUE DECLARATION	CASE NUMBER

INSTRUCTIONS: In order for the court to assign your case to the proper court location, this venue declaration is required when an individual files a new family law case, including domestic violence cases. For active cases with the Family Support Division (FSD), filed by the Department of Child Support Services, this venue declaration must be submitted with the first papers filed by a party requesting custody or visitation orders after both parents have become parties to the FSD case, or when a party files a request for domestic violence restraining orders.

SANCTIONS: Notice is hereby given that knowingly or purposefully filing a case in the improper venue is good cause for imposing monetary sanctions.

I (*type or print name*), _____, declare that this action is filed in the proper venue within the County of San Diego based on the type of case and the applicable residential Zip Code in accordance with the Code of Civil Procedure §§ 395(a), 402, the California Rules of Court, and the San Diego Superior Court Rules.

(Check one)

- Petitioner resides in the County of San Diego within Zip Code _____
- Respondent resides in the County of San Diego within Zip Code _____
- In the FSD case, the party requesting custody, visitation, or domestic violence restraining orders resides in the County of San Diego within Zip Code _____
- In the FSD case, the other parent resides in the County of San Diego within Zip Code _____
- Other (*specify—include type of case and venue statute*) _____

The Zip Code stated above is within the filing boundaries of the family court location marked below, according to the Zip Code List of the San Diego Superior Court (SDSC Form #ADM-254).

(Check one)

- Central Division (1100 Union St., San Diego, CA 92101)
- East County Division (250 E. Main St., El Cajon, CA 92020)
- North County Division (325 S. Melrose Dr., Vista, CA 92081)
- South County Division (500 3rd Ave., Chula Vista, CA 91910)

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

Date: _____

Signature of Party or Attorney

Request for Domestic Violence Restraining Order

Clerk stamps date here when form is filed.

You must also complete Form CLETS-001, Confidential CLETS Information, and give it to the clerk when you file this Request.

1 Name of Person Asking for Protection:

Age: _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

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

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

- Superior Court of California, County of San Diego
CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101
EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020
NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081
SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910

Court fills in case number when form is filed.

Case Number: _____

2 Name of Person You Want Protection From:

Description of person you want protection from:

Sex: [] M [] F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____
Race: _____ Age: _____ Date of Birth: _____
Address (if known): _____
City: _____ State: _____ Zip: _____

3 Do you want an order to protect family or household members? [] Yes [] No

If yes, list them:

Table with columns: Full name, Sex, Age, Lives with you?, Relationship to you. Includes checkboxes for Yes/No.

[] Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.

4 What is your relationship to the person in (2) ? (Check all that apply):

- a. [] We are now married or registered domestic partners.
b. [] We used to be married or registered domestic partners.
c. [] We live together.
d. [] We used to live together.
e. [] We are related by blood, marriage, or adoption (specify relationship): _____
f. [] We are dating or used to date, or we are or used to be engaged to be married.
g. [] We are the parents together of a child or children under 18:
Child's Name: _____ Date of Birth: _____
Child's Name: _____ Date of Birth: _____
Child's Name: _____ Date of Birth: _____
[] Check here if you need more space. Attach a sheet of paper and write "DV-100, Additional Children" for a title.
h. [] We have signed a Voluntary Declaration of Paternity for our child or children. (Attach a copy if you have one).

If you do not have one of these relationships, the court may not be able to consider your request. Read Form DV-500-INFO for help.

This is not a Court Order.



5 Other Restraining Orders and Court Cases

- a. Are there any restraining/protective orders currently in place OR that have expired in the last six months (emergency protective orders, criminal, juvenile, family)?
 No Yes (*date of order*): _____ and (*expiration date*): _____ (*Attach a copy if you have one*).

- b. Have you or any other person named in (3) been involved in another court case with the person in (2)?
 No Yes *If yes, check each kind of case and indicate where and when each was filed:*

<u>Kind of Case</u>	<u>County or Tribe Where Filed</u>	<u>Year Filed</u>	<u>Case Number (if known)</u>
<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
<input type="checkbox"/> Civil Harassment	_____	_____	_____
<input type="checkbox"/> Domestic Violence	_____	_____	_____
<input type="checkbox"/> Criminal	_____	_____	_____
<input type="checkbox"/> Juvenile, Dependency, Guardianship	_____	_____	_____
<input type="checkbox"/> Child Support	_____	_____	_____
<input type="checkbox"/> Parentage, Paternity	_____	_____	_____
<input type="checkbox"/> Other (<i>specify</i>): _____	_____	_____	_____
<input type="checkbox"/> <i>Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Court Cases" for a title.</i>			

Check the orders you want.

6 Personal Conduct Orders

I ask the court to order the person in (2) not to do the following things to me or anyone listed in (3):

- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements
- b. Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail or e-mail or other electronic means

The person in (2) will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

7 Stay-Away Order

a. I ask the court to order the person in (2) to stay at least _____ yards away from (*check all that apply*):

- Me My school
- My home Each person listed in (3)
- My job or workplace The child(ren)'s school or child care
- My vehicle Other (*specify*): _____

- b. If the person listed in (2) is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, workplace, or vehicle? Yes No (*If no, explain*):

8 Move-Out Order

(If the person in (2) lives with you and you want that person to stay away from your home, you must ask for this move-out order.)

I ask the court to order the person in (2) to move out from and not return to (*address*):

I have the right to live at the above address because (*explain*):

This is not a Court Order.



9 Guns or Other Firearms or Ammunition

I believe the person in (2) owns or possesses guns, firearms, or ammunition. Yes No I don't know
If the judge approves the order, the person in (2) will be ordered not to own, possess, purchase, or receive a firearm or ammunition. The person will be ordered to sell to, or store with, a licensed gun dealer, or turn in to law enforcement, any guns or firearms that he or she owns or possesses.

10 Record Unlawful Communications

I ask for the right to record communications made to me by the person in (2) that violate the judge's orders.

11 Care of Animals

I ask for the sole possession, care, and control of the animals listed below. I ask the court to order the person in (2) to stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:

I ask for the animals to be with me because:

12 Child Custody and Visitation

- a. I do not have a child custody or visitation order and I want one.
 b. I have a child custody or visitation order and I want it changed.

If you ask for orders, you must fill out and attach Form DV-105, Request for Child Custody and Visitation Orders. You and the other parent may tell the court that you want to be legal parents of the children (use Form DV-180, Agreement and Judgment of Parentage).

13 Child Support (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.
 c. I now receive or have applied for TANF, Welfare, CalWORKS, or Medi-Cal.

If you ask for child support orders, you must fill out and attach form FL-150, Income and Expense Declaration or Form FL-155, Financial Statement (Simplified).

14 Property Control

I ask the court to give *only* me temporary use, possession, and control of the property listed here:

15 Debt Payment

I ask the court to order the person in (2) to make these payments while the order is in effect:

Check here if you need more space. Attach a sheet of paper and write "DV-100, Debt Payment" for a title.

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

16 Property Restraint

I am married to or have a registered domestic partnership with the person in (2). I ask the judge to order that the person in (2) not 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.

17 Spousal Support

I am married to or have a registered domestic partnership with the person in (2) and no spousal support order exists. I ask the court to order the person in (2) to pay spousal support. *(You must complete, file, and serve Form FL-150, Income and Expense Declaration, before your hearing).*

This is not a Court Order.



18 **Rights to Mobile Device and Wireless Phone Account****a.** **Property control of mobile device and wireless phone account**

I ask the court to give **only** me temporary use, possession, and control of the following mobile devices: _____ and the wireless phone account for the following wireless phone numbers because the account currently belongs to the person in **(2)**:

(including area code): _____ my number number of child in my care

(including area code): _____ my number number of child in my care

(including area code): _____ my number number of child in my care

Check here if you need more space. Attach a sheet of paper and write "DV-100, Rights to Mobile Device and Wireless Phone Account" for a title.

b. **Debt Payment**

I ask the court to order the person in **(2)** to make the payments for the wireless phone accounts listed in 18a because:

Name of the wireless service provider is: _____ Amount: \$ _____ Due Date: _____

If you are requesting this order, you must complete, file, and serve Form FL-150, Income and Expense Declaration, before your hearing.

c. **Transfer of Wireless Phone Account**

I ask the court to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed in 18a to me because the account currently belongs to the person in **(2)**.

If the judge makes this order, you will be financially responsible for these accounts, including monthly service fees and costs of any mobile devices connected to these phone numbers. You may be responsible for other fees. You must contact the wireless service provider to find out what fees you will be responsible for and whether you are eligible for an account.

19 **Insurance**

I ask the court to order the person in **(2)** NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of me or the person in **(2)**, or our child(ren), for whom support may be ordered, or both.

20 **Lawyer's Fees and Costs**

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

You must complete, file, and serve form FL-150, Income and Expense Declaration, before your hearing.

21 **Payments for Costs and Services**

I ask the court to order the person in **(2)** to pay the following:

*You can ask for lost earnings or your costs for services caused directly by the person in **(2)** (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.*

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

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

22 **Batterer Intervention Program**

I ask the court to order the person listed in **(2)** to go to a 52-week batterer intervention program and show proof of completion to the court.

23 **Other Orders**

What other orders are you asking for? _____

Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Orders" for a title.

This is not a Court Order.



24 **Time for Service (Notice)**

The papers must be personally served on the person in ② at least five days before the hearing, unless the court orders a shorter time for service. If you want there to be fewer than five days between service and the hearing, explain why below. For help, read Form DV-200-INFO, "What Is Proof of Personal Service"?

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

If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk what you need to do.

26 **Court Hearing**

The court will schedule a hearing on your request. If the judge does not make the orders effective right away ("temporary restraining orders"), the judge may still make the orders after the hearing. If the judge does not make the orders effective right away, you can ask the court to cancel the hearing. Read form DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*, for more information.

27 **Describe Abuse**

Describe how the person in ② abused you. Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, keep you under surveillance, impersonate (on the Internet, electronically or otherwise), batter, telephone, or contact you; or to disturb your peace; or to destroy your personal property. (For a complete definition, see Fam. Code, §§ 6203, 6320.)

a. Date of most recent abuse: _____

1. Who was there? _____

2. Describe how the person in ② abused you or your child(ren):

Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

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

4. Describe any injuries: _____

5. Did the police come? No Yes

If yes, did they give you or the person in ② an Emergency Protective Order? Yes No I don't know
Attach a copy if you have one.

The order protects you or the person in ②

This is not a Court Order.



27 Describe Abuse (continued)

Has the person in ② abused you (or your child(ren)) other times?

b. Date of abuse: _____

1. Who was there? _____

2. Describe how the person in ② abused you or your child(ren):

Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.

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

4. Describe any injuries: _____

5. Did the police come? No Yes

If yes, did they give you or the person in ② an Emergency Protective Order?

Yes No I don't know Attach a copy if you have one.

The order protects you or the person in ②

If the person in ② abused you other times, check here and use [Form DV-101](#), Description of Abuse or describe any previous abuse on an attached sheet of paper and write "DV-100, Previous Abuse" for a title.

28 Other Persons to Be Protected

The persons listed in item ③ need an order for protection because (describe): _____

29 Number of pages attached to this form, if any: _____

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

Date: _____

 Lawyer's name, if you have one

 Lawyer's signature

This is not a Court Order.

4 Describe abuse to you or your children.

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

a. Date of abuse: _____

b. Who was there? _____

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

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

e. Describe any injuries: _____

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

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

The Emergency Protective Order protects You The person in 2

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

5 Describe abuse to you or your children.

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

SHORT TITLE: _____	CASE NUMBER:
-----------------------	--------------

- 1
- 2
- 3
- 4
- 5
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- 27

(Required for verified pleading) The items on this page stated on information and belief are *(specify item numbers, not line numbers)*:

This page may be used with any Judicial Council form or any other paper filed with the court.

Page _____

Clerk stamps date here when form is filed.

Person in ① must complete items ①, ②, and ③ only.

① Name of Protected Person:

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

Name: _____ State Bar No.: _____

Firm Name: _____

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

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-mail Address: _____

Fill in court name and street address:

Superior Court of California, County of San Diego

CENTRAL DIVISION, CENTRAL COURTHOUSE,
1100 UNION ST., SAN DIEGO, CA 92101

EAST COUNTY DIVISION, 250 E. MAIN ST.,
EL CAJON, CA 92020

NORTH COUNTY DIVISION, 325 S. MELROSE DR.,
VISTA, CA 92081

SOUTH COUNTY DIVISION, 500 3RD AVE.,
CHULA VISTA, CA 91910

Court fills in case number when form is filed.

Case Number:

② Name of Restrained Person:

Description of restrained person:

Sex: M F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Race: _____ Age: _____ Date of Birth: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to protected person: _____

③ Additional Protected Persons

In addition to the person named in ①, the following persons are protected by temporary orders as indicated in items ⑥ and ⑦ (family or household members):

Full name

Relationship to person in ①

Sex

Age

Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-110, Additional Protected Persons" as a title.

The court will complete the rest of this form.

④ Court Hearing

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

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

This is a Court Order.



- 5 **Criminal Protective Order**
- a. A criminal protective order on Form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.
Case Number: _____ County: _____ Expiration Date: _____
- b. No information has been provided to the judge about a criminal protective order.

To the person in 2

The court has granted the temporary orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

- 6 **Personal Conduct Orders** Not requested Denied until the hearing Granted as follows:
- a. You must **not** do the following things to the person in 1 and persons in 3:
- Harass, attack, strike, threaten, assault (*sexually or otherwise*), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (*on the Internet, electronically or otherwise*), or block movements
 - Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail, e-mail or other electronic means
 - Take any action, directly or through others, to obtain the addresses or locations of the persons in 1 and 3.
(If this item is not checked, the court has found good cause not to make this order.)
- b. Peaceful written contact through a lawyer or process server or another person for service of Form DV-120 (*Response to Request for Domestic Violence Restraining Order*) or other legal papers related to a court case is allowed and does not violate this order.
- c. Exceptions: Brief and peaceful contact with the person in 1, and peaceful contact with children in 3, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

- 7 **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*):
- The person in 1 School of person in 1
 - Home of person in 1 The persons in 3
 - The job or workplace of person in 1 The child(ren)'s school or child care
 - Vehicle of person in 1 Other (*specify*): _____
- b. Exceptions: Brief and peaceful contact with the person in 1, and peaceful contact with children in 3, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

- 8 **Move-Out Order** 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*): _____

This is a Court Order.



9 No Guns or Other Firearms or Ammunition

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
- Sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms within your immediate possession or control. Do so within 24 hours of being served with this order.
 - Within 48 hours of receiving this order, file with the court a receipt that proves guns have been turned in, stored, or sold. (You may use [Form DV-800, Proof of Firearms Turned In, Sold, or Stored](#), for the receipt.) Bring a court filed copy to the hearing.
- c. The court has received information that you own or possess a firearm.

10 Record Unlawful Communications

Not requested Denied until the hearing Granted as follows:

The person in ① can record communications made by you that violate the judge's orders.

11 Care of Animals Not requested Denied until the hearing Granted as follows:

The person in ① is given the sole possession, care, and control of the animals listed below. The person in ② must stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:

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

Child custody and visitation are ordered on the attached Form DV-140, *Child Custody and Visitation Order* or (*specify other form*): _____. The parent with temporary custody of the child must not remove the child from California unless the court allows it after a noticed hearing (Fam. Code, § 3063).

13 Child Support

Not ordered now but may be ordered after a noticed hearing.

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

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

15 Debt Payment 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: _____

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

If the people in ① and ② are married to each other or are registered domestic partners, the person in ① the person 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. (*The person in ② cannot contact the person in ① if the court has made a "no contact" order.*)

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

This is a Court Order.



17 Spousal Support

Not ordered now but may be ordered after a noticed hearing.

18 Rights to Mobile Device and Wireless Phone Account

a. Property control of mobile device and wireless phone account

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:

Mobile device (describe) _____ and account (phone number): _____

Mobile device (describe) _____ and account (phone number): _____

Mobile device (describe) _____ and account (phone number): _____

Check here if you need more space. Attach a sheet of paper and write "DV-110 Rights to Mobile Device and Wireless Phone Account" as a title.

b. Debt Payment Not requested Denied until the hearing Granted as follows:

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

Pay to (wireless service provider): _____ Amount: \$ _____ Due date: _____

c. Transfer of Wireless Phone Account

Not ordered now but may be ordered after a noticed hearing.

19 Insurance

The person in ① the person 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 child(ren), if any, for whom support may be ordered, or both.

20 Lawyer's Fees and Costs

Not ordered now but may be ordered after a noticed hearing.

21 Payments for Costs and Services

Not ordered now but may be ordered after a noticed hearing.

22 Batterer Intervention Program

Not ordered now but may be ordered after a noticed hearing.

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

Check here if there are additional orders. List them on an attached sheet of paper and write "DV-110, Other Orders" as a title.

24 No Fee to Serve (Notify) Restrained Person

If the sheriff serves this order, he or she will do so for free.

Date: _____

Judge (or Judicial Officer)

This is a Court Order.



Warnings and Notices to the Restrained Person in ②

If You Do Not Obey This Order, You Can Be Arrested And Charged With a Crime.

- If you do not obey this order, you can 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.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.

You Cannot Have Guns, Firearms, And/Or Ammunition.



You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and/or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

Service of Order by Mail

If the judge makes a restraining order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known address, which is written in ②. If this address is incorrect, or to find out if the orders were made permanent, contact the court.

Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not go to the hearing, 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 a *Financial Statement (Simplified)* (form FL-155) or an *Income and Expense Declaration* (form FL-150) 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 an *Income and Expense Declaration* (form FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing from you.

Instructions for Law Enforcement

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

Arrest Required if Order Is Violated

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

This is a Court Order.

**Temporary Restraining Order
(CLETS—TRO)
(Domestic Violence Prevention)**



If the Protected Person Contacts the Restrained Person

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

Conflicting Orders—Priorities for Enforcement

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

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

Child Custody and Visitation

- The custody and visitation orders are on form DV-140, items ③ and ④. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

Certificate of Compliance With VAWA

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

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

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.

Clerk stamps date here when form is filed.

[Empty box for clerk stamp]

1 Name of Person Asking for Order:

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

Name: _____ State Bar No.: _____

Firm Name: _____

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

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

- Superior Court of California, County of San Diego
[] CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101
[] EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020
[] NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081
[] SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910

2 Name of Person to Be Restrained:

The court will fill out the rest of this form.

Court fills in case number when form is filed.

Case Number: _____

3 Notice of Hearing

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

Hearing Date: [] Date: [] Time: [] Dept.: [] Room: [] Name and address of court if different from above: _____

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

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

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

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

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



5 Confidential Information Regarding Minor

- a. A Request to Keep Minor's Information Confidential (form DV-160) was made and **GRANTED** (see form DV-165, Order on Request to Keep Minor's Information Confidential, served with this form.)
- b. **If the request was granted, the information described on the order (form DV-165, item 8) must be kept CONFIDENTIAL. The disclosure or misuse of the information is punishable as contempt of court, with a fine of up to \$1,000 or possible sanctions.**

6 Service of Documents by the Person in 1

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

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

Date: _____

Judicial Officer

Right to Cancel Hearing: Information for the Person in 1

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



To the Person in ① :

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

To the Person in ② :

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



Request for Accommodations

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

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk’s Certificate
[seal]

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

Date: _____ Clerk, by _____, Deputy

1 You may need to ask for a new court date if:

- You are the **protected party** and are unable to have form [DV-109](#), *Notice of Court Hearing*, and other papers served in time before your court date.
- You are the **restrained party** and it is your first time asking the court to reschedule your court date.
- You have a good reason for needing a new court date (the court may grant your request to reschedule your court date on a showing of “good cause”).

2 What does form DV-115 do?

Use form [DV-115](#) to ask the court to reschedule your court date. If your court date is rescheduled and a *Temporary Restraining Order* (form [DV-110](#)) was granted, that order will be extended until the end of your new court date, unless the court decides to modify or terminate it. “Extend” means to keep any temporary orders in effect until the new court date.

3 Follow these steps:

- Fill out all of form [DV-115](#).
- Fill out items ① through ② on form [DV-116](#), *Order on Request to Continue Hearing*.
- The judge will need to review your papers. In some courts, you must give your papers to the clerk. Ask the court clerk for information on how you ask the judge to review your papers.
- After you turn in your forms as required by your local court, check with the clerk’s office to see if the judge approved (granted) your request to reschedule your court date.
- If the judge signed form [DV-116](#), you will have a new court date. If the judge did NOT sign the form, you should go to court at the date, time, and location that is on form [DV-109](#).
- Next, file both forms [DV-115](#) and [DV-116](#) with the clerk. The clerk will make up to three file-stamped copies for you. Keep at least one copy to bring to your court date.
- The other party must be served a copy of the court papers as described in item ⑥ on form [DV-116](#).
- Ask the person who serves the papers to complete a proof of service form and give it to you. If service was in person, use form [DV-200](#), *Proof of Personal Service*. If service was by mail, use form [DV-250](#), *Proof of Service by Mail*. Make two copies of the completed forms.
- File the completed and signed proof of service form with the clerk’s office before your court date.
- If the court reschedules your court date and extends the expiration date of the temporary restraining order to the end of your new court date, the clerk will send the restraining order to law enforcement or CLETS for you. CLETS is a statewide computer system that lets police know about the order.

4 Go to your court date

- Take at least two copies of your documents and filed forms to your court date. Include a copy of the filed proof of service form. Your documents may include exhibits, declarations, and financial statements, and the court may enter them into evidence at its discretion.
- If the protected party does not go to the court date, the temporary domestic violence restraining orders will expire on the date and time of the court date. If the restrained party does not go to the court date, the court can still make orders against them that can last for up to five years.

5 Need help?

Ask the court clerk about free or low-cost legal help. For a referral to a local domestic violence or legal assistance program, call the [National Domestic Violence Hotline](#): 1-800-799-7233 (TDD: 1-800-787-3224). It’s free and private. They can help you in more than 100 languages.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO.: _____ EMAIL ADDRESS: _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input type="checkbox"/> CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910	
PETITIONER(S)	
RESPONDENT(S)	JUDGE/DEPT
ORDER FOR REMOVAL FROM RESIDENCE	CASE NUMBER

TO: **SAN DIEGO COUNTY SHERIFF**

YOU ARE ORDERED to remove (name of party to be removed):

from the residence located at: _____

in the city of _____, California.

YOU ARE FURTHER ORDERED to remain on the premises of said residence for a reasonable period in order to provide an opportunity for the removed party to take personal effects from those premises.

Date: _____

 Judge/Commissioner of the Superior Court

CLERK'S CERTIFICATE



The foregoing document, consisting of _____ page(s), is a full, true, and correct copy of the
 original copy on file in this office.

Clerk of the Superior Court

Date: _____ by _____, Deputy

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

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

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

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

Case Number (<i>if you know it</i>): _____

1 Person to Be Protected (*Name*): _____

Sex: M F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

Mailing Address (*listed on restraining order*): _____

City: _____ State: _____ Zip: _____ Telephone (*optional*): _____

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

2 Person to Be Restrained (*Name*): _____

Sex: M F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

Residence Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Business Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Employer: _____

Occupation/Title: _____ Work Hours: _____

Driver's License Number and State: _____ Social Security Number: _____

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

Describe any marks, scars, or tattoos: _____

Other names used by the restrained person: _____

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

4 Other People to Be Protected

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

Additional persons to be protected are listed on Attachment 4.

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