

Clerk stamps date here when form is filed.

Not approved by the
Judicial Council

Draft 02/01/11 emh

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

① **Name of protected person:** _____ Your age: _____

Address (skip this if you have a lawyer; if you want your home address to be private, give a different mailing address instead): _____

City: _____ State: _____ Zip: _____

Your telephone number (optional): _____

Your lawyer (if you have one: name, address, telephone number, email address and State Bar number): _____

Fill in court name and street address:

Superior Court of California, County of _____

② **Name of restrained person:** _____

Description of restrained person: _____

Clerk fills in case number when form is filed.

Case Number: _____

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

Race: _____ Age: _____ Date of Birth: _____

Mailing address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to protected person: _____

③ **Additional Protected Persons**
 In addition to the person named in ①, the following persons are protected by temporary orders as indicated in items ⑤ and ⑥ (family or household members):

Full name	Relationship to person in ①	Sex	Age
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

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

The court will complete the rest of this form.

④ **Expiration Date**
 This order expires at the date and time of the hearing below:

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

This is a Court Order.

Your name: _____

5 **Criminal Protective Order**

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

To the person in 2

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

6 **Personal Conduct Orders**

- You must **not** do the following things to the person in ① and persons in ③:
- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, or block movements
 - b. Contact (either directly or indirectly), telephone, send messages, mail, or e-mail
 - c. Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ③. *If item c is not checked, the court has found good cause not to make this order.)*
- Exceptions: As required for court-ordered visitation of children, brief and peaceful contact with the person in ①, and peaceful contact with children in ③ is allowed unless a criminal protective orders says otherwise. Peaceful written contact through a lawyer or process server or another person in order to serve legal papers is allowed and does not violate this order.

7 **Stay-Away Order**

- a. You **must** stay at least (*specify*): _____ yards away from:
- | | |
|--|--|
| <input type="checkbox"/> The person in ① | <input type="checkbox"/> School of person in ① |
| <input type="checkbox"/> The persons in ③ | <input type="checkbox"/> The children’s school or child care |
| <input type="checkbox"/> Home of person in ① | <input type="checkbox"/> Other (<i>specify</i>): _____ |
| <input type="checkbox"/> The job or workplace of person in ① | _____ |
| <input type="checkbox"/> Vehicle of person in ① | _____ |
- Exceptions: As required for court-ordered visitation of children, brief and peaceful contact with the person in ①, and peaceful contact with children in ③ is allowed unless a criminal protective orders says otherwise. Peaceful written contact through a lawyer or process server or another person in order to serve legal papers is allowed and does not violate this order.

8 **Move-Out Order**

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

This is a Court Order.

Your name: _____

- 9** **No Guns or Other Firearms or Ammunition**
 a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
 b. You must:
 - Sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms within your immediate possession or control. This must be done within 24 hours of being served with this order.
 - File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (*You may use Form DV-800, Proof of Firearms Turned In or Sold, for the receipt.*)
 c. The court has received information that you own or possess a firearm.
- 10** **Unlawful Communications May Be Recorded**
 The person in **1** can record communications made by you that violate the judge's orders.
- 11** **Animals: Possession and Stay-Away Order**
 The person in **1** is given the sole possession, care, and control of the animals listed below. The person in **2** must stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals: _____
- 12** **Child Custody and Visitation Order**
 You and the person in **1** must follow the orders listed in attached Form DV-140, *Child Custody and Visitation Order*.
- 13** **Child Support**
 Not ordered now but may be ordered after a noticed hearing.
- 14** **Property Control**
 Until the hearing, **only** the person in **1** can use, control, and possess the following property and things: _____
- 15** **Debt Payment**
 The person in **2** must make these payments until this order ends:
 Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
 Pay to: _____ For: _____ Amount: \$ _____ Due date: _____
- 16** **Property Restraint**
 If the people in **1** and **2** married to each other or are registered domestic partners, they 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. (*You cannot contact the person in 1 if the court has made a "no contact" order.*)
 Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.
- 17** **Spousal Support**
 Not ordered now but may be ordered after a noticed hearing.

This is a Court Order.

Your name: _____

18 Attorney Fees and Costs

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

19 Payments for Costs and Services

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

20 Batterer Intervention Program

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

21 Other Orders_____
_____ Additional orders are attached at the end of this order as DV-110, Attachment 21.**22 No Fee to Serve (Notify) Restrained Person**

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

- 23** If the judge makes a restraining order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known mailing address, which is written in **(2)**. If this address is not correct, or to know if the orders were made permanent, contact the court.

Date: _____

*Judge (or Judicial Officer)***Warnings and Notices to the Restrained Person in **(2)******You Cannot Have Guns or Firearms**

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item **(9)** above. The court will require you to prove that you did so.

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

- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.
- If you do not obey this order, you can go to jail or prison and/or pay a fine.
- Read Form DV-540-INFO, *Information for the Restrained Person*, to learn how to respond to this order.

This is a Court Order.

Your name: _____

Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not go to the hearing, the judge can make custody and visitation orders for your children without hearing your side.
- **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 your paycheck. Child support can be a lot of money, and usually you have to pay until the child is age 18. File and serve a *Financial Statement (Simplified)* (Form FL-155) or an *Income and Expense Declaration* (Form FL-150) so the judge will have information about your finances.
- **Spousal support:** File and serve an *Income and Expense Declaration* (Form FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing from you.

Instructions for Law Enforcement

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction 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.

Certificate of Compliance With VAWA

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

(Clerk will fill out this part.)

—Clerk’s Certificate—

Clerk’s Certificate
[seal]

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.