

## CALIFORNIA PROTECTIVE ORDER GUIDE

TYPE OF ORDER	STATUTE	PROOF	PRIMARY ORDERS	ORDERS CONTINUED	DURATION
Emergency Protective Order	Fam C §§6240–6274	Reasonable Grounds	Personal conduct restraints, Stay away	Temp. care/control of minor child Firearms restrictions	5 judicial business days or 7 days maximum
Temporary Restraining Order	Fam C §§6300 et seq	Reasonable Proof	Personal conduct restraints, Stay away, Residence exclusion	Temp. custody/visitation of minor child Firearms restrictions	20 days from the date of order or 25 days if good cause
Order After Hearing	Fam C §§6300 et seq	Reasonable Proof	Ex parte orders + Child support	Restitution, Batterer’s treatment Firearms restrictions	5 years, or 3 years if no expiration date
Juvenile	Welf & I C §§213.5, 304, 362.4, 726.5	Court considers all documents	Personal conduct restraints, Residence exclusion	Firearms restrictions	Ex parte—21 days or 25 days if good cause; OAH—3 years
Criminal Protective Order	Pen C §136.2	Good Cause Belief	Personal conduct restraints, Stay away	Firearms restrictions	Until defendant is no longer subject to court’s jurisdiction
Stalking	Pen C §646.9(k)	Conviction of defendant	No contact		Up to 10 years
Civil Harassment	CCP §527.6	TRO—Reasonable OAH—Clear and Convincing	Personal conduct restraints, Stay away	Firearms restrictions	TRO—21 days or 25 if good cause; OAH—3 years
Elder and Dependent Adult	Welf & I C §15657.03	Reasonable Proof	Personal conduct restraints, Stay away	Residence exclusion No firearms restrictions	TRO—21 days or 25 if good cause OAH—5 years
Workplace	CCP §527.8	TRO—Reasonable Proof OAH—Clear and Convincing	Personal conduct restraints, Stay away	Firearms restrictions	TRO—21 days or 25 if good cause  OAH—3 years
Private Postsecondary School	CCP §527.85	TRO—Reasonable Proof OAH—Clear and Convincing	Personal conduct restraints, Stay away	Firearms restrictions	TRO—21 days or 25 if good cause  OAH—3 years