

Clerk stamps date here when form is filed.

1 Name of Person Asking for Order:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.)

Address: _____

City: _____ State: ____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

2 Name of Person to Be Restrained:

_____ *The court will fill out the rest of this form.*

Court fills in case number when form is filed.

Case Number:

3 Notice of Hearing

A court hearing is scheduled on the request for restraining orders against the person in 2:

Hearing Date	Date: _____	Time: _____	Name and address of court if different from above: _____ _____
	Dept.: _____	Room: _____	

4 Temporary Restraining Orders (Any orders granted are attached on form DV-110.)

a. Temporary Restraining Orders for personal conduct and stay-away orders as requested in form DV-100, *Request for Domestic Violence Restraining Order*, are (check only one box below):

- (1) All **GRANTED** until the court hearing.
- (2) All **DENIED** until the court hearing. (Specify reasons for denial in b, below.)
- (3) Partly **GRANTED** and partly **DENIED** until the court hearing. (Specify reasons for denial in b, below.)

b. Reasons for denial of some or all of those personal conduct and stay-away orders as requested in form DV-100, *Request for Domestic Violence Restraining Order*, are:

- (1) The facts as stated in form DV-100 do not show reasonable proof of a past act or acts of abuse. (Family Code, §§ 6320 and 6320.5.)
- (2) The facts do not describe in sufficient detail the most recent incidents of abuse, such as what happened, the dates, who did what to whom, or any injuries or history of abuse.
- (3) Further explanation of reason for denial, or reason not listed above:

5 Confidential Information Regarding Minor

- a. A Request to Keep Minor's Information Confidential (form DV-160) was made and **GRANTED** (see form DV-165, Order on Request to Keep Minor's Information Confidential, served with this form.)
- b. If the request was granted, the information described on the order (form DV-165, item **7**) must be kept **CONFIDENTIAL**. The disclosure or misuse of the information is punishable as a sanction, with a fine of up to \$1,000 or other court penalties.

6 Service of Documents by the Person in **1**

At least five _____ days before the hearing, someone age 18 or older—not you or anyone to be protected—must personally give (serve) a court file-stamped copy of this form (DV-109, Notice of Court Hearing) to the person in **2** along with a copy of all the forms indicated below:

- a. DV-100, Request for Domestic Violence Restraining Order (file-stamped)
- b. DV-110, Temporary Restraining Order (file-stamped) **IF GRANTED**
- c. DV-120, Response to Request for Domestic Violence Restraining Order (blank form)
- d. DV-120-INFO, How Can I Respond to a Request for Domestic Violence Restraining Order?
- e. DV-250, Proof of Service by Mail (blank form)
- f. DV-170, Notice of Order Protecting Information of a Minor, and DV-165, Order on Request to Keep Minor's Information Confidential (file-stamped), **IF GRANTED**
- g. Other (specify): _____

Date: _____

Judicial Officer**Right to Cancel Hearing: Information for the Person in **1****

- ✓ If item **4** a(2) or **4** a(3) is checked, the judge has denied some or all of the temporary orders you requested until the court hearing. The judge may make the orders you want after the court hearing. You can keep the hearing date, or you can cancel your request for orders so there is no court hearing.
- ✓ If you want to cancel the hearing, use form DV-112, Waiver of Hearing on Denied Request for Temporary Restraining Order. Fill it out and file it with the court as soon as possible. You may file a new request for orders, on the same or different facts, at a later time.
- ✓ If you cancel the hearing, do not serve the documents listed in item **6** on the other person.
- ✓ If you want to keep the hearing date, you must have all of the documents listed in item **6** served on the other person within the time listed in item **6**.
- ✓ At the hearing, the judge will consider whether denial of any requested orders will jeopardize your safety and the safety of children for whom you are requesting custody or visitation.
- ✓ You must come to the hearing if you want the judge to make restraining orders or continue any orders already made. If you cancel the hearing or do not come to the hearing, any restraining orders made on form DV-110 will end on the date of the hearing.

To the Person in ① :

- Y The court cannot make the restraining orders after the court hearing unless the person in ② has been personally given (served) a copy of your request and any temporary orders. To show that the person in ② has been served, the person who served the forms must fill out a proof of service form. Form DV-200, *Proof of Personal Service*, may be used.
- Y For information about service, read form DV-200-INFO, *What Is “Proof of Personal Service”?*
- Y If you are unable to serve the person in ② in time, you may ask for more time to serve the documents. Read form DV-115-INFO, *How to Ask for a New Hearing Date*.

To the Person in ② :

- Y If you want to respond in writing, mail a copy of your completed form DV-120, *Response to Request for Domestic Violence Restraining Order*, to the person in ① and file it with the court. You cannot mail form DV-120 yourself. Someone age 18 or older—**not you**—must do it.
- Y To show that the person in ① has been served by mail, the person who mailed the form must fill out a proof of service form. Form DV-250, *Proof of Service by Mail*, may be used. File the completed form with the court before the hearing and bring a copy with you to the hearing.
- Y For information about responding to a restraining order and filing your answer, read form DV-120-INFO, *How Can I Respond to a Request for Domestic Violence Restraining Order?*
- Y Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the order requested. You may bring witnesses and other evidence.
- Y **At the hearing, the judge may make restraining orders against you that could last up to five years.**
- Y **The judge may also make other orders about your children, child support, spousal support, money, and property and may order you to turn in or sell any firearms that you own or possess.**



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to www.courts.ca.gov/forms for *Request for Accommodations by Persons with Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk’s Certificate—

Clerk’s Certificate
[seal]

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy