

Restraining Order After Hearing (Order of Protection)

Clerk stamps date here when form is filed.

Original Order Amended Order

1 Protected Person (name):

2 Restrained Person

\*Full Name:
\*Gender: M F Nonbinary
\*Age: (Give estimate, if age unknown.)
Date of Birth: Height: Weight:
Hair Color: Eye Color:
\*Race:
Relationship to person in 1:
Address of restrained person:
City: State: Zip:
(Information that has a star (\*) next to it is required to add this order into a California police database. Give all the information you know.)

Fill in court name and street address:
Superior Court of California, County of

Court fills in case number when form is filed.
Case Number:

3 Other Protected People

In addition to the person in 1, the following persons are protected by orders as indicated in items 11 through 14.

Table with 3 columns: Full name, Relationship to person in 1, Age

Check here if you need to list more people. List them on a separate piece of paper, write "DV-130, Other Protected People" at the top, and attach it to this form.

4 Expiration Date

This restraining order, except the orders noted below,\* end on:
(date): at (time): a.m. p.m. or midnight
\*Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. Custody, visitation, and child support orders usually end when the child is 18.

- If no date is written, the restraining order ends three years after the date of the hearing in item 5 a.
If no time is written, the restraining order ends at midnight on the expiration date.

This order must be enforced throughout the United States. See page 9.

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 person in ①     The lawyer for the person in ① (*name*): \_\_\_\_\_
- The person in ②     The lawyer for the person in ② (*name*): \_\_\_\_\_

**6  Future Court Hearing**

The  person in ①  person in ② must attend court on:  
 Date: \_\_\_\_\_ Department: \_\_\_\_\_  
 Time: \_\_\_\_\_  a.m.  p.m. to review (*list issues*): \_\_\_\_\_

**To the Person in ②**

**The court has granted a long-term restraining order. See ⑦ through ⑲. If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine. It is a felony to take or hide a child in violation of this order.**

**7 No Firearms (Guns), Firearm Parts, or Ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited item listed below in b.
- b. **Prohibited items are**
- (1) Firearms;
  - (2) Firearm parts (receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531); and
  - (3) Ammunition.
- c. Within 24 hours of receiving this order, you must sell to or store with a licensed gun dealer, or turn in to law enforcement, any prohibited items you have in your immediate possession or control.
- d. If law enforcement asks you for your prohibited items, you must turn them over immediately.
- e. Within 48 hours of receiving this order, you must file a receipt with the court that proves all prohibited items have been turned in, sold, or stored. (You may use form DV-800/JV-270, *Receipt for Firearms, Firearm Parts, and Ammunition*.) If law enforcement served you with the restraining order, you must give a copy of the receipt to that law enforcement agency.
- f.  **Limited Exemption:** The judge has made the necessary findings to grant an exemption under Family Code section 6389(h). Under California law, the person in ② is not required to relinquish this firearm (*make, model, and serial number of firearm*): \_\_\_\_\_  
 but must only have it during scheduled work hours and to and from their place of work. Even if exempt under California law, the person in ② may be subject to federal prosecution for possessing or controlling a firearm.

**This is a Court Order.**

**Restraining Order After Hearing (CLETS—OAH)**  
**(Order of Protection)**  
**(Domestic Violence Prevention)**

Case Number: \_\_\_\_\_

**8** **Q Restrained Person Has Prohibited Items**

The court finds that you have the following prohibited items:

**a. Firearms and/or firearm parts**

Description (include serial number, if known)	Location, if known	Proof of compliance received by the court
(1) _____	_____	<b>Q</b> (date): _____
(2) _____	_____	<b>Q</b> (date): _____
(3) _____	_____	<b>Q</b> (date): _____
(4) _____	_____	<b>Q</b> (date): _____

**b. Ammunition**

Description	Amount, if known	Location, if known	Proof of compliance received by the court
(1) _____	_____	_____	<b>Q</b> (date): _____
(2) _____	_____	_____	<b>Q</b> (date): _____
(3) _____	_____	_____	<b>Q</b> (date): _____
(4) _____	_____	_____	<b>Q</b> (date): _____

**Q** Check here to list additional items. List them on a separate piece of paper, write "DV-130, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

**9** **Q Restrained Person Has Not Complied With Surrendering Prohibited Items**

a. The court finds that you have not fully complied with the orders previously granted on (date): \_\_\_\_\_  
The court has not received a receipt or proof of compliance for all the items listed **(8)**.

b. Notify Law Enforcement

The court will immediately notify the following law enforcement agency of this violation  
(law enforcement agency or agencies): \_\_\_\_\_

c. Notify Prosecutor

The court will immediately notify the following prosecuting agency of this violation  
(prosecuting agency): \_\_\_\_\_

**10** **Q Court Hearing to Review Firearms (Guns), Firearm Parts, and Ammunition Compliance**

You must attend the court hearing in **(6)** to prove that you have properly turned in, sold, or stored all prohibited items (described in **(7)** b) you still have or own, including any items listed in **(8)**. If you do not attend the court hearing listed in **(6)**, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.

**This is a Court Order.**

**11 Cannot Look for Protected People**

You must not take any action to look for any person protected by this order, including their addresses or locations.

If checked, this order was not granted because the judge found good cause not to make the order.

**12 Order to Not Abuse**

You must not do the following things to the person in **1** and any person listed in **3**:

- Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace.
- "Disturb the peace" means to destroy someone's mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- "Coercive control" means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status. Coercive control includes reproductive coercion meaning controlling someone's reproductive choices, such as using force, threat, or intimidation to pressure someone to be or not be pregnant, and to control or interfere with someone's contraception, birth control, pregnancy, or access to health information.

**13  No-Contact Order**

- a. You must **not contact**  the person in **1**,  the persons in **3**, directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.
- b.  Exception to 13a:
  - (1)  You may have brief and peaceful contact with the person in **1** to only communicate about your children for court-ordered visits.
  - (2)  You may have contact with your children only during court-ordered contact or visits.
  - (3)  Other (*explain*): \_\_\_\_\_
- c. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.

**This is a Court Order.**

**14**  **Stay-Away Order**

a. You **must** stay at least (*specify*): \_\_\_\_\_ yards away from (*check all that apply*):

- Person in ①.
- Home of person in ①.
- Job or workplace of person in ①.
- Vehicle of person in ①.
- School of person in ①.
- Persons in ③.
- Children’s school or child care.
- Other (*specify*): \_\_\_\_\_

b.  Exception to 14a:

The stay-away orders do not apply:

- (1)  For you to exchange your children for court-ordered visits. You must do so briefly and peacefully.
- (2)  For you to visit with your children for court-ordered contact or visits.
- (3)  Other (*explain*): \_\_\_\_\_

**15**  **Order to Move Out**

You must move out immediately from (*address*):

\_\_\_\_\_

**16**  **Other Orders**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**17**  **Child Custody and Visitation Order**

The judge has granted orders regarding minor children. The orders are included on **form DV-140**, and (*list other form*): \_\_\_\_\_

**18**  **Protect Animals**

- a.  You must stay at least \_\_\_\_\_ yards away from the animals listed below.
- b.  You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
- c.  The person in ① is given the sole possession, care, and control of the animals listed below.

Name ( <i>or other way to ID animal</i> )	Type of animal	Breed ( <i>if known</i> )	Color
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**This is a Court Order.**

**19** **Q Control of Property**

Only the person in **1** can use, control, and possess the following property:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**20** **Q Health and Other Insurance**

The person **Q** in **1** **Q** in **2** is ordered **not** to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their children, if any, for whom support may be ordered, or both.

**21** **Q Record Communications**

The person in **1** may record communications made by the person in **2** that violate this order.

**22** **Q Property Restraint**

The person **Q** in **1** **Q** in **2** 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. (If the court granted the order in **13**, the person in **2** must not contact the person in **1**. To notify the person in **1** of new or big expenses, have a server mail or personally give the information to the person in **1** or contact their lawyer, if they have one.)

**23** **Q Pay Debts (Bills) Owed for Property**

a. You must make these payments until this order ends:

- (1) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_
- (2) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_
- (3) Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

b. **Q** The court finds that the debt or debts listed above in **Q** a(1) **Q** a(2) **Q** a(3) were the result of abuse in this case, and made without the person in **1**'s agreement.

**This is a Court Order.**

**24 Q Pay Expenses Caused by the Abuse**

You must pay the following:

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

**25 Q Child Support**

Child support is ordered on the attached form FL-342, *Child Support Information and Order Attachment* or (list other form): \_\_\_\_\_

**26 Q Spousal Support**

Spousal support is ordered on the attached form FL-343, *Spousal, Partner, or Family Support Order Attachment* or (list other form): \_\_\_\_\_

**27 Q Lawyer's Fees and Costs**

You must pay the following lawyer's fees and costs:

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

Pay to: \_\_\_\_\_ For: \_\_\_\_\_ Amount: \$ \_\_\_\_\_ Due date: \_\_\_\_\_

**28 Q Batterer Intervention Program**

- a. The person in ② must go to and pay for a probation certified 52-week batterer intervention program and show proof of completion to the court.
- b. The person in ② must enroll by (date): \_\_\_\_\_ or if no date is listed, must enroll within 30 days after the order is made.
- c. The person in ② must complete, file, and serve form DV-805, *Proof of Enrollment for Batterer Intervention Program*.

**29 Q Transfer of Wireless Phone Account**

The court has made an order transferring one or more wireless service accounts from you to the person in ①. These orders are contained on form DV-900, *Order Transferring Wireless Phone Account*.

**This is a Court Order.**

**30**  **Service**

(Check a, b, or c)

a.  **No other proof of service is needed.** The people in ① and ② were at the hearing or agreed in writing to this order.

b.  **The person in ② was not present.** Proof of service of form DV-109 and form DV-110 (if issued) was presented to the court. (Check all that apply):

(1)  This order can be served by mail. The judge's orders in this form are the same as in form DV-110 except for the expiration date. The person in ② must be served, either by mail or in person.

(2)  This order must be personally served. The judge's orders in this form are different from the orders in form DV-110, or form DV-110 was not issued. The person in ② must be personally served (given) a copy of this order.

(3)  The court has scheduled a firearms and ammunition compliance hearing. The person in ① must have a copy of this order served on the person in ② by:

(A)  Personal service by (date): \_\_\_\_\_

(B)  Mail at the person in ②'s last known address by (date): \_\_\_\_\_

c.  **Proof of service of form FL-300 to modify the orders in form DV-130 was presented to the court.**

(1)  The people in ① and ② were at the hearing or agreed in writing to this order. No other proof of service is needed.

(2)  The person  in ①  in ② was not at the hearing and must be personally served (given) a copy of this amended (modified) order.

**31**  **No Fee to Serve (Notify) Restrained Person**

The sheriff or marshal will serve this order for free.

Take a copy of all the papers that you need to be served to the sheriff or marshal.

**32**  **Attached pages**

All of the attached pages are part of this order.

a. Number of pages attached to this 10-page form: \_\_\_\_\_

b. Attachments include forms (check all that apply):

DV-140  DV-145  DV-900  DV-314(C)  FL-342  FL-343  Other: \_\_\_\_\_

**Judge's Signature**

Date: \_\_\_\_\_

\_\_\_\_\_  
Judge or Judicial Officer

**This is a Court Order.**



### Certificate of Compliance With VAWA

This restraining (protective) order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. section 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.**

### Instructions for Law Enforcement

#### Start Date and End Date of Orders

This order starts on the earlier of the following dates:

- 1 The hearing date in item ⑤(a) on page 2; or
- 1 The date next to the judge’s signature on this page.

This order ends on the expiration date in ④. If no date is listed, they end three years from the hearing date.

#### Duties of Officer Serving This Order

The officer who serves this order on the Restrained Person must do the following:

- 1 Ask if the Restrained Person is in possession of any of the prohibited items listed in ⑦b, or has custody or control of any that they have not already turned in.
- 1 Order the Restrained Person to immediately surrender to you all prohibited items.
- 1 Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- 1 Complete a proof of personal service and file it with the court. You may use form DV-200 for this purpose.
- 1 Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer’s name and law enforcement agency.

#### Enforcing the Restraining Order in California

Any law enforcement officer in California who receives, sees, or verifies the orders on a paper copy, in the California Law Enforcement Telecommunications System (CLETS), or in an NCIC Protection Order File must enforce the orders.

#### Notice/Proof of Service

Law enforcement must first determine if the restrained person had notice of the orders. If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person then fails to obey the orders, the officer must enforce them. (Family Code, section 6383.)

Consider the restrained person “served” (notified) if:

- 1 The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- 1 The restrained person was at the restraining order hearing or was informed of the order by an officer. (Family Code, section 6383; Penal Code, section 836(c)(2).) An officer can obtain information about the contents of the order in the California Restraining and Protective Order System (CARPOS). (Family Code, section 6381(b)-(c).)

**This is a Court Order.**

**Arrest Required if Order Is Violated**

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Penal Code sections 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6.

**If the Protected Person Contacts the Restrained Person**

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Penal Code section 13710(b).)

**Child Custody and Visitation**

Child custody and visitation orders are listed on form DV-140 or another attached form. If the judge made these orders, look at items (13) and (14) of this order to see if the judge granted an exception for brief and peaceful contact with the person in (1) as needed to follow court-ordered visits. Contact by the person in (2) that is **not** brief and peaceful is a violation of this order.

**Conflicting Orders—Priorities for Enforcement**

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Penal Code, section 136.2 and Family Code, sections 6383(h)(2), 6405(b)):

1. **Emergency Protective Order (EPO):** If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. **No-Contact Order:** If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item (13) is an example of a no-contact order.
3. **Criminal Protective Order (CPO):** If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Family Code sections 6383(h)(2) and 6405(b)). Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Penal Code section 136.2(e)(2)). All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. **Civil Restraining Orders:** If there is more than one civil restraining order (e.g., domestic violence, juvenile, elderabuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

*(The clerk will fill out this part.)*

*Clerk's Certificate*

*[seal]*

**—Clerk's Certificate—**

I certify that this *Restraining Order After Hearing (Order of Protection)* is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**