

DOMESTIC VIOLENCE RESTRAINING ORDER WITH CHILDREN

FORMS ARE AVAILABLE AT WWW.SUTTERCOURTS.COM OR WWW.COURTS.CA.GOV

Submit the following forms together as one document. They are your request for a Domestic Violence Restraining Order.

DV-100: Request for Domestic Violence Restraining Order

DV-105: Request for Child Custody & Visitation Orders (with Children)

DV-108: Request for No Travel with Children Order (with Children)

Make sure you complete all of the above documents completely, accurately, and be specific with your request.

When filing a request for a Domestic Violence Restraining Order, the court can issue a temporary order based on the information you submit in your request. Therefore, it is important to be specific and detailed with the information you are providing, especially in the description of abuse sections.

If the Court grants your request for a temporary restraining order, this order will remain in effect until your court date, which will be set no more than 21 calendar days later.

You will be provided with 3 certified copies. You will take 2 of the certified copies to the Sheriff's Department for service and you will keep a copy for yourself.

If the Court denies your request for temporary orders, you will still have a court date. At the court date, the court can terminate the temporary orders (if they were granted), make the temporary orders into long term orders, and/or make additional orders that the Court sees fit.

Additional forms:

For the following forms, only complete the sections as directed in the instructions (the red writing). These forms will also need to be submitted with your Request for Domestic Violence Restraining Order.

DV-109: Notice of Court Hearing

DV-110: Temporary Restraining Order

DV-140: Child Custody and Visitation Order (with Children)

DV-145: Order No Travel with Children

DV-150: Supervised Visitation and Exchange Order

CV-02: Declaration Re: Notice of Ex-Parte Application for Order (Sutter County Optional Form)

You are required to give notice to the other person that you are seeking ex parte orders. You may use Sutter County's optional form, Declaration Re: Notice of Ex Parte Application for Order (CV-02), to meet this requirement.

****Please read the additional general information provided.***

Revised 01/01/2022

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER**

FAMILY LAW FACILITATOR

FAMILY LAW INFORMATION CENTER

(530) 822-3305

Clerk stamps date here when form is filed.

Instructions: To ask for a domestic violence restraining order, you will need to complete this form and other forms. After you complete this form, see next steps on page 12.

1 Person Asking for Protection**#1: Your name
and
information.**a. **Your name:** _____b. **Your age:** _____c. **ⓘ Address where you can receive court papers**

(This address will be used by the court and by the person in ② to send you official court dates, orders, and papers. For privacy, you may use another address like a post office box or another person's address, if you have their permission and can get your mail regularly. If you have a lawyer, give their information.)

Address: _____

City: _____ State: _____ Zip: _____

d. **ⓘ Your contact information (optional)**

(The court could use this information to contact you. If you don't want the person in ② to have this information, leave it blank or provide a safe phone number or email address. If you have a lawyer, give their information.)

Telephone: _____ Fax: _____

Email Address: _____

e. **Your lawyer's information (if you have one)**

Name: _____ State Bar No.: _____

Firm Name: _____

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____

2 Person You Want Protection From**#2: Information about
the person you want
protection from.**a. **Full Name:** _____b. **Age (give estimate if you do not know exact age):** _____c. **Date of Birth (if known):** _____d. **Gender:** M F Nonbinarye. **Race:** _____**This is not a Court Order.**

3 Your Relationship to the Person in 2

(If you do not have one of these relationships with the person in 2, you are not eligible for this type of restraining order. You may be eligible for another type of restraining order. Learn more at www.courts.ca.gov/selfhelp-abuse.htm.)

Check all that apply

- a. We have a child or children together
(names of children): _____
- b. We are married or registered domestic partners.
- c. We used to be married or registered domestic partners.
- d. We are dating or used to date.
- e. We are or used to be engaged to be married.
- f. We are related. The person in 2 is my (check all that apply):
- | | |
|---|--|
| <input type="checkbox"/> Parent, stepparent, or parent-in-law | <input type="checkbox"/> Brother, sister, sibling, or sibling-in-law |
| <input type="checkbox"/> Child, stepchild, or legally adopted child | <input type="checkbox"/> Grandparent or grandparent-in-law |
| <input type="checkbox"/> Child's spouse | <input type="checkbox"/> Grandchild or grandchild-in-law |
- g. We live together or used to live together. (If checked, answer question below):
Have you lived together with the person in 2 as a family or household (more than just roommates)?
- Yes No (If no, you do not qualify for this kind of restraining order unless you checked one of the other relationships listed above.)

#3. How are you related to the person you want protection from?

4 Other Restraining Orders and Court Cases

- a. Are there any restraining orders currently in place or that have expired in the last six months (examples: Did the police give you a restraining order that lasts a few days? Do you have one from the criminal court?)
- No
- Yes (If yes, give information below and attach a copy if you have one.)
- (1) (date of order): _____ (date it expires): _____
- (2) (date of order): _____ (date it expires): _____
- b. Are you involved in any other court case with the person in 2?
- No
- Yes (If you know, list where the case was filed (city, state, or tribe), the year it was filed, and case number.)
- Custody _____
- Divorce _____
- Juvenile Court _____
- Criminal _____
- Other (what kind of case?): _____

#4a. Other Restraining Orders? If not, check "no."

#4b. Other Court Cases? If not, check "no."

This is not a Court Order.



Describe Abuse

In this section, explain how the person in ② has been abusive. The judge will use this information to decide your request. Here are some examples of what "abuse" means under the law (*not a complete list*):

- harassed you
- made repeated unwanted contact with you
- tracked, controlled, or blocked your movements
- kept you from getting food or basic needs
- isolated you from friends, family, or other support
- made threats based on actual or suspected immigration status
- made you do something by force, threat, or intimidation
- stopped you from accessing or earning money
- hit, kicked, pushed, or bit you
- injured you or tried to
- threatened to hurt or kill you
- sexually abused you
- abused a pet or animal
- destroyed your property
- choked or strangled you
- abused your children

5 Most recent abuse

- a. Date of abuse (*give an estimate if you don't know the exact date*): _____
- b. Did anyone else hear or see what happened on this day?
 I don't know No Yes (*If yes, give names*): _____
- c. Did the person in ② use or threaten to use a gun or other weapon?
 No Yes (*If yes, describe gun or weapon*): _____
- d. Did the person in ② cause you any emotional or physical harm?
 No Yes (*If yes, describe harm*):

- e. Did the police come? I don't know No Yes (*If the police gave you a restraining order, list it in ④.*)
- f. Give more details about how the person in ② was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.

- g. How often has the person in ② abused you like this?
 Just this once 2-5 times Weekly Other: _____
 Give dates or estimates of when it happened, if known:

#5. Tell the Judge about the most recent instance of abuse. Fill it out completely and be specific.

This is not a Court Order.

7 Is there other abuse by the person in **2** that you want the judge to know about?
If yes, describe below.

a. Date of abuse (give an estimate if you don't know the exact date): _____

b. Did anyone else hear or see what happened on this day?
 I don't know No Yes (If yes, give names): _____

c. Did the person in **2** use or threaten to use a gun or other weapon?
 No Yes (If yes, describe gun or weapon): _____

d. Did the person in **2** cause you any emotional or physical harm?
 No Yes (If yes, describe harm):

#7. Tell the Judge about the next most recent instance of abuse. Fill it out completely and be specific.

e. Did the police come? I don't know No Yes (If the police gave you a restraining order, list it in **4**.)

f. Give more details about how the person in **2** was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.

g. How often has the person in **2** abused you like this?
 Just this once 2-5 times Weekly Other: _____
Give dates or estimates of when it happened, if known:

Check this box if you need more space to describe the abuse. You can use [form DV-101, Description of Abuse](#), and turn it in with this form. You can also use a separate sheet of paper, write "Describe Abuse" abuse at the top, and turn it in with this form.

This is not a Court Order.



8 Other Protected People

Do you want the restraining order to protect your children, family, or someone you live with?

- a. No
- b. Yes (If yes, complete the section below):

(1) <u>Full name</u>	<u>Age</u>	<u>Relationship to you</u>	<u>Lives with you?</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No

Check this box if you need to list more people. Use a separate piece of paper and write "DV-100, Other Protected People" at the top. Turn it in with this form.

(2) Why do these people need protection?

#8. If you want others protected under your Restraining Order, check "b," fill in their information, and explain to the judge why they need protection. Be specific.

9 Does Person in (2) Have Firearms (Guns) or Ammunition?

- a. I don't know
- b. No
- c. Yes (If you have information, complete the section below.)

(1) Describe firearms or ammunition (examples: long, short, black, silver, handgun, rifle, semiautomatic):

(2) Number of firearms or ammunition, if known: _____

(3) Where they are located or stored, if known: _____

#9. Does the Restrained Person have firearms or ammunition? If "yes," give as much information as you can.

This is not a Court Order.



Choose the Orders That You Want a Judge to Make

In this section, you will choose the orders you want a judge to make now. Every situation is different.
Choose the orders that fit your situation.

Check all the orders that you want a judge to make (order).

#10 - #22: Check the boxes for the orders that you want the Judge to make right now.

10 **Order to Not Abuse**

I ask the judge to order the person in **(2)** to not do the following things to me or anyone listed in **(8)**:

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.

Disturbing the peace includes, but is not limited to:

- Isolating you from friends, relatives, or other support; keeping you from food or basic needs; controlling or keeping track of you, including your movements, contacts, actions, money, or access to services; and making you do something by force, threat, or intimidation, including threats related to actual or suspected immigration status.
- Destroying your mental or emotional well-being. This can be done directly or indirectly, such as through someone else. This can also be done in any way, including by phone, text, or online.

11 **No-Contact Order**

I ask the judge to order the person in **(2)** to not contact me or anyone listed in **(8)**.

12 **Stay-Away Order**

a. I ask the judge to order the person in **(2)** to stay away from:

Check all that apply

- | | | |
|---|--|--|
| <input type="checkbox"/> Me. | <input type="checkbox"/> My vehicle. | <input type="checkbox"/> My children's school or childcare. |
| <input type="checkbox"/> My home. | <input type="checkbox"/> My school. | <input type="checkbox"/> Other <i>(please explain)</i> : _____ |
| <input type="checkbox"/> My job or workplace. | <input type="checkbox"/> Each person in (8) . | |

b. How far do you want the person to stay away from all the places you checked above?

- 100 yards (300 feet) Other *(give distance in yards)*: _____

This is not a Court Order.



#10 - #22: Check the boxes for the orders that you want the Judge to make right now.

12 Stay-Away Order (continued)

c. Do you and the person in ② live together or live close to each

- No Yes (If yes, check one):
- Live together (If you live together, you can ask that the person in ② move out in ⑬.)
 - Live in the same building, but not in the same home
 - Live in the same neighborhood
 - Other (please explain): _____

d. Do you and the person in ② have the same workplace or go to the same school?

- No Yes (If yes, check all that apply):
- Work together at (name of company): _____
 - Go to the same school (name of school): _____
 - Other (please explain): _____

13 Order to Move Out

a. I ask the judge to order the person in ② to move out of the home, located at:

(Give address): _____

b. I have a right to live at this address because:

- Check all that apply
- I own the home.
 - I have lived at this address for _____ years, _____ months.
 - My name is on the lease.
 - I pay for some or all the rent or mortgage.
 - I live at this address with my child(ren).
 - Other (please explain): _____

14 Other Orders

(Describe any additional orders you want the judge to make to keep you, your children, or the people in ⑧ safe.):

15 Child Custody and Visitation

Check this box if you have a child with the person in ② and want the court to make or change a child custody/visitation order. You must also fill out [form DV-105, Request for Child Custody and Visitation Orders](#), and attach

This is not a Court Order.



#10 - #22: Check the boxes for the orders that you want the Judge to make right now.

16 **Protect Animals**

a. (You may ask the court to protect your animals, your children's animals, or the person in ②'s animals.)

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

- (1) _____
(2) _____
(3) _____
(4) _____

b. I ask the judge to protect the animals listed above by ordering the person in ② to:

Check all that apply

(1) Stay away from the animals by at least:

100 yards (300 feet) Other (give distance in yards): _____

(2) Not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.

(3) Give me sole possession, care, and control of the animals because (check all that apply):

Person in ② abuses the animals. I take care of these animals.

I purchased these animals. Other (please explain): _____

17 **Control of Property**

a. I ask the judge to give **only me** temporary use, possession, and control of the property listed here (describe):

b. Explain why you want control of the property you listed:

18 **Health and Other Insurance**

I ask the judge to order the person in ② to **not** make any changes to any insurance or other coverage for me, the person in ②, or our children, including not being allowed to cancel, cash, borrow against, transfer, dispose of, or change the beneficiaries for the insurance.

19 **Record Communications**

I ask the judge to allow me to record calls or communications the person in ② makes to me, when those calls or communications violate this restraining order.

This is not a Court Order.



#10 - #22: Check the boxes for the orders that you want the Judge to make right now.

20 **Property Restraint** *(only if you are married or a registered domestic partner with the person in 2.)*

I ask the judge to order the person in 2 not to borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in 2 to notify me of any new or big expenses and to explain them to the court.

21 **Extend My Deadline to Give Notice to Person in 2**

(Usually, the judge will give you about two weeks to give notice, or to "serve" the person in 2 of your request. If you need more time to serve, the judge may be able to give you a few extra days.)

I ask the judge to give me more time to serve the person in 2 because *(explain why you need more time)*:

22 **Pay Debts (Bills) Owed for Property**

(If you want the person in 2 to pay any debts owed for property, list them and explain why. The amount can be for the entire bill or only a portion. Some examples include rent, mortgage, car payment, etc.)

a. I ask the judge to order the person in 2 to make these payments while the restraining order is in effect:

(1) Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

(2) Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

(3) Pay to: _____ For: _____ Amount: \$ _____ Due date: _____

Explain why you want the person in 2 to pay the debts listed above:

b. Special decision (finding) by the judge if you did not agree to the debt (optional)

(If you did not agree to the debt or debts listed above, you can ask the judge to decide (find) that one or more debts was made without your permission and resulted from the person in 2's abuse. This may help you defend against the debt if you are sued in another case.)

Do you want the judge to make this special decision (finding)?

No Yes *(If yes, answer the questions below.)*

(1) Which of the debts listed above resulted from the abuse? *(check all that apply)*:

a(1) a(2) a(3)

(2) Do you know how the person in 2 made the debt or debts?

No Yes

(If yes, explain how the person in 2 made the debt or debts):

This is not a Court Order.



#23 - #28: Check the boxes for the orders that you want the Judge to make at your court date.

Orders That You Want a Judge to Make at Your Court Date

Below is a list of orders that a judge cannot make right away but can make at your court date in a few weeks. The person in (2) must be notified of your court date before the judge can consider making any of the orders listed below. Check all the orders that you want the judge to make at your court date.

23 **Pay Expenses Caused by the Abuse**

I ask the judge to order the person in (2) to pay for things **caused directly** by the person in (2) (damaged property, medical care, counseling, temporary housing, etc.). Bring proof of these amounts to your court date.

Pay to: _____ For: _____ Amount: \$ _____
Pay to: _____ For: _____ Amount: \$ _____
Pay to: _____ For: _____ Amount: \$ _____

24 **Child Support** (*this only applies if you have a minor child with the person in (2)*)

Check all that apply

- a. I do not have a child support order and I want one.
- b. I have a child support order and I want it changed (*attach a copy if you have one*).
- c. I now receive or have applied for TANF, Welfare, or CalWORKS.

25 **Spousal Support** (*this only applies if you are married or a registered domestic partner with person in (2)*)

I ask the judge to order the person in (2) to give me financial assistance.

26 **Lawyer's Fees and Costs**

I ask that the person in (2) pay for some or all of my lawyer's fees and costs.

27 **Batterer Intervention Program**

I ask the judge to order the person listed in (2) to go to a 52-week batterer intervention program.

(The goal of a batterer's intervention program is to stop abuse. There are weekly classes to teach accountability, abuse effects, and gender roles. If ordered to complete this program, the person in (2) would have to show proof to the judge that they enrolled and completed the program.)

28 **Transfer of Wireless Phone Account**

(If the person in (2) holds the rights to your cell phone account, you can ask the judge to transfer your number or your child's number to you. This means you will be financially responsible for these accounts. If you want to have control over a mobile device, like a cell phone, make this request at (17).)

I ask the judge to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed below to me because the account currently belongs to the person in (2):

- a. My number Number of child in my care (including area code): _____
- b. My number Number of child in my care (including area code): _____

This is not a Court Order.



Automatic Orders That a Judge Can Make Right Away

29 No Guns, Other Firearms, or Ammunition

If the judge grants you a restraining order, the person in ② must sell or turn in any firearms that they have or control. The person in ② would also be prohibited from buying firearms and ammunition.

30 Cannot Look for Protected People

If the judge grants you a restraining order, the person in ② will not be allowed to look for the address or location of any person protected by the restraining order, unless the court finds good cause not to make this order.

31 Additional pages

If you used additional paper or forms, enter the number of extra pages attached to this form: _____

32 Your signature

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: Date

Print your name

Type or print your name

Sign your name

Sign your name

33 Your lawyer's signature (if you have one)

Date: _____

Lawyer's name

Lawyer's signature

Your Next Steps

- 1 You must complete at least three additional forms:**
 - [Form DV-110, Temporary Restraining Order \(only items 1, 2 and 3\)](#)
 - [Form DV-109, Notice of Court Hearing \(only items 1 and 2\)](#)
 - [Form CLETS-001, Confidential CLETS Information](#)
 - **If you are asking for child custody and visitation**, you must complete [form DV-105, Request for Child Custody and Visitation Orders](#) and [form DV-140, Child Custody and Visitation Order](#).
- 2** Turn in your completed forms to the court. Find out when your forms will be ready for pick up.
- 3** Once you get your forms back from the court, have someone "serve" a copy of all forms on the person in ②. The sheriff or marshal can do this for free. Learn more about how to "serve" your papers and prepare for your court date: <https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order>.
- 4** If you are asking for child support, spousal support, or lawyer's fees, you must also complete [form FL-150, Income and Expense Declaration](#). If you are only asking for child support (item 23), you may be eligible to fill out a simpler form, FL-155. Read form DV-570 to see if you are eligible. Turn in your completed form to the court before your court date. You must also have someone mail or personally deliver a copy to the person in ②.

This is not a Court Order.

Case Number: _____

This form is attached to (check one): form DV-100 form DV-120

1 Your name: _____ Mom Dad Other*
Fill in your name and other parent's name. Check appropriate box.

2 Other parent's name: _____ Mom Dad Other*

*If Other, specify relationship to child: _____

3 **Child Custody**

I ask the court for custody as follows:

Child's Name	Date of Birth	Legal Custody to (Person who makes decisions about health, education, and welfare):			Physical Custody to (Person you want the child to live with):		
		Mom	Dad	Other	Mom	Dad	Other
a. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Starting with oldest child first, fill in children's full names, dates of birth, and check the boxes for who you want to have legal and physical custody.

Check here if you need more space. Attach a sheet of paper and write "DV-105, Child Custody" for a title.

4 **Change Current Court Order**

I want to change a current child custody or visitation court order.

Case Number (if you have it): _____ County: _____

Explain your current order and why you want a change: _____

If you already have custody and visitation orders, but you want to change them, check #4, fill in the case number, and write what your current order is and why you want to change it. Use an attachment if you need more space.

Check here if you need more space. Attach a sheet of paper and write "DV-105, Change Current Court Order" for a title.

5 **Child's Address**

Complete #5 and #6 regarding children's addresses

Where has the child in 3a lived for the last five years? List each city and state the child has lived in unless it is unknown to the other parent and you want to keep it confidential because of domestic violence or child abuse. Start with where the child lives now and work backwards in time. If the current address is confidential, check the box below and just provide the current state.

Child 3a addresses (city and state):	Child 3a lived with:	Dates lived there:
	Mom Dad Other	
<input type="checkbox"/> Confidential _____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	From _____ to present
_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	From _____ to _____
_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	From _____ to _____
_____	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	From _____ to _____

Check here if you need more space. Attach a sheet of paper and write "DV-105, Child's Address" for a title.

This is not a Court Order.



6 Other Children's Addresses

- Check here if the other child's (or children's) address information is the same as listed in 5.
- If it is different, check here. Attach a sheet of paper and write "DV-105, Other Children's Addresses" for a title. List other children's address information, including dates, and name of person(s) children lived with.

7 Other Custody Case

Are there any other cases involving custody or visitation for the children? If yes, provide the information about each case.

Were you involved in, or do you know of, any other custody case for any child listed in this form?

- No Yes (If yes, fill out below and attach a copy of any custody or visitation orders if you have them):

a. Name of each child in other case: _____

- b. Type of case: Parentage (Paternity) Domestic Violence Child Support
 Juvenile/Dependency Guardianship Other (specify): _____
 Divorce

c. I was a party witness Other (specify): _____

d. Court (name): _____

Address: _____ County: _____ State: _____

e. Date of court order: _____

f. Case number (if you have it): _____

8 Other People With or Claiming to Have Custody or Visitation Rights

Complete #8

Do you know of anyone who is not involved in this case who has or claims to have custody or visitation rights with any child listed on this form? No Yes (If yes, fill out below.)

That person (give name and address): _____

- has custody claims custody rights claims visitation rights

for these children (name of each child): _____

9 X Visitation

I ask the court to order that the person in 2 have the following temporary visitation rights:

Check all that apply

- a. No visitation until the hearing
- b. No visitation after the hearing
- c. The following visitation until the hearing after the hearing

What orders do you want the court to make regarding the children's visitation with the other parent?

(1) Weekends (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)

1st 2nd 3rd 4th 5th weekend of month
 from _____ at _____ a.m. p.m. to _____ at _____ a.m. p.m.
(day of week) (time) (day of week) (time)

(2) Weekdays (starting): _____

from _____ at _____ a.m. p.m. to _____ at _____ a.m. p.m.
(day of week) (time) (day of week) (time)

This is not a Court Order.



10 **Other Visitation**

I ask the court to make other visitation orders, like summer vacation, birthdays, and holidays. (List the orders you want on a separate sheet of paper. Write "DV-105, Other Visitation" for a title and attach it to this form.)

11 **Responsibility for Transportation**

Check the boxes and complete #11, #12, and #13 only if you want these orders.

(The parent will take or pick up the child or make arrangements for someone else to do so.)

I ask the court to order that:

- a. Mom Dad Other (name): _____ **take children to** the visits.
- b. Mom Dad Other (name): _____ **pick up children from** the visits.
- c. Drop-off / pick-up of children will be at (address): _____
- d. Check here if other arrangement. Attach a sheet of paper and write "DV-105, Responsibility for Transportation" for a title.

12 **Supervised Visitation**

a. I ask that the visitation in **9** be supervised by:

a professional supervisor a nonprofessional supervisor Other: _____
(Name and telephone number, if known): _____

b. I ask that the visitation in **10** be supervised by:

a professional supervisor a nonprofessional supervisor Other: _____
(Name and telephone number, if known): _____

c. I ask that any costs for supervision be paid by:

Mom _____ % Dad _____ % Other (name): _____ %

13 **Travel With Children**

I ask the court to order that:

Mom Dad Other (name): _____ **must** have written permission from the other parent, or a court order, to take the children outside of:

- a. California
- b. County of (list): _____
- c. Other place(s) (list): _____

14 **Child Abduction Risk**

If you think there is a risk of child abduction, check #14 and complete DV-108

I believe that there is a risk the other parent will take our child out of California and hide the child from me.

(If you check this box you must fill out and attach [form DV-108, Request for Order: No Travel with Children](#).)

Important Instructions

- You must tell the court if you find out any other information about a custody case in any court for the children listed on this form.
- If the court makes a temporary custody order, the parent receiving custody must not take the child out of California without a noticed hearing. (See Family Code, § 3063.)

This is not a Court Order.

This form is attached to DV-105, *Request for Child Custody and Visitation Orders*.

1 Your name: _____ **Your full name and relation to the child.** Mom Dad Other*

2 Other parent's name: _____ **Restrained Person's full name and relation to the child** Mom Dad Other*

*If "Other," specify relationship with children: _____

3 Do you think the other parent may take the children without your permission to:

a. Another county in California? Yes No *If "yes," what county?* _____

b. Another state? Yes No *If "yes," what state?* _____

c. A foreign country? Yes No *If "yes," what country?* _____

If "Yes," is the other parent a citizen of that country? Yes No

If "Yes," does the other parent have family or emotional ties to that country? Yes No

Explain:

IF YOU THINK THE OTHER PARENT MIGHT TAKE THE CHILD(REN) TO ANOTHER AREA WITHOUT YOUR PERMISSION, CHECK THE BOXES THAT APPLY AND LET THE COURT KNOW WHERE THEY MAY BE TAKEN. IF THE OTHER PARENT HAS EMOTIONAL TIES TO ANOTHER COUNTRY, EXPLAIN WHAT THEY ARE TO THE COURT.

4 Why do you think the other parent may take the children without your permission?

The other parent: *(Check all that apply)*

a. Has violated — or threatened to violate — a custody or visitation order in the past.

b. Does not have strong ties to California.

c. Has done things recently that make it easy for him or her to take the children away without permission.

He or she has: *(Check all that apply)*

Quit his or her job

Sold his or her home

Closed a bank account

Ended a lease

Sold or gotten rid of assets

Hidden or destroyed documents

Applied for a passport, birth certificate, or school or medical records

d. Has a history of: *(Check all that apply)*

Domestic violence

Child abuse

Not cooperating with me in parenting

Child abduction

READ ITEMS 4a THROUGH 4e AND CHECK THE BOXES THAT APPLY TO YOUR SITUATION. YOU WILL THEN NEED TO EXPLAIN YOUR ANSWERS IN NUMBER 4f.

e. Has a criminal record

f. Please explain your answers to a–e:

This is not a Court Order.



Clerk stamps date here when form is filed.

**COMPLETE
#1 & #2
ONLY****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

Court fills in case number when form is filed.

Case Number:

2 Name of Person to Be Restrained:*The court will fill out the rest of this form.***3 Notice of Hearing**A court hearing is scheduled on the request for restraining orders against the person in **2**:

Hearing Date	→ Date: <input type="text"/>	Time: <input type="text"/>	Name and address of court if different from above: <input type="text"/> <input type="text"/>
	Dept.: <input type="text"/>	Room: <input type="text"/>	

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:



DV-110

Temporary Restraining Order

Clerk stamps date here when form is filed.

Instruction: The person asking for a restraining order must complete items

①, ②, and ③ only. The court will complete the rest of this form.

① Protected Person (name):

**Complete #1, #2, and #3 only.
Make sure to provide all required information in #2.**

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: _____

Type, number, and location of firearms or ammunition:

Fill in court name and street address:

Superior Court of California, County of _____

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 named in ①, the people listed below are protected by the orders listed in ⑥ through ⑨.

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-110, Other Protected People" at the top, and attach it to this form.

(The court will complete the rest of this form)

④ Your Hearing Date (Court Date)



This order expires at the end of the hearing listed below:

Hearing Date: _____ Time: _____ a.m. p.m.

This is a Court Order.



This form is attached to (check one): DV-110 DV-130

1 Name of Protected Person: _____ Mom Dad Other*

2 Other Parent's Name: _____ Mom Dad Other*

* If Other, specify relationship to child: _____

The Court Orders:

3 Child Custody is ordered as follows:

Legal C
who mak
health, ea
least one

COMPLETE #1, #2 & CHILD'S NAME AND DATE OF BIRTH ONLY IN #3

Child's Name	Date of Birth	Mom						
a. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If more children, check here. Attach a sheet of paper and write "DV-140, Child Custody" for a title.

* If Other, specify relationship to child and name of person: _____

4 Child Visitation is ordered as follows:

a. No visitation to Mom Dad Other (name): _____

b. See the attached _____ - page document, dated: _____

c. The parties must go to mediation at: _____

d. Until the next court order, visitation for Mom Dad Other (name): _____ will be:

(1) Weekends (starting): _____ (The 1st weekend of the month is the 1st weekend with a Saturday.)

1st 2nd 3rd 4th 5th weekend of month

from _____ at _____ a.m. p.m. to _____ at _____ a.m. p.m.
(day of week) (time) (day of week) (time)

(2) Weekdays (starting): _____

from _____ at _____ a.m. p.m. to _____ at _____ a.m. p.m.
(day of week) (time) (day of week) (time)

(3) Other Visitation

Check here and attach a sheet of paper if there are other visitation days and times, like holidays, birthdays, sports events. List dates and times. Write "DV- 140, Other Visitation" for a title.

5 Supervised Visitation or Exchange

Visits and/or exchanges of children are supervised as specified on Form DV-150, Supervised Visitation and Exchange Order.

This is a Court Order.



This form is attached to DV-140, *Child Custody and Visitation Order*.

1 Name of Protected Person: _____ Mom Dad Other*

2 Other Parent's Name: _____ Mom Dad Other*

*If Other, specify relationship to child: _____

The Court Finds:

3 There is a risk that (name of parent): _____ might take the child because that parent (check all that apply):

- a. Has violated—or threatened to violate—a custody or visitation order in the past
- b. Does not have strong ties to California
- c. Has done things that make it easy for him or her to take the child without permission.
He or she has (check all that apply):
 - Quit his or her job
 - Closed a bank account
 - Sold or gotten rid of assets
 - Applied for a passport, birth certificate, or school or medical records
 - Sold his or her home
 - Ended a lease
 - Hidden or destroyed documents
- d. Has a history of (check all that apply):
 - Domestic violence
 - Child abuse
 - Not cooperating with the other parent in parenting
 - Taking the children without permission
- e. Has a criminal record
- f. Has family or emotional ties to another county, state or foreign country

Note: If (f) is checked, at least one other item in items (a)–(e) must be checked also.

The Court Orders:

The Court makes the orders, checked below, to prevent the parent in 3 from taking the children without permission. These orders are valid in other states and any country that has signed The Hague Convention on the Civil Aspects of International Child Abduction.

4 Post a Bond
The parent in 3 must post a bond for \$ _____.

5 Do Not Move Without Written Permission of the Other Parent or Court Order
The parent in 3 must not move with the children outside This county California The United States
Other (specify): _____
without written permission from the other parent or a court order.

6 Do Not Travel Without Permission of the Other Person or Court Order
The parent in 3 must not travel with the children outside (check all that apply):
 This county California The United States Other (specify): _____
without written permission of the other parent or a court order.

**COMPLETE
#1 & #2 ONLY**

This is a Court Order.



This form is attached to DV-110, *Temporary Restraining Order* DV-130, *Restraining Order After Hearing*
 DV-140, *Child Custody and Visitation Order*

① **Name of Protected Person:** _____ Mom Dad Other*

② **Other Parent's Name:** _____ Mom Dad Other*

**If Other, specify relationship to child:* _____

**COMPLETE
#1 & #2 ONLY**

The Court Orders:

③ **Mediation, Visitation and Exchange**

a. Parties must go to mediation at: _____

b. Visitation of children is supervised.

Parent to be supervised is: Mom Dad Other (name): _____

c. Exchanges of children are supervised.

④ **Schedule of Supervised Visits**

a. All visits as provided in the schedule on Form DV-140, item ④(d) are to be supervised.

b. Supervised visits shall be _____ visit(s) per week of _____ hours(s) each, to be arranged with the provider.

c. Other schedule of supervised visits is attached. (Check here and attach a sheet of paper with "DV-150, Other Schedule" for a title.)

⑤ **Type of Provider**

a. Professional (individual or supervised visitation center)

b. Nonprofessional

c. Therapeutic (licensed mental health professional)

⑥ **Provider's Information**

Name: _____

Telephone number: _____

Address: _____

⑦ **Costs Will Be Paid As Follows:**

Mom to pay: _____ %

Dad to pay: _____ %

Other: _____

⑧ **Contact With Provider**

Mom to contact provider before (date): _____

Dad to contact provider before (date): _____

Other: _____

⑨ **The court also orders (specify):** _____

This is a Court Order.

Name, Address, & Telephone #

YOUR NAME
YOUR STREET ADDRESS
YOUR CITY, STATE, and ZIP CODE
TELEPHONE #

Attorney for:

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SUTTER

Petitioner:

Case No.:

COURT CASE NUMBER

vs.

FILL THE PARTY NAMES OUT
EXACTLY AS THEY APPEAR ON
YOUR OTHER DOCUMENTS

**DECLARATION RE: NOTICE OF EX
PARTE APPLICATION FOR ORDER
(CRC, Rule 3.1204) (FC 6300)**

Respondent:

_____ /

I YOUR NAME am the party/attorney for the party seeking an ex-parte/hearing or order
without a hearing: (Insert type of order) TEMPORARY RESTRAINING ORDER.

CHECK ONE (Use the reverse side of the form if necessary)

() I gave the following notice to the above-named individual that I would be asking for this ex parte order
(state exactly what you said and when you said it):

WRITE DOWN THE EXACT DATE, TIME, HOW YOU CONTACTED THE
OTHER PARTY, AND EXACTLY WHAT YOU SAID TO THEM.

() I have made a reasonable and good faith effort to notify the above-named individual of my intent to
apply for an ex parte order, but have been unsuccessful. My attempts to notify that individual have consisted of
the following (state exactly what attempts you made and when you made them):

SELECT ONE OF THE THREE
OPTIONS. CHECK THE BOX THAT
APPLIES TO YOU AND YOUR
SITUATION AND COMPLETE THE
INFORMATION REQUESTED.

WRITE DOWN EXACTLY HOW YOU TRIED TO NOTIFY THE OTHER PARTY.
GIVE THE EXACT DATES, TIMES, AND HOW YOU TRIED TO REACH THEM.

() I have not made any attempt to notify that above-named individual of the application for an ex-parte
order because I believe such notice would be inappropriate or impractical, or would result in irreparable injury.
These are the detailed reasons for not giving such notice:

WRITE DOWN WHY YOU CANNOT NOTIFY THE OTHER PARTY. TELL THE COURT WHAT
TYPE OF IRREPARABLE HARM WOULD OCCUR IF THE OTHER PARTY WAS NOTIFIED.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Dated: DATE

PRINT YOUR NAME

SIGN YOUR NAME

Print Name

Signature

THIS FORM MUST BE TYPED OR PRINTED IN BLUE OR BLACK INK

EX PARTE APPLICATION DECLARATION

Form: Ex Parte CRC 3.1204 (1/09)