

Notice of Court Hearing and Temporary Restraining Order Against a Child

Clerk stamps date here when form is filed.

Instruction: Use this form if you want a restraining order against a child or youth in a juvenile justice (delinquency) case. The person asking for a restraining order must complete 1, 2, and 3 only. The court will complete the rest of this form.

1 Protected Person (name):

2 Person to Be Restrained or if 5b is checked, 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:
Type, number, and location of firearms or ammunition:

(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

Fill in child's name

Child's name:

Court fills in case number when form is filed.

Case Number:

3 Other Protected People

In addition to the person named in 1, the people listed below are protected by the orders listed in 9 through 11.

Table with 3 columns: Full name, Age, Relationship to child

Check here if you need to list more people. List them on a separate piece of paper, write "JV-260, Other Protected People" at the top, and attach it to this form.

4 Your Hearing Date (Court Date)

A court hearing is scheduled on the request for restraining orders against the person in 2. Any temporary orders granted on this form end on the court date listed below.



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

This is a Court Order.

5 The orders requested are:

- a. **Not granted.** The court denies the request for a temporary restraining order but will consider the request for restraining order at the court date listed in (4). (*Explain reasons for denial*):

- b. **Granted temporarily.** The court grants a temporary restraining order as checked below and through page 3. This does not always mean that every requested order was granted.

This order must be enforced throughout the United States, if 5b is checked. See page 5.

To the Person in (2), if (5) b is checked

If (5) b is checked, the judge has granted temporary orders. See items (6) through (12). If you do not obey these orders, you can be charged with a crime, go to juvenile hall, jail, or prison, and/or pay a fine.

If the judge makes a restraining order at the hearing that has the same orders as in this form, you will get a copy of that order by mail at the address in (2). If this address is not correct, or to find out if the orders were made permanent, contact the court.

6 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 (guns);
 - (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.

7 Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. Firearms and firearm parts

Description	Location, if known	Proof of compliance was received by the court
(1) _____	_____	<input type="checkbox"/> (date): _____
(2) _____	_____	<input type="checkbox"/> (date): _____
(3) _____	_____	<input type="checkbox"/> (date): _____
(4) _____	_____	<input type="checkbox"/> (date): _____

This is a Court Order.

Case Number: _____

7	b. Ammunition	Amount, if known	Location, if known	Proof of compliance was received by the court
(1)	_____	_____	_____	<input type="checkbox"/> (date): _____
(2)	_____	_____	_____	<input type="checkbox"/> (date): _____
(3)	_____	_____	_____	<input type="checkbox"/> (date): _____
(4)	_____	_____	_____	<input type="checkbox"/> (date): _____

Check here if you need more space to list items. List them on a separate piece of paper, write "JV-260, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

8 **Court Hearing to Review Firearms, Firearm Parts, and Ammunition Compliance**

In addition to the hearing listed in item 4, you must attend the court hearing listed below to prove that you have properly turned in, sold, or stored all prohibited items (described in 6b) you still have or own, including any items listed in 7. If you do not attend the court hearing listed below, a judge may find that you have violated the restraining order and notify a prosecuting attorney of the violation.

Name and address of court, if different from court address listed on page 1



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

9 **Cannot Look for Protected People and Others**

You must not take any action to look for any person protected by this order or a protected person's family members, caretakers, or guardians, including their addresses or locations.

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

10 **Order to Not Abuse** Not requested Denied until the hearing Granted as follows:

You must not threaten, stalk, or disturb the peace of the person in 1 and any person listed in 3:

(If this box is checked, this case involves domestic violence and you must not do any of the actions listed below.)

- 1 "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.
- 1 "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.

This is a Court Order.

11 No-Contact Order Not requested Denied until the hearing Granted as follows:

- a. You must **not contact** the person in ①, the person in ③,
directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.
- b. Exception to 11a:
- (1) You may have brief and peaceful contact with the person in ① only to communicate about your children for court-ordered visits.
- (2) You may contact or visit 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.

12 Protect Animals Not requested Denied until the hearing Granted as follows:

- 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 listed below.
- 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 |
|---|----------------|---------------------------|-------|
|---|----------------|---------------------------|-------|

13 Service

- a. **No other service is needed.** The person in ② attended the hearing on (*date*): _____ when these orders were made.
- b. **The person in ② must be personally served** with a copy of this order and request *Request for Juvenile Restraining Order Against a Child* (form JV-258), if form JV-258 was filed by (*date*): _____

14 Enter Restraining Order Into Database

If ⑤b is checked, within one business day, this order must be entered into the California Law Enforcement Telecommunications System (CLETS).

- a. The court will enter the order into CLETS.
- b. The court or someone it designates will send a copy of this order to a local law enforcement agency. If the court designates someone, provide the person's name: _____

Judge's Signature

Date: _____

*Judge or Judicial Officer***This is a Court Order.**

Certificate of Compliance With Violence Against Woman Act 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), 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, if item • b is checked

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

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 ⑥, 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.

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).)

This is a Court Order.

Instructions for Law Enforcement

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 ⑪ 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, elder abuse, 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 *Notice of Court Hearing and Temporary Restraining Order Against a Child* is a true and correct copy of the original on file in the court.

Date: _____, Clerk, by _____, Deputy

This is a Court Order.