

# JV-265

## Juvenile Restraining Order After Hearing—Against a Child

Clerk stamps date here when form is filed.

Original Order       Amended Order

1 Protected Person (name): \_\_\_\_\_

2 Restrained Person (Child or Youth)

\*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: \_\_\_\_\_

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: \_\_\_\_\_

(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.)

3  Other Protected People

In addition to the person in 1, the following persons are protected by orders as indicated in items 11 through 13.

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 "JV-265, 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 and visitation orders remain in effect after the restraining order ends. Custody and visitation orders usually end when the child is 18.

- 1 If no date is written, the restraining order ends three years after the date of the hearing in item 5 a.
- 1 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 6.**

**This is a Court Order.**

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

**5 Hearing**

- 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)       The person in (2) must attend court on:
- Date: \_\_\_\_\_ Time: \_\_\_\_\_  a.m.  p.m.
- Department: \_\_\_\_\_ to review (list issues): \_\_\_\_\_
- \_\_\_\_\_
- Name and address of court if different than on page 1: \_\_\_\_\_
- \_\_\_\_\_

**To the Person in (2)**

**The court has granted a long-term restraining order. See (7) through (14). If you do not obey these orders, you can be charged with a crime, go to juvenile hall, jail, or prison, and be fined.**

**7 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
- (2) 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, stored, or sold. (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 immediately surrender any prohibited items you have upon request by the officer. Within 48 hours, you must give a copy of the receipt to that law enforcement agency.

**This is a Court Order.**

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

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

The court finds that you have the following prohibited items:

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

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

**b. Ammunition**

Description	Amount, if known	Location, if known	Proof of compliance 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-265, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

**9**  **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 in **8**.

**b. Notify Prosecutor**

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

**10**  **Court Hearing to Review Firearms, 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 in **6**, a judge may find that you have violated the restraining order and notify a prosecuting attorney of the violation.

**This is a Court Order.**

**11 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 this order.

**12  Order to Not Abuse**

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.)

- “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 person 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** only to 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.**

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

**14** **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 listed below.
- c.  The person in (1) is given the sole possession, care, and control of the animals listed below.

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

**15** **Service**

(Check a or b)

- a.  **No other proof of service is needed.** The person in (2) attended the hearing on (date): \_\_\_\_\_.
- b.  **The person in (2) did not attend the hearing.** Proof of service of form JV-258 and form JV-260 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 the orders in form JV-260 except for the expiration date. The person in (2) must be served (given) a copy of this order 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 JV-260. 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): \_\_\_\_\_

**16** **Enter Restraining Order Into Database**

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 their name: \_\_\_\_\_

**Judge's Signature**

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

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

**This is a Court Order.**

Case Number:

### Certificate of Compliance With Violence Against Women Act

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

The orders *start* on the earlier of the following dates:

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

The orders *end* on the expiration date in item (4) on page 1. If no date is listed, they end three years from the hearing date in item (5) a on page 2.

#### 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 (7), 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. (Penal Code section 836(c)(1); 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.

**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, 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 *Juvenile Restraining Order After Hearing — 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.**