

Clerk stamps date here when form is filed.

DRAFT 12
Group A
06/04/09 xyz

Not Approved by the
Judicial Council

Person in 1 must complete this page only.

1 Name of protected person:
Address (skip this if the person above has a lawyer) (If you want your home address to be private, give a mailing address instead):
City: State: Zip:
Telephone (optional): Fax (optional):
Lawyer (if any) (name, State Bar number, firm name, address, telephone, fax (optional), and e-mail (optional)):

Fill in court name and street address:

Superior Court of California, County of

2 Name of restrained person:

Description of that person:

Court fills in case number when form is filed.

Case Number:

Sex: M F Height: Weight: Race:
Hair Color: Eye Color: Age: Date of Birth:
Home address (if known):
City: State: Zip:
Work address (if known):
City: State: Zip:

3 Additional Protected Persons

In addition to the person named in 1, the following persons are protected by temporary orders as indicated in items 4 and 5 (family or household members):

Table with 3 columns: Full Name, Sex, Age. Multiple rows for listing protected persons.

Check here if there are additional protected persons. Attach a sheet of paper and write, "DV-111, Item 3, - Additional Protected Persons" as a title.

This is a Court Order.

Your name: _____

Court will complete the rest of this form.

Temporary Restraining Orders Against the Person in ②

The court has made the temporary orders granted below. If you do not obey these orders, you can be arrested and charged with a crime. And you may have to go to jail for up to one year, pay a fine of up to \$1,000, or both. These orders will expire on the date of the hearing listed in item ③ of Form DV-110, *Notice of Court Hearing*, unless they are extended by the court.

4 Personal Conduct Orders **Granted** **Not Granted**

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 (directly or indirectly), telephone, send messages, mail, or e-mail.
 - Brief and peaceful contact as required for court-ordered visitation of children is allowed unless a criminal protective court order says otherwise.
- 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.)

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.

5 Stay-Away Order **Granted** **Not Granted** **Not Requested**

You **must** stay at least (specify): _____ yards away from:

- a. The person named in ①
- b. That person's home
- c. That person's job or workplace
- d. That person's school
- e. That person's vehicle
- f. The persons listed in ③
- g. The children's school or child care
- h. Other (specify): _____

Brief and peaceful contact as required for court-ordered visitation of children is allowed unless a criminal protective court order says otherwise.

6 Move-Out Order **Granted** **Not Granted** **Not Requested**

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

7 Child Custody and Visitation Order **Granted** **Not Granted** **Not Requested**

You must follow the orders listed in attached Form DV-140, *Child Custody and Visitation Order*.

8 No Guns or Other Firearms

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.

9 Turn In or Sell Guns or Firearms

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.)

This is a Court Order.



Your name: _____

10 Property Control **Granted** **Not Granted** **Not Requested**

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

11 Property Restraint **Granted** **Not Granted** **Not Requested**

If the people in **1** and **2** are 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. *(The person in **2** cannot contact the person in **1** if the court has made a “no contact” order.)*

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

12 Animals: Possession and Stay-Away Order **Granted** **Not Granted** **Not Requested**

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:

13 Unlawful communications may be recorded. **Granted** **Not Granted** **Not Requested**

The person in **1** can record communications made by the person in **2** that violate the judge’s orders.

14 Other Orders **Granted** **Not Granted** **Not Requested**

Additional orders are attached at the end of this order as DV-111, Attachment 14.

15 No Fee to Notify (Serve) Restrained Person

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

16 Criminal Protective Order *(check a or b)*

a. A criminal protective order or Form CR-160, Criminal Protective Order — Domestic Violence, is in effect.
Case Number: _____ County: _____ Expiration Date: _____

b. The court has no information about the existence of a criminal protective order.

17 The court received information that the person in **2** owns or possesses a firearm.

Date: _____

Judge (or Judicial Officer)

This is a Court Order.



Your name: _____

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.**

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 prison and/or pay a fine.

After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read Form DV-540-INFO, *Information for the Restrained Person*, to learn how to respond to this order.
- If you want to respond, fill out Form DV-120, *Answer to Temporary Restraining Order*, and file it with the court clerk. You do not have to pay any fee to file your response.
- Serve Form DV-120 on the person in 1 or that person’s attorney. You cannot do this yourself. Serve it by mail or personal delivery within the time given in item 5 of Form DV-110, *Notice of Court Hearing*. The person who does the service should complete and sign a proof of service. Form DV-210, *Proof of Service by Mail* or Form DV-200, *Proof of Service (In Person)*, may be used. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and serve declarations signed under oath by you and other persons who have personal knowledge of the facts. You may use Form MC-030 for the declaration.
- In addition to filing a response, you should go to the hearing. If you have any witnesses, they should also go to the hearing.
- At the hearing, tell the judge if you agree or disagree with the orders requested.
- Even if you do not go to the hearing, the judge can make the restraining orders last for up to five years.

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. Otherwise, the court may make support orders without hearing your side.
- **Spousal support:** 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. Otherwise, the court may make support orders without hearing your side.

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.

(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.