

Findings and Order to Terminate Restraining Order After Hearing

Clerk stamps date here when form is filed.

Complete only items 1 and 2. The remaining items are for court use.

1 Name of Protected Party: _____**2** Name of Restrained Party: _____**3** Court Findings (Fam. Code, § 6345 (a) & (d))

- a. The **Protected Party** filed the request to terminate the restraining orders in *Restraining Order After Hearing* (form DV-130). A proof of service (by mail or personal service) of the request on the Restrained Party is filed with the court.
- b. The **Restrained Party** filed the request to terminate restraining orders. The filed proof of service shows that the Protected Party received notice of the Request by:
1. Personal service.
 2. Service on the Secretary of State (the Protected Person is registered in the Safe at Home Program).
 3. An alternative, court-ordered method of service that gives actual notice of the request and the hearing.
- c. The **Restrained Party** filed the request to terminate the restraining orders in form DV-130. The Protected Party was physically present in court on the hearing date, waived his or her right to notice, and does not challenge the sufficiency of the notice.
- d. The **Protected Party** was physically present at the hearing and verified his or her identity.
- e. The **Protected Party and the Restrained Party** submitted a written stipulation (agreement) to terminate the restraining orders in *Restraining Order After Hearing* (form DV-130).
- f. Other (*specify*): _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:**4** Court OrdersThe protective orders in *Restraining Order After Hearing* (form DV-130) that were issued or modified on (date): _____ are terminated. This order is effective when made.

- a. Child custody, visitation (parenting time), and child support orders in *Restraining Order After Hearing* (form DV-130)
1. Remain in effect.
 2. Have been modified on (date): _____
 3. Are also terminated.
- b. Spousal or domestic partner support orders in *Restraining Order After Hearing* (form DV-130)
1. Remain in effect.
 2. Have been modified on (date): _____
 3. Are also terminated.
- c. Unless modified or terminated by court order, any existing orders for child custody, child visitation (parenting time), child support, and spousal or partner support made in a Domestic Violence Prevention Act case after a noticed hearing survive the termination of the protective order, and remain in effect. Family Code sections 6340(a), 6345(b).
- d. This order does not modify or terminate any existing criminal, juvenile, or probate court orders.

This is a Court Order.

5 **Hearings**

- a. The hearing was on (date): _____ with (name of judicial officer): _____
- b. These people were at the hearing (check all that apply):
 - The Protected Party
 - The Restrained Party
 - Other (name): _____
 - Other (name): _____
 - Protected Party's lawyer (name): _____
 - Restrained Party's lawyer (name): _____
 - Lawyer (name): _____
 - Lawyer (name): _____

6 **CLETS Entry**

The court or its designee will transmit this form within one business day to law enforcement personnel for entry into the California Restraining and Protective Orders System via CLETS.

7 **Service of this Order**

- a. The **Protected Party** and the **Restrained Party** were at the hearing or agreed in writing to this order. No other proof of service is needed.
- b. The **Protected Party** (party who asked for the order) was at the hearing. The **Restrained Party** was not. Someone 18 or over—not anyone else protected or restrained by the restraining order—must personally “serve” the Restrained Party with a filed copy of this order.
- c. The **Restrained Party** (party who asked for the order) was at the hearing. The **Protected Party** was not. Someone 18 or over—not anyone else protected or restrained by the restraining order—must personally “serve” the Protected Party with a filed copy of this order.
- d. Other (specify):

Date: _____

Judge (or Judicial Officer)

(Clerk will fill out this part.)
—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Findings and Order to Terminate Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.