

ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): TELEPHONE NO. (<i>Optional</i>): _____ FAX NO. (<i>Optional</i>): _____ E-MAIL ADDRESS (<i>Optional</i>): _____ ATTORNEY FOR (<i>Name</i>): _____	FOR COURT USE ONLY DRAFT 9 06/12/09 XYZ Not Approved by the Judicial Council
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
CASE NAME:	
RESTRAINING ORDER—JUVENILE DEPENDENCY <input type="checkbox"/> Temporary Order <input type="checkbox"/> Order After Hearing	CASE NUMBERS: JUVENILE: FAMILY:

THE COURT FINDS AND ORDERS

1. **Persons to be protected** (*insert full names of all persons to be protected*):

2. **Person to be restrained** (*full name*):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Ht.: _____ Wt.: _____ Hair color: _____ Eye color: _____ Race: _____ Age: _____ Date of birth: _____
--

3. **Temporary order**

- (a) Person to be restrained received notice.
- (b) Person to be restrained did not receive notice.
- (c) This temporary order will expire at midnight on the date of the hearing listed below.

TO THE PERSON RESTRAINED UNDER A TEMPORARY ORDER

A court hearing has been set at the time and place indicated below. You may attend this hearing, with or without an attorney, to provide any legal reason that the orders above should not be extended. If you do not appear at this hearing, the court may extend or modify the orders for up to three years without further notice to you.

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

4. **Order after hearing**

a. This order after hearing expires at midnight on (*specify date*): _____
 If no date is specified this order expires three years from the date the hearing was held, as indicated below.

b. **Date hearing held** _____ **Time:** _____ **Dept.:** _____ **Room:** _____

c. Judicial officer (*name*):

d. Persons and attorneys present (*names*):

CASE NAME: _____	CASE NUMBERS: JUVENILE: FAMILY:
-------------------------	---

- e. Person to be restrained present. No further service needed.
- f. Person to be restrained not present.
 - (1) The judge's orders in this form are the same as in the prior temporary restraining order except for the end date and the temporary order and notice of hearing was personally served on the restrained person. The restrained person can be served by mail.
 - (2) The judge's orders are different from those in the prior temporary restraining order. An adult 18 years or older—not the person or persons to be protected—must personally serve a copy of this order on the restrained person.

Orders Against the Restrained Person

The court has made the orders granted below. If you do not obey these orders, you can be arrested and charged with a crime. You may have to go to jail, pay a fine of up to \$1,000 or both. Taking or hiding a child in violation of this order is subject to state and federal criminal penalties.

5. Restrained person

- a. **must not** harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property of, disturb the peace of, keep under surveillance, or block movements of any person named in item 3.
- b. **must not** contact (either directly or indirectly), or telephone, or send messages or mail or e-mail to any person named in item 3
 - (1) except for brief and peaceful contact as required for court-ordered visitation of children, as provided in item 5e, unless a criminal protective order says otherwise.
 - (2) except for peaceful written contact through a process server or another person to serve legal papers related to a court case.
- c. **must move** immediately from (address):

and take only personal clothing and effects.
- d. **must stay away** at least (specify): _____ yards from the following persons and places (the addresses of these places are optional and may be kept confidential):
 - (1) Protected persons named in item 3
 - (2) Protected person's residence (address optional):
 - (3) Protected person's place of work (address optional):
 - (4) The children's school or place of child care (address optional):
 - (5) Protected person's vehicle (description optional):
 - (6) Other (specify):

- e. **has the right to visit the minor children** named in item 3 as follows:
 - (1) None
 - (2) Visitation according to the attached schedule (form JV-205 must be attached if any visitation is ordered)

CASE NAME:	CASE NUMBERS:
	JUVENILE:
	FAMILY:

f. **must NOT take any action** to get the address or location of any person named in item 3 or the addresses or locations of the family members, caregivers, or guardians of any persons named in item 3.

6. Firearms restriction prohibition

Within 24 hours after receiving this order, the restrained person must sell to a licensed gun dealer or turn in to police any guns or firearms that he or she has or controls.

Within 48 hours of receiving this order, the restrained person must provide the court with a receipt or with form DV-800/JV-252 (Proof of Firearms Turned In or Sold) to prove that guns or firearms have been turned in or sold.

7. A criminal protective order on form CR-160 is in effect: case number (*specify*):
 (*expiration date*): _____ in (*specify county, if known*): _____

Conflicting Orders

If a criminal restraining order (form CR-160) conflicts with a juvenile restraining order (form JV-250), a law enforcement agency must enforce the criminal order. Even if the criminal order is older, the officer must still enforce it over the juvenile order. (Penal Code, § 136.2(h).) Any nonconflicting terms of the juvenile custody or visitation order remain in full force. An emergency protective order (form EPO-001) that is in effect between the same parties and that is more restrictive than other restraining orders takes precedence over all other restraining orders. (Pen. Code, § 136.2.)

8. **Other orders** (*specify*):

9. Delivery to law enforcement

The juvenile court orders _____ to immediately notify the Department of Justice of the contents of this order by

- a. transmitting a physical copy of the order to a local law enforcement agency authorized by the Department of Justice to enter orders into CLETS; or
- b. entering the order into CLETS directly.

10. If the judge makes a restraining order at the noticed hearing, which has the same orders as in the Temporary Order, the restrained person will get a copy of that order by mail at his or her last known address (*write restrained persons address*):

Note: If this address is not correct or to determine whether the orders were made permanent, contact the clerk of this court.

Date: _____

JUDICIAL OFFICER

CASE NAME: _____	CASE NUMBERS: JUVENILE: FAMILY:
---------------------	---------------------------------------

Warning to Restrained Person — You can not have guns or firearms

Violations: Any person subject to a restraining order is prohibited from owning, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment. Under federal law, the issuance of a restraining order after hearing will generally prohibit the restrained person from owning, accepting, transporting, or possessing firearms or ammunition. A violation of this prohibition is a separate federal crime.

Instruction for Law Enforcement

This order is effective when made. It is enforceable 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 proof of service on the restrained person has not been received and the restrained person was not present at the court hearing, the law enforcement agency shall advise the restrained person of the terms of the order and then shall enforce it.

Certificate of Compliance With VAWA for Temporary Orders

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 all jurisdictions throughout the 50 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.**

Certificate of Compliance With VAWA for Orders After Hearing

This protective order meets all Full Faith and Credit requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA). This court has jurisdiction over the parties and the subject matter; the restrained person has been afforded reasonable notice and an opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in all jurisdictions throughout the 50 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’S CERTIFICATE

[SEAL]

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

Date: _____ Clerk, by _____, Deputy