CORTE SUPERIOR CONDADO DE SAN BENITO

CENTRO DE AUTOAYUDA

450 Fourth Street Hollister, CA 95023

Solicitud de orden de restricción

Prevención de la Violencia Doméstica

Con niños

ANTES DE PRESENTAR, LLEVE ESTOS FORMULARIOS COMPLETOS AL CENTRO DE AUTOAYUDA PARA UNA REVISIÓN.

Para obtener ayuda, acérquese durante nuestro horario de atención sin cita previa ***Lunes – Jueves 8:30am to 12:00pm***

Puede comunicarse al ***(831) 636-4057***

O por correo electrónico *Self-help@sanbenito.courts.ca.gov*

SPANISH

DV-500-INFO S ¿Me puede ayudar una orden de restricción por violencia en el hogar?

¿Qué es una "orden de restricción por violencia en el hogar"?

Se trata de una orden de la corte que puede ayudar a proteger a las personas que han sufrido maltrato por parte de alguien con quien han tenido una relación íntima, con quien están estrechamente relacionados o con quien han convivido como algo más que solo compañeros de vivienda.

¿Cómo puede ayudarme la orden de restricción?

La corte puede ordenar a la persona restringida que:

- no se comunique ni se acerque a usted, sus hijos, otros familiares u otras personas que vivan con usted;
- no tenga armas ni municiones;
- se mude de la casa que comparte con usted;
- cumpla con la orden de custodia y visita de los hijos;
- pague la manutención de los hijos;
- pague la manutención del cónyuge, y
- obedezca las órdenes sobre la propiedad.

¿Esta solicitud cuesta dinero?

No, la presentación de esta solicitud es gratuita.

¿Cuándo puedo esperar recibir la orden?

El juez decidirá en el plazo de un día hábil si le concede una orden de restricción temporal o no. A veces, el juez toma una decisión antes de este plazo.

¿Cuánto dura la orden?

Si el juez dicta una orden temporal, esta durará hasta la fecha de audiencia. Durante la audiencia, el juez decidirá si le concede o no una orden de restricción a largo plazo que puede durar hasta cinco años.

¿Tengo que ir a la corte?

Sí. Vaya a la corte en la fecha que le indique el secretario. Si no lo hace, toda orden temporal que tenga terminará. Para obtener más información sobre lo que puede esperar en la audiencia, visite www.courts.ca.gov/selfhelp o lea el formulario DV-520-INFO, *Cómo prepararse para la audiencia sobre la orden de restricción.*

¿Soy elegible?

Puede solicitar una orden de restricción si:

❶ Desea una orden de restricción contra:

- su cónyuge o excónyuge, pareja o expareja de hecho registrada;
- alguien con quien tiene hijos;
- su padre, madre, hijo, hermano o hermana, o abuelo o abuela (incluidos los familiares políticos);
- una persona con quien vive actualmente o con quien vivió en el pasado (y con quien haya sido más que compañeros de cuarto),

y

❷ Esa persona ha tenido un comportamiento abusivo.

El maltrato puede ser verbal, por escrito o físico. Puede ser físico, sexual o emocional. Incluye las amenazas de hacerle daño a usted o a su familia, el acecho, el acoso, la destrucción de la propiedad personal y la perturbación de su paz.

El perturbar su paz significa alterar su calma mental o emocional. Esto puede hacerse de forma directa o indirecta, por ejemplo, a través de terceros. También se puede hacer por cualquier medio, como por teléfono, por mensajes de texto o por Internet. La perturbación de la paz incluye el control coercitivo.

Por control coercitivo se entiende una serie de acciones que limitan injustificadamente la libertad y los derechos individuales de cualquier persona protegida por esta orden de restricción. Algunos ejemplos son: aislar a una persona de sus amigos, familiares u otros apoyos; privarle de alimentos o de sus necesidades básicas; controlar o vigilar a la persona misma o sus movimientos, contactos, acciones, dinero o acceso a servicios, y obligarla a hacer algo que no quiere hacer por la fuerza o mediante amenazas o intimidación. Esto incluye las amenazas relacionadas con el estatus migratorio real o supuesto de la persona protegida.

¿Cómo puedo solicitar una orden de restricción por violencia en el hogar?

Consulte el formulario DV-505-INFO, *¿Cómo solicito una orden de restricción temporal?* Los formularios están disponibles en cualquier juzgado de California o biblioteca jurídica del condado o en www.courts.ca.gov/forms.

¿Qué pasa si no cumplo los requisitos para una obtener una orden de restricción por violencia en el hogar?

Hay otros tipos de órdenes de restricción que puede solicitar. A continuación se mencionan algunos ejemplos:

- **Orden de restricción por acoso civil** (puede utilizarse para vecinos, compañeros de vivienda, primos, tíos y tías).
- **Orden de restricción por maltrato de ancianos o adultos dependientes** (si tiene al menos 65 años o es un adulto dependiente).
- **Orden de restricción de violencia armada** (para evitar que alguien se haga daño a sí mismo o a otros con un arma de fuego).

  Tenga en cuenta que todas las órdenes de restricción incluyen una restricción de armas de fuego. Una orden de restricción de violencia armada ofrece una protección limitada porque solo impide que la persona tenga en su poder armas de fuego y munición.

Para obtener más información sobre otros tipos de órdenes de restricción, visite *https://www.courts.ca.gov/selfhelp-abuse.htm*.

¿Puedo utilizar la orden de restricción para divorciarme o poner fin a una pareja de hecho registrada?

No. Estos formularios no pondrán fin a su matrimonio o pareja de hecho registrada. Tiene que presentar otros formularios para poner fin a su matrimonio o pareja de hecho registrada.

¿Sirve la orden para impedir que el otro padre se lleve a nuestros hijos?

Si obtiene una orden de restricción temporal que incluye una orden de custodia, el padre que tiene la custodia no puede sacar al menor de California sin aviso previo al otro padre y una audiencia judicial sobre la solicitud para establecer o modificar la custodia. Lea la orden y el formulario DV-140, *Orden de custodia y visita de los hijos*, si se emitió una, para obtener información sobre otras posibles restricciones. Hay algunas excepciones. Consulte a un abogado.

¿Es válida la orden de restricción fuera del estado de California?

La orden de restricción es válida en todo el territorio de los Estados Unidos. Esto significa que las fuerzas del orden tienen que hacer cumplir la orden en cualquier parte de los Estados Unidos.

¿Qué sucede si no soy residente permanente?

Puede obtener una orden de restricción aunque no sea ciudadano estadounidense. Si lo que le preocupa es la posibilidad de ser deportado, hable con un abogado especialista en inmigración.

¿Necesito un abogado para hacer esta solicitud?

No, pero este tipo de solicitud puede ser difícil de navegar por su propia cuenta. Puede obtener asistencia gratuita en el Centro de ayuda de su corte local. (Consulte la información más abajo).

¿Dónde puedo encontrar un centro de ayuda?

Busque el centro de ayuda de su corte local en *www.courts.ca.gov/selfhelp*. El personal del centro de ayuda no actuará como su abogado, pero puede darle información para ayudarle a decidir qué hacer en su caso.

¿Dónde puedo encontrar otra ayuda?

La Línea Nacional sobre Violencia Doméstica ofrece consejos de seguridad y ayuda gratuitos y privados en más de 100 idiomas. Llámelos al 1-800-799-7233; 1-800-787-3224 (TTY) o visite el sitio web *www.thehotline.org*.

Necesito un intérprete. ¿Cómo puedo obtener ayuda?

Puede utilizar el formulario INT-300 para solicitar un intérprete. Solicite más información al personal de la corte.

Tengo una discapacidad. ¿Cómo puedo obtener ayuda?

Puede utilizar el *formulario MC-410* para solicitar una modificación. Para obtener más información, comuníquese con el coordinador de discapacidad/ADA de su corte local.

Solicitud de modificaciones

Están disponibles: sistemas para ayudarle a escuchar, sistemas computarizados que emiten subtítulos en tiempo real, o la ayuda de un intérprete del lenguaje de señas si los solicita al menos cinco días antes de la audiencia. Comuníquese con la oficina del secretario de la corte o visite: *www.courts.ca.gov/forms.htm* para obtener el formulario *Solicitud de modificación para personas con discapacidad* (formulario MC-410). (Código Civil, sección 54.8).

Imprimir formulario | Guardar formulario

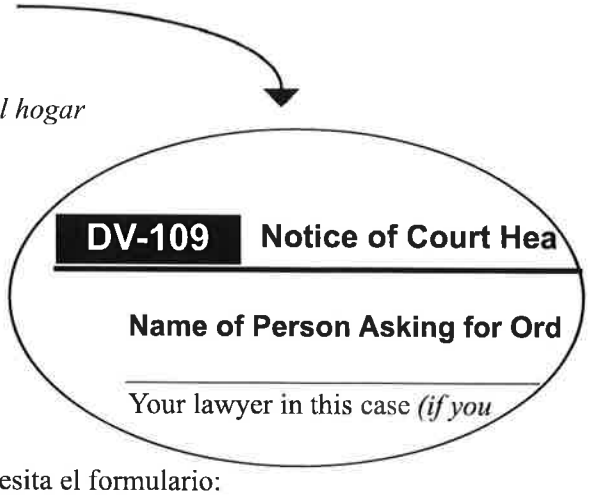
DV-505 INFO S ¿Cómo solicito una orden de restricción temporal?

1 Use este formulario como lista de verificación.

(Fíjese en los números en la esquina superior de sus formularios.)

a. Para una orden de restricción necesita estos formularios:

- ☐ DV-100 *Solicitud de orden de restricción de violencia en el hogar*
- ☐ CLETS-001 *(Información confidencial de CLETS)*
- ☐ DV-109 *Aviso de audiencia de la corte*
- ☐ DV-110 *Orden de restricción temporal*



b. Si tiene hijos con la persona de la que se quiere proteger, también necesita estos formularios:

- ☐ DV-105 *Solicitud de órdenes de custodia y visitación de los hijos*
- ☐ DV-140 *Orden de custodia y visitación de los hijos*

c. Si quiere manutención de los hijos o del cónyuge, también necesita el formulario:

- ☐ FL-150* *Declaración de ingresos y gastos o*
- ☐ FL-155* *Declaración financiera (Simplificada)*

* Lea *¿Qué formulario financiero – FL-155 o FL-150?* (formulario DV-570) para saber cuál tiene que llenar.

d. Pregúntele al secretario de la corte si su condado tiene formularios o reglas especiales.

e. Hay otros formularios que necesitará más adelante *(no los llene ahora):*

- ☐ DV-120 *Respuesta a solicitud de orden de restricción de violencia en el hogar*
- ☐ DV-130 *Orden de restricción después de audiencia (Orden de protección)*
- ☐ DV-200 *Prueba de entrega en persona*

2 Llene los formularios que necesita y lléveselos al secretario de la corte.

El secretario le dará sus formularios al juez. El juez los examinará y decidirá dictar (otorgar) o no las órdenes temporales. A veces el juez puede querer hablar con usted. En ese caso, el secretario se lo dirá.

3 Averigüe si el juez dictó las órdenes de restricción temporal.

Pregúntele al secretario cuándo tiene que volver para ver si el juez firmó la orden (formulario DV-110). El juez tiene que decidir a más tardar en un día laboral. Si el juez otorga la orden de restricción temporal, verifíquela cuidadosamente para ver qué órdenes dictó. Es posible que el juez no haya ordenado todo lo que usted solicitó. La corte fijará una fecha de audiencia en el **formulario DV-109**, independientemente de que el juez haya o no otorgado órdenes temporales.

4 "Presente" la orden del juez.

El secretario se quedará con los formularios originales para el expediente de la corte y le entregará hasta tres copias presentadas-selladas. Si necesita más copias, hágalas usted mismo.

Qué hacer con sus copias:

- Tenga una copia siempre consigo. Puede tener que mostrársela a la policía.
- Guarde otra copia en un lugar seguro.
- Entregue una copia a cualquier persona protegida por esta orden.
- Deje copias en los lugares donde la orden dice que la persona restringida no puede ir (su escuela, trabajo, guardería, etc.).
- Deje una copia con los agentes de seguridad de su edificio de departamentos y su lugar de trabajo.

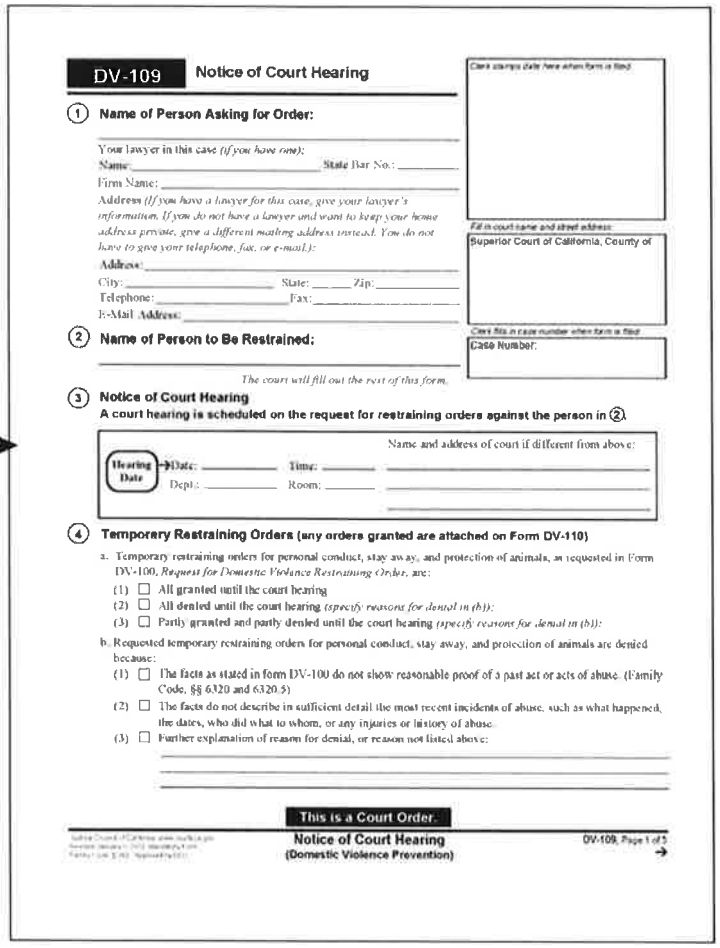
Las órdenes de restricción se registran en CLETS, un sistema informático estatal que le informa a la policía sobre su orden. La corte le enviará la orden a una agencia del orden público o a CLETS en su nombre.

(5) Sepa cuál es la fecha de su audiencia: formulario DV-109

Fíjese en el formulario DV-109 para saber la fecha y horario de su audiencia. ***Tiene*** que ir a su audiencia para obtener una orden permanente.

La orden que tiene ahora solo dura más o menos tres semanas. Cualquier orden del formulario DV-110 *(Orden de restricción temporal)* vencerá el día de la audiencia.

Tiene derecho a cancelar la audiencia. Para obtener información, lea la página 2 del formulario DV-109.



DV-109 Notice of Court Hearing

(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:

Clerk stamps date here when form is filed.

Fill in court name and street address:
Superior Court of California, County of

Clerk fills in case number when form is filed.
Case Number:

(2) Name of Person to Be Restrained:

The court will fill out the rest of this form.

(3) Notice of Court 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, stay away, and protection of animals, as requested in Form DV-100, *Request for Domestic Violence Restraining Order*, are:
(1) ☐ All granted until the court hearing
(2) ☐ All denied until the court hearing *(specify reasons for denial in (b))*:
(3) ☐ Partly granted and partly denied until the court hearing *(specify reasons for denial in (b))*:

b. Requested temporary restraining orders for personal conduct, stay away, and protection of animals are denied because:
(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:

This is a Court Order.

Notice of Court Hearing
(Domestic Violence Prevention)

DV-109, Page 1 of 5

(6) "Entregue" a la parte restringida.

Pregúntele a alguien que conozca, a un profesional de entrega legal, o a una agencia del orden público, que "entregue" (dé) a la parte restringida una copia del aviso de audiencia, la orden y otros documentos. **No puede** entregar estos documentos usted mismo. **No se pueden** enviar por correo. La persona que entrega la orden tiene que:

- Tener por lo menos 18 años de edad
- No ser una de las personas indicadas en (1) o (3) del formulario DV-100, *Solicitud de orden de restricción de violencia en el hogar.*

Las agencias del orden público harán la entrega legal de las órdenes sin cargo, pero tiene que pedírselo.

Un profesional de entrega legal es una empresa que cobra por entregar formularios de la corte. Consulte las Páginas Amarillas o en bajo línea "Process Serving" (Entrega legal).

Si una agencia del orden público o el profesional de entrega legal usa un formulario de prueba de entrega diferente, verifique que diga qué formularios se entregaron.

¡No haga la entrega legal por correo!

(7) Presente la *Prueba de entrega en persona* (formulario DV-200).

La *Prueba de entrega en persona* sirve para demostrarle al juez y a la policía que la persona restringida recibió una copia de la solicitud de órdenes. Haga tres copias de la *Prueba de entrega en persona* completada. Lleve el original y copias al secretario de la corte lo más pronto posible **antes de su audiencia.** El secretario guardará el original y le devolverá las copias con un sello que dice "Filed" (Presentado). Lleve una copia consigo a la audiencia.

Guarde otra copia consigo y otra en un lugar seguro por si se la tiene que mostrar a la policía. Reparta las otras copias de la misma manera que lo hizo en (4). La corte le enviará la *Prueba de entrega en persona* completada a una agencia del orden público o a CLETS en su nombre. CLETS es un sistema informático estatal que le informa a la policía sobre su orden.

Si su orden fue entregada por un alguacil, éste enviará la *Prueba de entrega en persona* a la corte y a CLETS en su nombre.

(8) Si la parte restringida no recibió la entrega legal...

Tiene que hacer la entrega legal a la parte restringida antes de la audiencia. Si no le hizo la entrega legal a la parte restringida, llene el formulario DV-115 *(Solicitud de aplazar audiencia)* y la parte superior del formulario DV-116 *(Orden sobre la solicitud de aplazar audiencia)* para pedirle al juez una nueva fecha de audiencia. Hágalo **antes** o **durante** su audiencia. (Si espera hasta después de la audiencia, tendrá que empezar todo de nuevo y volver a llenar los formularios.)

Si el juez firma el formulario DV-116, todas las órdenes de restricción durarán hasta el fin de la nueva fecha de audiencia.

- Presente la orden firmada (formulario DV-116) ante el secretario. El secretario enviará la orden a una agencia del orden público o a CLETS en su nombre.
- Adjunte el formulario DV-115 y el formulario DV-116 a los demás documentos de la corte y haga una entrega legal en persona a la parte restringida.
- Después de haber hecho la entrega legal de las órdenes, la persona que hizo la entrega tiene que llenar y firmar el formulario DV-200, *Prueba de entrega en persona*, y dárselo a usted.
- Presente el original del formulario DV-200, *Prueba de entrega en persona*, y lleve una copia consigo a la audiencia.
- Lleve una copia del formulario DV-115 y del formulario DV-116 a la audiencia.

(9) ¿Necesita ayuda?

El secretario tiene hojas informativas que lo pueden ayudar. También puede obtenerlas en: *www.courts.ca.gov/forms*

- *¿Me puede ayudar una orden de restricción por violencia en el hogar?* (formulario DV-500-INFO S)
- *¿Qué es la "Prueba de entrega en persona"?* (formulario DV-200-INFO S)
- *Prepárese para la audiencia en la corte* (formulario DV-520-INFO S)
- *Cómo hacer cumplir su orden de restricción* (formulario DV-530-INFO S)
- *¿Cómo puedo responder a una orden de restricción de violencia en el hogar?* (formulario DV-120-INFO S)
- *¿Cómo le pido a la corte que renueve mi orden de restricción?* (formulario DV-700-INFO S)
- *¿Qué formulario financiero – FL-155 o FL-150?* (formulario DV-570)

(10) ¿Necesita más ayuda?

- Pregunte al secretario de la corte sobre ayuda legal gratis o de bajo costo.
- Para una remisión a un programa local de violencia en el hogar o de ayuda legal, llame a la Línea nacional sobre la violencia doméstica:

  1-800-799-7233

  TDD: 1-800-787-3224

  Es gratis y confidencial. Le pueden ayudar en más de 100 idiomas.

SB-CH-1

ATTORNEY OR PARTY WITHOUT ATTORNEY (NAME AND ADDRESS): TELEPHONE NO:	*For Court Use Only*
ATTORNEY FOR (NAME)	
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BENITO 450 Fourth Street Hollister, CA 95023	
Plaintiff/Petitioner: Defendant/Respondent:	
DECLARATION RE: NOTICE FOR EX PARTE APPLICATION FOR ORDERS	CASE NO:

I, (name): _____ declare as follows:

1. I am the ☐ attorney for ☐ Plaintiff/Petitioner ☐ Defendant/Respondent ☐ other (explain) in the within action.

2. Pursuant to California Rules of Court, rule 3.1203, I have given advance notice no later than 10:00 a.m. the court day before the ex parte appearance to all relevant or opposing parties in this action in the following manner:
   a) ☐ Person(s) to whom notice was given (name): _____
   b) ☐ By telephone call on (date): _____ at (time) _____
   c) ☐ By letter ☐ mailed ☐ personally delivered on (date) _____
   d) ☐ Other (describe): _____
   e) I received the following response (describe) _____

3. Notice cannot or should not be given for the following reasons (if you check any box in parts 3a-3d, you must explain in detail under part 3e):
   a) ☐ Notice of this ex parte application would frustrate the purpose of the orders sought herein (explain below)
   b) ☐ No applicant would suffer immediate and irreparable harm before the adverse party could be heard in opposition (explain below)
   c) ☐ No significant direct burden or inconvenience to the adverse party will likely result from the orders sought herein (explain below)
   d) ☐ I made the following reasonable and good faith efforts, detailed below, to notify the adverse party and further efforts to give notice would probably be futile or unduly burdensome (explain below)
   e) ☐ Other (explaining or describe in detail) _____

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

Date:

_____ ▶ _____

(TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

CLETS-001

CONFIDENTIAL

CLETS Information

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 *(if you know it):* _____

(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

Name	Date of Birth	Sex	Race	Relation to Person in (1)

☐ Additional persons to be protected are listed on Attachment 4.

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

(4) Other People to Be Protected (Continued)

Name	Date of Birth	Sex	Race	Relation to Person in 1

ATTACHMENT TO CLETS-001 OTHER PROTECTED PERSONS

DV-100 Request for Domestic Violence Restraining Order

Clerk stamps date here when form is filed.

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

Fill in court name and street address:

Superior Court of California, County of
San Benito
450 Fourth Street
Hollister, CA 95023

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.

Case Number:

3 Your Relationship to the Person in 2

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

(Check all that apply)

a. ☐ We have a child or children together
(names of children): _____

b. ☐ We are married or registered domestic partners.

c. ☐ We used to be married or registered domestic partners.

d. ☐ We are dating or used to date.

e. ☐ We are or used to be engaged to be married.

f. ☐ We are related. The person in 2 is my *(check all that apply):*

- ☐ Parent, stepparent, or parent-in-law
- ☐ Child, stepchild, or legally adopted child
- ☐ Child's spouse
- ☐ Brother, sister, sibling, step-sibling, or sibling in-law
- ☐ Grandparent, step-grandparent, or grandparent-in-law
- ☐ 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):* _____
- ☐ Criminal _____
- ☐ Guardianship _____
- ☐ Other *(what kind of case?):* _____

This is not a Court Order.

Case Number:

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.

Case Number:

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.

Case Number:

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.

Case Number:

8 Other Protected People

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

a. ☐ No

b. ☐ Yes *(If yes, complete the section below):*

(1)

Full name	Age	Relationship to you	Lives with you?
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No

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

(2) Why do these people need protection?

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

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

a. ☐ I don't know

b. ☐ No

c. ☐ Yes *(If you have information, complete the section below.)*

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

This is not a Court Order.

Case Number:

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)

☐ Me. ☐ My vehicle. ☐ My children's school or childcare.
☐ My home. ☐ My school. ☐ Other *(please explain):*
☐ My job or workplace. ☐ Each person in (8). _____

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

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

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.

Case Number:

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.

☐ My name is on the lease.

☐ I live at this address with my child(ren).

☐ I have lived at this address for years, months.

☐ I pay for some or all the rent or mortgage.

☐ Other *(please explain):* _____

_____

14 ☐ Other Orders

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

_____

_____

_____

_____

_____

_____

_____

_____

15 ☐ Child Custody and Visitation

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

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

- Child custody
- Stop person in (2) from accessing your child's school or medical information
- No visits with your children
- 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.

Case Number:

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.

Case Number:

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

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

(23) ☐ Pay Expenses Caused by the Abuse

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

Pay to: _____ For: _____ Amount: $ _____

Pay to: _____ For: _____ Amount: $ _____

Pay to: _____ For: _____ Amount: $ _____

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

(Check all that apply)

a. ☐ I do not have a child support order and I want one.

b. ☐ I have a child support order and I want it changed *(attach a copy if you have one)*.

c. ☐ I now receive or have applied for TANF, Welfare, or CalWORKS.

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

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

(26) ☐ Lawyer's Fees and Costs

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

(27) ☐ Batterer Intervention Program

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

(28) ☐ Transfer of Wireless Phone Account

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

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

a. ☐ My number ☐ Number of child in my care (including area code): _____

b. ☐ My number ☐ Number of child in my care (including area code): _____

This is not a Court Order.

Case Number:

Automatic Orders if the Judge Grants Restraining Order

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

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

30 Cannot Look for Protected People

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

31 Additional pages

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

32 Your signature

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

Date: _____

_____ ▶ _____

Type or print your name *Sign your name*

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

Date: _____

_____ ▶ _____

Lawyer's name *Lawyer's signature*

Your Next Steps

1. **You must complete at least three additional forms:**
   - Form DV-110, *Temporary Restraining Order (only items 1, 2 and 3)*
   - Form DV-109, *Notice of Court Hearing (only items 1 and 2)*
   - Form CLETS-001, *Confidential CLETS Information*
   - **If you are asking for child custody and visitation orders** you must complete **form DV-105**, *Request for Child Custody and Visitation Orders,* and **form DV-140**, *Child Custody and Visitation Order.*
2. Turn in your completed forms to the court. Find out when your forms will be ready for pick up.
3. Once you get your forms back from the court, have someone "serve" a copy of all forms on the person in (2). The sheriff or marshal can do this for free. Learn more about how to "serve" your papers and prepare for your court date: *https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order.*
4. If you are asking for child support, spousal support, or lawyer's fees, you must also complete form FL-150, *Income and Expense Declaration.* If you are only asking for child support, you may be eligible to fill out a simpler form, FL-155. Read form DV-570 to see if you are eligible. Turn in your completed form to the court before your court date. You must also have someone mail or personally deliver a copy to the person in (2).

This is not a Court Order.

Case Number:

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.*

DV-105 Request for Child Custody and Visitation Orders

Case Number:

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

(1) Your Information

Name: _____

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

(2) Person You Want Protection From

Name: _____

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

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

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

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

(4) City and State Where Children Lived

a. Have all the children listed in (3) lived together for the last five years?
☐ Yes *(Complete section 4b.)*
☐ No *(If no, do not complete the section below. Instead, use form DV-105(A)).*

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

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

Other* *(relationship to child)*: _____

This is not a Court Order.

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Case Number:

5 History of Court Cases Involving Your Children

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

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

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

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

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

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

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

_____
_____
_____
_____
_____

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

Why do you want to change the order?

_____
_____
_____
_____
_____

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

Name: _____ ☐ Parent ☐ Legal Guardian

This is not a Court Order.

Case Number:

Orders a Judge Can Make to Protect Your Children

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

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

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

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

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

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

- ☐ Yes
- ☐ No *(Complete the section below):*
  a. I ask the judge to order that the person in (2) **not** access or have access to the records or information for:
     - ☐ All the children listed in (3)
     - ☐ Only the children listed here *(names):* _____
  b. For the following records or information *(check all that apply):*
     - ☐ Medical, dental, and mental health
     - ☐ School and daycare
     - ☐ Extracurricular activity, including summer camps and sports teams
     - ☐ Other *(describe):* _____

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

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

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

This is not a Court Order.

Case Number:

Child Custody

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

- **Legal custody** means the person that makes decisions about the child's health, education, and welfare.
- **Physical custody** means the person that the child regularly lives with.

For both types of custody, parents can share custody (joint) or one parent can have full custody (sole).

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

☐ No
☐ Yes *(Complete the section):*

Legal Custody *(check one):*
☐ Sole to me
☐ Sole to person in (2)
☐ Jointly (shared) by me and person in (2).
☐ Other *(describe):*

Physical Custody *(check one):*
☐ Sole to me
☐ Sole to person in (2)
☐ Jointly (shared) by me and person in (2).
☐ Other *(describe):*

Visitation (Parenting Time) with Children

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

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

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

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

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

☐ Yes (*Go to* (12).)
☐ No (*Go to* (13).)

Case Number:

(12) Details of Supervised (Monitored) Visits

(Complete a and b):

a. Who do you want to supervise the visits?
(Check one):

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

☐ Professional *(list name, if known):* _____

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

b. How often and how long should the visits be?:
(Check one):

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

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

☐ Other *(describe):* _____

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

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

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

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

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

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

Case Number:

13 Details of Unsupervised Visits

(Complete a and b):

a. If the judge allows the person in (2) to have unsupervised visits with your children, you will have to tell the judge how you want to handle drop-off and pick-up of the children, also called child exchanges. Do you want child exchanges to be supervised by a third-party?

☐ No

☐ Yes *(Complete the section below):*

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

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

☐ Professional *(list name, if known):* _____

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

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

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

_____

_____

_____

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

PARTY WITHOUT ATTORNEY OR ATTORNEY	STATE BAR NUMBER:	FOR COURT USE ONLY
NAME:		
FIRM NAME:		
STREET ADDRESS:		
CITY:	STATE: ZIP CODE:	
TELEPHONE NO.:	FAX NO.:	
E-MAIL ADDRESS:		
ATTORNEY FOR *(name)*:		
SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN BENITO		
STREET ADDRESS: 450 Fourth Street		
MAILING ADDRESS: 450 Fourth Street		
CITY AND ZIP CODE: Hollister, CA 95023		
BRANCH NAME:		
PETITIONER:		
RESPONDENT:		
OTHER PARTY/PARENT/CLAIMANT:		
INCOME AND EXPENSE DECLARATION		CASE NUMBER:

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

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

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

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

2. **Age and education**
   a. My age is *(specify)*:
   b. I have completed high school or the equivalent: ☐ Yes ☐ No If no, highest grade completed *(specify)*:
   c. Number of years of college completed *(specify)*: ☐ Degree(s) obtained *(specify)*:
   d. Number of years of graduate school completed *(specify)*: ☐ Degree(s) obtained *(specify)*:
   e. I have: ☐ professional/occupational license(s) *(specify)*:
      ☐ vocational training *(specify)*:
3. **Tax information**
   a. ☐ I last filed taxes for tax year *(specify year)*:
   b. My tax filing status is ☐ single ☐ head of household ☐ married, filing separately
      ☐ married, filing jointly with *(specify name)*:
   c. I file state tax returns in ☐ California ☐ other *(specify state)*:
   d. I claim the following number of exemptions (including myself) on my taxes *(specify)*:
4. **Other party's income.** I estimate the gross monthly income (before taxes) of the other party in this case at *(specify)*: $
   This estimate is based on *(explain)*:

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

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

Date:

_____ ▶ _____

(TYPE OR PRINT NAME) (SIGNATURE OF DECLARANT)

Form Adopted for Mandatory Use
Judicial Council of California
FL-150 [Rev. January 1, 2019]
CEB ceb.com Essential Forms

Family Code, §§ 2030–2032, 2100–2113, 3552, 3620–3634, 4050–4076, 4300–4339
www.courts.ca.gov

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

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

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

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

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

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

7. **Income from self-employment, after business expenses for all businesses** $
   I am the ☐ owner/sole proprietor ☐ business partner ☐ other *(specify):*
   Number of years in this business *(specify):*
   Name of business *(specify):*
   Type of business *(specify):*
   Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax return. Black out your Social Security number. If you have more than one business, provide the information above for each of your businesses.

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

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

10. **Deductions**

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

11. **Assets**

	Total
a. Cash and checking accounts, savings, credit union, money market, and other deposit accounts	$
b. Stocks, bonds, and other assets I could easily sell	$
c. All other property, ☐ real and ☐ personal *(estimate fair market value minus the debts you owe)*	$

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

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

12. **The following people live with me:**

Name	Age	How the person is related to me *(ex: son)*	That person's gross monthly income	Pays some of the household expenses?
a.				☐ Yes ☐ No
b.				☐ Yes ☐ No
c.				☐ Yes ☐ No
d.				☐ Yes ☐ No
e.				☐ Yes ☐ No

13. **Average monthly expenses** ☐ Estimated expenses ☐ Actual expenses ☐ Proposed needs

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

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

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

15. **Attorney fees** *(This is required if either party is requesting attorney fees.):*
   a. To date, I have paid my attorney this amount for fees and costs *(specify):* $
   b. The source of this money was *(specify):*
   c. I still owe the following fees and costs to my attorney *(specify total owed):* $
   d. My attorney's hourly rate is *(specify):*

I confirm this fee arrangement.

Date:

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

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

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

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

17. **Children's health-care expenses**
    a. ☐ I do ☐ I do not have health insurance available to me for the children through my job.
    b. Name of insurance company:
    c. Address of insurance company:

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

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

	Amount per month
a. Child care so I can work or get job training	$
b. Children's health care not covered by insurance	$
c. Travel expenses for visitation	$
d. Children's educational or other special needs *(specify below):*	$

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

	Amount per month	For how many months?
a. Extraordinary health expenses not included in 18b	$	
b. Major losses not covered by insurance *(examples: fire, theft, other insured loss)*	$	
c. (1) Expenses for my minor children who are from other relationships and are living with me	$	

    (2) Names and ages of those children *(specify):*

    (3) Child support I receive for those children $

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

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

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DV-110 Temporary Restraining Order

☐ Original Order ☐ _____ Amended Order

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

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of
San Benito
450 Fourth Street
Hollister, CA 95023

Court fills in case number when form is filed.

Case Number:

(1) Protected Person *(name):* _____

(2) Restrained Person

***Full Name:** _____

***Gender:** ☐ M ☐ F ☐ Nonbinary

***Age:** _____ *(Give estimate, if age unknown.)*

Date of Birth: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

***Race:** _____

Relationship to person in (1): _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

Type, number, and location of firearms, firearm parts, or ammunition:

_____

_____

_____

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

(3) ☐ Other Protected People

In addition to the person named in (1), the people listed below are protected by the orders listed in (8) through (11).

Full name	Relationship to person in (1)	Age

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

(The court will complete the rest of this form)

(4) Your Hearing Date (Court Date)

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

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

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

This is a Court Order.

To the Person in (2)

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

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

a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.

b. **Prohibited items are**
   (1) Firearms (guns);
   (2) Firearm parts (receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531); and
   (3) Ammunition.

c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.

d. If law enforcement asks you for your prohibited items, you must turn them over immediately

e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, sold, or stored. (You may use form DV-800/JV-270,*Receipt for Firearms, Firearm Parts, and Ammunition.*) If law enforcement served you with the restraining order, you must give a copy of the receipt to that law enforcement agency.

(6) ☐ Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

Description *(include serial number, if known)*	Location, if known	Proof of compliance received by the court
(1) _____	_____	☐ *(date):* _____
(2) _____	_____	☐ *(date):* _____
(3) _____	_____	☐ *(date):* _____
(4) _____	_____	☐ *(date):* _____

b. Ammunition

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	☐ *(date):* _____
(2) _____	_____	_____	☐ *(date):* _____
(3) _____	_____	_____	☐ *(date):* _____
(4) _____	_____	_____	☐ *(date):* _____

Case Number:

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

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

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

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

_____
_____
_____

8 Cannot Look for Protected People

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

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

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

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

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

Case Number:

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

a. You must **not contact** ☐ the person in (1) ☐ the persons in (3) directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.

b. ☐ Exception to 10a:
   (1) ☐ You may have brief and peaceful contact with the person in (1) only to communicate about your children for court-ordered visits.
   (2) ☐ You may have contact with your children only during court-ordered contact or visits.
   (3) ☐ Other *(explain):* _____

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

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

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

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

b. ☐ Exception to 11a:
The stay-away orders do not apply:
   (1) ☐ For you to exchange your children for court-ordered visits. You must do so briefly and peacefully.
   (2) ☐ For you to visit with your children for court-ordered contact or visits.
   (3) ☐ Other *(explain):* _____

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

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

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

_____

_____

_____

_____

_____

This is a Court Order.

Case Number:

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

15 Protect Animals ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**
a. ☐ You must stay at least _____ yards away from the animals listed below.
b. ☐ You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
c. ☐ The person in (1) is given the sole possession, care, and control of the animals listed below.

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

16 Control of Property ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**
Until the hearing, **only** the person in (1) can use, control, and possess the following property:

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

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

Case Number:

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

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

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

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

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

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

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

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

22 No Fee to Serve (Notify) Restrained Person

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

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

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

Judge's Signature

Date: _____

_____
Judge or Judicial Officer

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.

Instructions for Law Enforcement

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

Duties of Officer Serving This Order

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

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

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

Arrest Required if Order Is Violated

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

If the Protected Person Contacts the Restrained Person

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

Child Custody and Visitation

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

Case Number:

Conflicting Orders–Priorities for Enforcement

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

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

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

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

Date: _____ Clerk, by _____ , Deputy

This is a Court Order.

DV-520-INFO S Cómo prepararse para la audiencia sobre la orden de restricción

Este formulario explica qué hacer *antes, durante* y *después* de la audiencia sobre la orden de restricción. Puede visitar www.courts.ca.gov/dvforms para obtener más información y encontrar los formularios de la corte que se mencionan en este formulario informativo.

Antes de la audiencia

Lleve los siguientes documentos a la corte (puede usar las casillas de esta página para marcar los documentos que tiene o necesita obtener):

- ☐ 3 copias de **todos** los documentos que presentó para su caso.
- ☐ 3 copias de los documentos que respalden su caso (informes médicos o de la policía, contratos o recibos de alquiler, fotos, cuentas, etc.). Esté preparado para entregarle a la otra parte copias de los documentos que le quiera dar al juez. A veces el juez no puede leer o considerar ciertos documentos. El juez decidirá qué documentos se pueden incluir en su caso.
- ☐ 3 copias de sus talones de sueldo u otro comprobante de ingresos (solo si la orden solicita dinero, como manutención de los hijos o del cónyuge). Si el juez acepta sus pruebas, también le dará una copia a la otra persona.
- ☐ **El formulario *Prueba de entrega* firmado.** Para obtener más información, vea DV-200-INFO, *¿Qué es la "Prueba de entrega en persona"?*
- ☐ Haga una lista de las órdenes que quiere (o no quiere) y practique cómo va a pedirlas. Quizás tenga solo unos pocos minutos para hablar con el juez. Si se pone nervioso en la audiencia, lea de su lista. También puede escribir una declaración y leérsela al juez. También puede agregar otras cosas después de leer la declaración.

De ser necesario, puede llevar a:

- ☐ **Una persona de apoyo.** Pero esa persona no puede hablar en su nombre en la corte.
- ☐ **Testigo(s)** para dar testimonio en la corte. O puede llevar una declaración firmada por el testigo

describiendo lo que vio o escuchó. La declaración del testigo se puede hacer en una hoja de papel que diga *Declaration* (Declaración) en el encabezamiento, y *Signed under penalty of perjury* (Firmada bajo pena de perjurio) al pie, arriba de la firma del testigo. O el testigo puede usar también el formulario MC-030, *Declaración*.

Excepción: Si la otra persona presenta una protesta al testimonio de su testigo, el testigo tendrá que ir a la corte si usted quiere que el juez escuche lo que tiene que decir.

- ☐ **Cuidado de los hijos.** En la mayoría de los casos, no se permite la presencia de niños en la audiencia. Llame a la corte y pregunte si hay una sala de espera para niños. Si no, haga arreglos para que alguien le cuide a sus hijos.
- ☐ Si no habla bien inglés, pídale al secretario un **intérprete**. Si quiere que la corte proporcione un

intérprete en la audiencia, el secretario le puede pedir que llene una solicitud. Si la corte no le puede proporcionar un intérprete, lleve a un adulto que le pueda servir de intérprete. No le pida a un niño o a un testigo involucrado en su caso que sea su intérprete.

Si la audiencia es sobre una orden de restricción ***en su contra***:

- **¡Vaya a la audiencia!** Si no va, el juez puede dictar órdenes sin escucharlo a usted.
- Lea DV-120-INFO, *¿Cómo puedo responder a una solicitud de orden de restricción de violencia en el hogar?*
- Puede llenar y presentar un formulario de la corte para contarle al juez su versión de los hechos (formulario DV-120, *Respuesta a solicitud de orden de restricción de violencia en el hogar*). Lleve 3 copias de este formulario a la audiencia.
- *Nota:* Si la otra persona solicita órdenes por dinero (órdenes de manutención de los hijos, del cónyuge u otro tipo de orden financiera), lea el formulario DV-570 para averiguar si tiene que llenar una Declaración de ingresos y gastos o una Declaración financiera simplificada.

Durante la audiencia

Llegue a la corte por lo menos **30 minutos** temprano. Encuentre la sala de la corte. Cuando se abra, entre e infórmele de su presencia al secretario de la corte o al agente del orden, y también el nombre de cualquier testigo y si algún testigo necesita un intérprete.

- No se siente cerca ni hable con la otra persona. Si tiene miedo de la otra persona, dígale al agente del orden.
- Mire lo que pasa en otros casos para saber qué tiene que hacer.
- Cuando lo llamen, pase al frente de la sala.
- Quizás se tenga que quedar en la corte por varias horas. Depende de cuántos casos haya. Su audiencia puede durar solo unos minutos, o más de una hora.

¡Advertencia! Si usted solicitó la orden de restricción pero no va a la audiencia, su orden de restricción temporal vencerá y quizás se cancele la audiencia. La corte también podría dictar otras órdenes, si las pide la otra parte, aunque la orden de restricción se rechace. Para obtener otra orden de restricción, tendrá que llenar y presentar un nuevo juego de formularios.

Ante el juez

El juez le puede hacer preguntas. Las otras personas del caso y sus abogados también le pueden hacer preguntas.

- Diga la verdad. Hable lentamente. Dé respuestas completas. Puede leer de su lista.
- Trate de responder exactamente lo que el juez le está preguntando.
- Si no comprende lo que le dicen, diga "I don't understand the question" (No comprendo la pregunta).
- Hable solo con el juez, a menos que sea su turno para hacer preguntas o el juez le pide que responda a una pregunta de la otra persona o de su abogado.
- ¡No interrumpa a nadie! Si la otra persona miente, espere a que termine de hablar y después dígale al juez.

Servicios de la Corte de Familia

Si pide una orden sobre el horario de crianza (custodia y visitación), la corte puede enviar a ambos padres a Servicios de la Corte de Familia para *mediación de la corte* o *consejería recomendante sobre custodia de los hijos.* Para obtener más información, vea los formularios: FL-313-INFO, *Hoja informativa sobre la custodia de los hijos—Consejería recomendante*, o FL-314-INFO, *Hoja informativa sobre la custodia de los hijos—Mediación de custodia de los hijos*. Si lo envían a los Servicios de la Corte de Familia, el juez puede extender la vigencia de las órdenes (o dictar nuevas órdenes temporales) hasta la próxima audiencia en la corte.

La corte puede postergar (aplazar) su caso si:

- La persona a restringir no recibió la entrega legal o necesita tiempo para conseguir un abogado o preparar una respuesta.
- El juez requiere más información o su audiencia está durando más de lo que se pensaba.

En ese caso, tendrá que volver otro día. La persona que solicitó la orden puede pedirle al juez que dicte órdenes temporales hasta la nueva fecha de audiencia. Es posible que la corte use el formulario DV-116 para programar la nueva audiencia.

Al finalizar de la audiencia

En la mayoría de los casos, el juez tomará una decisión sobre su caso al final de la audiencia. Para decidir si va a aprobar o rechazar las órdenes solicitadas, el juez determinará si las pruebas presentadas demuestran que la persona que pide protección tiene derecho a una orden de restricción. El juez tendrá en cuenta las pruebas presentadas y el riesgo para la seguridad de los adultos y menores involucrados en el caso. Si el juez dicta órdenes en la audiencia, estas aparecerán en el formulario DV-130, *Orden de restricción después de audiencia.*

Si usted solicitó la(s) orden(es):

- El secretario de la corte podría llenar el formulario DV-130. Después, se lo llevará al juez para que lo firme. Si no, pregunte quién debería llenarlo y dónde hay que presentarlo. Después de haber presentado el formulario, el secretario de la corte le entregará hasta 3 copias.
- Lea el formulario DV-130 firmado con mucho cuidado. Si es distinto de lo que el juez dijo en la corte, pídale ayuda al secretario inmediatamente. O hable con su abogado, si tiene uno.
- Sus órdenes temporales vencerán a la medianoche de la fecha de su audiencia. Presente su nueva orden el mismo día, para estar protegido.
- Si la corte dicta una orden de restricción, el secretario enviará un formulario DV-130, *Orden de restricción después de audiencia* a las fuerzas del orden. Eso hará que sus órdenes se registren en una base de datos llamada CLETS. De esa manera, todos los departamentos de policía del estado estarán informados sobre estas órdenes.
- ***¡Importante!*** Tenga siempre a mano una copia de la orden de restricción.

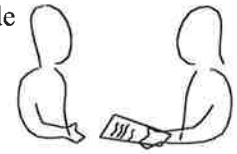
DV-520-INFO S Cómo prepararse para la audiencia sobre la orden de restricción

Después de la audiencia

Si usted **solicitó** la orden de restricción, y la corte se la otorgó…

Tiene que entregar legalmente a la otra persona una copia del formulario DV-130. Puede entregarle legalmente una copia del formulario DV-130 en la sala de la corte después de la audiencia, o enviársela por correo.

Si la persona restringida *no estuvo* en la audiencia y la nueva orden es:



- la ***misma*** que la orden temporal, puede entregar legalmente una copia del formulario DV-130 a la otra persona por correo. Pídale a la persona que hizo la entrega legal que llene el formulario DV-250.
- ***distinta*** que la orden temporal, alguien tiene que hacer la entrega legal del formulario DV-130 en persona, no por correo. Pídale a la persona que hizo la entrega legal que llene el formulario DV-200, *Prueba de entrega en persona,* y que se lo entregue a usted.

¡Importante! Tiene que presentar un formulario DV-200, *Prueba de entrega en persona*, o un formulario DV-250, *Prueba de entrega por correo*, completado. Guarde una copia como comprobante. Tenga a mano una copia de las órdenes en todo momento.

Otras órdenes

Si pidió órdenes de custodia/visitación de los hijos, también podría recibir uno de los siguientes formularios:

- Formulario DV-140, *Orden de custodia y visitación de los hijos,* si el juez ordenó la custodia o visitación de los hijos.
- Formulario FL-342, *Child Support Information and Order Attachment (Adjunto: Orden e información de manutención de los hijos)*, o el formulario FL-343, *Spousal, Partner, or Family Support Order Attachment (Adjunto a la Orden de manutención del cónyuge, pareja de hecho o familia)*, si el juez dictó órdenes de manutención de los hijos y/o del cónyuge.

¿Qué pasa si es sordo o tiene problemas auditivos?
Están disponibles: dispositivos de ayuda auditiva, subtítulos en tiempo real asistidos por computadora o servicios de interpretación de lenguaje de señas, si lo solicita por lo menos días antes de la audiencia. Comuníquese con la oficina del secretario o visite www.courts.ca.gov/forms para obtener una *Request for Accommodations by Persons With Disabilities and Order (Solicitud de modificaciones para personas discapacitadas y Orden)* (formulario MC-410). (Cód. Civil, sección 54.8)

Si la corte dictó una orden de restricción **en su contra**…

- Tiene que obedecer las órdenes dictadas por el juez en la audiencia. Las órdenes aparecerán en el formulario DV-130. Si no las obedece, lo pueden arrestar.
- Recibirá la entrega legal de la *Orden de restricción después de audiencia* (formulario DV-130) en la audiencia misma o pocos días después, ya sea por correo o personalmente.
- Cuando lo reciba, lea el formulario DV-130 con mucho cuidado. Si es distinto que lo que el juez dijo en la corte, pídale ayuda al secretario inmediatamente. O hable con su abogado, si tiene uno.

Si no recibe una copia de las órdenes en pocos días, pídale una copia al secretario.

Lea *Cómo entregar, vender o dar para almacenar sus armas de fuego* (DV-800-INFO/JV-252-INFO S).

¿Necesita más ayuda?

Pregúntele al secretario de la corte cómo conseguir ayuda legal gratis o de bajo costo. Puede obtener más información en el centro de ayuda o la oficina del Asistente de Derecho Familiar.

Si necesita una remisión a un programa local de violencia en el hogar o de asistencia legal, llame a la Línea nacional sobre la violencia doméstica:
1-800-799-7233
TDD: 1-800-787-3224
Es gratis y privada. Le pueden ayudar en más de 100 idiomas.

DV-109 Notice of Court Hearing

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: _____

(2) Person to Be Restrained

Name: _____

The court will fill out the rest of this form.

Fill in court name and street address:

Superior Court of California, County of
San Benito
450 Fourth Street
Hollister, CA 95023

Court fills in case number when form is filed.

Case Number:

(3) Notice of Hearing

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

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

Name and address of court if different from above:

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

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

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

(Check one):

(1) ☐ All **granted** until the court hearing.

(2) ☐ All **denied** until the court hearing. *(Reasons for denial are given below in b.)*

(3) ☐ Partly **granted** and partly **denied** until the court hearing. *(Reasons for denial are given below in b.)*

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

(1) ☐ The facts given in the request (form DV-100) do not show reasonable proof of a past act or acts of abuse. (Family Code sections 6300, 6320, and 6320.5.)

(2) ☐ The facts given in the request do not give enough detail about the most recent incidents of abuse, including what happened, the dates, who did what to whom, or any injuries or history of abuse.

(3) ☐ Other reasons for denial:

_____

_____

Case Number:

5 Confidential Information Regarding Minor

a. ☐ A *Request to Keep Minor's Information Confidential* (form DV-160) was made and **granted** (see form DV-165, *Order on Request to Keep Minor's Information Confidential,* served with this form.)

b. **If the request was granted, the information described on the order (form DV-165, item 7) must be kept CONFIDENTIAL. The disclosure or misuse of the information is punishable as a sanction, with a fine of up to $1,000 or other court penalties.**

6 Service of Documents by the Person in 1

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

a. DV-100, *Request for Domestic Violence Restraining Order* (file-stamped)

b. ☐ DV-110, *Temporary Restraining Order* (file-stamped) **if granted**

c. DV-120, *Response to Request for Domestic Violence Restraining Order* (blank form)

d. DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*

e. DV-250, *Proof of Service by Mail* (blank form)

f. ☐ DV-170, *Notice of Order Protecting Information of Minor,* and DV-165, *Order on Request to Keep Minor's Information Confidential* (file-stamped), **if granted**

g. ☐ Other *(specify):* _____

Judge's Signature

Date: _____

_____
Judicial Officer

Right to Cancel Hearing: Information for the Person in 1

- If item 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 attend the hearing if you want the judge to make restraining orders or continue any orders already made. If you cancel the hearing or do not attend the hearing, any restraining orders made on form DV-110 will end on the date of the hearing.

Case Number:

To the Person in (1):

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

To the Person in (2):

- If you want to respond in writing, mail a copy of your completed form DV-120, *Response to Request for Domestic Violence Restraining Order,* to the person in (1) and file it with the court. You cannot mail form DV-120 yourself. Someone age 18 or older—**not you**—must do it.
- To show that the person in (1) has been served by mail, the person who mailed the form must fill out a proof of service form. Form DV-250, *Proof of Service by Mail,* may be used. File the completed form with the court before the hearing and bring a copy with you to the hearing.
- For information about responding to a restraining order and filing your answer, read form DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask the judge to reschedule your court date. Read form DV-115-INFO, *How to Ask for a New Hearing Date.*
- Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making an order. At the hearing, tell the judge why you agree or disagree with the orders requested. Bring any evidence or witnesses you have. Read form DV-520-INFO, *Get Ready for Your Restraining Order Court Hearing.*
- **At the hearing, the judge may make restraining orders against you that could last up to five years.**
- **The judge may also make other orders about your children, child support, spousal support, money, and property and may order you to turn in, sell, or store any firearms (guns), firearm parts, or ammunition that you own or have.**

Request for Accommodations

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

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate [seal]

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

Date: _____ Clerk, by _____ , Deputy

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ceb.com

DV-110 OTHER PROTECTED PEOPLE

Other People to Be Protected (Continued)

Name	Date of Birth	Sex	Race	Relation to Person in 1

DV-140 Child Custody and Visitation Order

Case Number:

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

(1) Name of Protected Person: _____

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

(2) Name of Restrained Person: _____

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

(3) ☐ Children Under 18 Years Old

a. Name: _____ Date of birth: _____

b. Name: _____ Date of birth: _____

c. Name: _____ Date of birth: _____

d. Name: _____ Date of birth: _____

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

(4) ☐ No Travel With Children Without Permission

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

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

a. ☐ State of California

b. ☐ United States

b. ☐ Other place(s) *(list)*: _____

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

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

☐ All the children listed in (3).

☐ Only the children listed here *(names)*: _____

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

☐ Medical, dental, and mental health providers

☐ School and daycare providers

☐ Extracurricular activity providers, including summer camps and sports teams

☐ Child's employers (including volunteer and unpaid positions)

☐ Other *(describe)*: _____

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

This is a Court Order.

Case Number:

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

7 ☐ Child Custody

a. Legal Custody *(The person that makes decisions about the child's health, education, and welfare.)*
- ☐ Sole to Person in (1)
- ☐ Sole to Person in (2)
- ☐ Jointly (shared) by persons in (1) and (2).
- ☐ Other *(name):* _____

b. Physical Custody *(The person that the child regularly lives with.)*
- ☐ Sole to Person in (1)
- ☐ Sole to Person in (2)
- ☐ Jointly (shared) by persons in (1) and (2).
- ☐ Other *(name):* _____

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

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

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

9 ☐ Supervised (Monitored) Visitation with Children

a. Person to be supervised: ☐ Person in (1) ☐ Person in (2) by:
- ☐ Nonprofessional *(name and relationship to child, if known):* _____
- ☐ Professional *(name, if known):* _____

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

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

b. Provider's contact information, if known
Address: _____ Telephone: _____

c. Schedule of supervised visits
(1) ☐ Once a week, for *(number of hours):* _____
(2) ☐ Twice a week, for *(number of hours):* _____ each visit.
(3) ☐ Follow the Visitation Schedule listed in (12).
(4) ☐ Other schedule *(describe):* _____

This is a Court Order.

Case Number:

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

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

☐ Nonprofessional *(name and relationship to child):* _____

Safe location for exchanges: _____

(For more information on safe locations, go to *https://selfhelp.courts.ca.gov/guide-supervised-visitation.*)

☐ Professional *(list name, if known):* _____

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

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

(3) Location of exchanges to be decided by provider.

b. Provider's contact information, if known

Address: _____ Telephone: _____

11 ☐ Visits With No Supervision (Unmonitored)

a. If the judge granted unsupervised visits to the person in 2, the judge must explain why.
(For judge to complete. Check all that apply):

☐ Judge's reasons given at the hearing *(See minute order or ask for the transcript.)*

☐ Judge's reasons listed here: _____

b. ☐ Person in 1 ☐ Person in 2 will visit with the children as follows:

(1) ☐ Visitation schedule described below:

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

This is a Court Order.

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Case Number:

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

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

Follow the schedule listed above:

☐ Every week ☐ 1st and 3rd week of every month ☐ 2nd and 4th week of every month

☐ Other _____

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

(13) ☐ **Other Orders**

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

_____

_____

(14) Country of Habitual Residence

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

(15) Jurisdiction and Notice

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

(16) Penalties for Violating This Order

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

This is a Court Order.

DV-530-INFO S Cómo hacer cumplir su orden de restricción

Obtenga copias.

Obtenga copias de su orden de restricción (DV-110 o DV-130) y de la *Prueba de entrega* (formulario DV-200 o DV-250) del secretario de la corte, si no las tiene todavía:

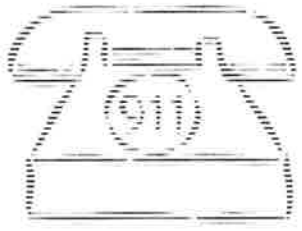
- Tenga siempre una copia consigo. Es posible que se la tenga que mostrar a la policía.
- Guarde otra copia en un lugar seguro y quizás le convenga tener otra en su carro.
- Entregue una copia a cualquier otra persona protegida por la orden.
- Lleve copias a los lugares frecuentados por usted y las otras personas protegidas (por ejemplo, escuela, trabajo, guardería, etc.).
- Déle una copia a los guardias de seguridad en su edificio de departamentos y lugar de trabajo.
- Engrape la orden de restricción (DV-110 o DV-130) a la *Prueba de entrega* (DV-200 o DV-250).

¿Cuándo debo llamar a la policía?

Llame a la policía ***de inmediato*** si la persona restringida viola cualquiera de las órdenes. También:

- Anote lo que ocurrió, cuándo, dónde y los nombres de los testigos.
- Obtenga copias de los informes policiales.
- Si se lesionó, obtenga copias de los informes médicos.

Incluso si todavía no ha hecho la entrega legal de las órdenes, llame a la policía. Muéstrele a la policía una copia de sus órdenes. Si la persona restringida se encuentra allí, pídale a la policía que le entregue las órdenes. Si la policía le entrega las órdenes a la persona restringida, le enviará la *Prueba de entrega* a la corte y a CLETS en su nombre. CLETS es un sistema informático estatal que le informa a la policía sobre sus órdenes.



Si corre peligro, ¡llame al 911!

¿Qué puede hacer la policía?

Es un delito desobedecer las órdenes del juez.
La persona restringida puede ser arrestada y quizás tenga que pagar una multa y/o ir a la cárcel o prisión.

Pregúntele al fiscal de su distrito cómo manejará su caso. El fiscal puede presentar cargos penales o de desacato de la corte. Siempre puede llamar al fiscal para obtener información sobre un caso penal. También puede presentar un caso civil por desacato de la corte. Pídale los formularios al secretario de la corte o visite www.courts.ca.gov.

Pistolas, otras armas de fuego y municiones

La persona restringida no puede

- tener
- comprar o tratar de comprar
- ni ser dueña de

una pistola o arma de fuego o municiones mientras la orden se encuentre en vigencia. Si la persona restringida hace alguna de estas cosas, pueden encarcelarla o multarla por hasta $1000.

Un agente del orden público le puede proporcionar información sobre cualquier arma de fuego que la persona restringida ha registrado, transferido o vendido. (Sección 11106 del Código Penal.) Puede divulgar esta información en la medida de lo necesario para protegerse a sí mismo o a otra persona. Dígale a una agencia del orden público si tiene alguna información sobre las armas de fuego que tiene la persona restringida o dónde están ubicadas.

Una vez que haya completado y archivado su paquete:

Solicitud de orden de restricción

¡Tiene que SERVIRLO a la otra parte!

Debe hacer que la otra parte sea notificada personalmente por alguien que tenga 18 años o más. No puedes ser tú. Deben completar el formulario **DV-200 → Proof of Personal Service.**

La otra parte debe recibir una copia de su paquete de **Solicitud de restricción** y:

- El paquete "Como responder a una orden de restricción".

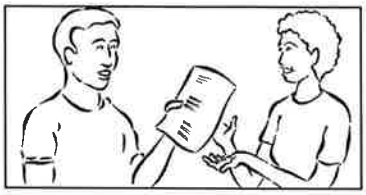
DV-200 Proof of Personal Service

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 person in (1).

Fill in court name and street address:

Superior Court of California, County of
San Benito
450 Fourth Street
Hollister, CA 95023

Court clerk fill 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: _____ b. Time: _____ ☐ a.m. ☐ p.m.
c. 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*