

DOMESTIC VIOLENCE RESTRAINING ORDER WITH CHILDREN

Forms are available online at www.sutter.courts.ca.gov 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

DV-108: Request for Orders to Prevent Child Abduction

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

DV-145: Order to Prevent Child Abduction

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 01/01/2026

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF SUTTER**

**FAMILY LAW FACILITATOR
FAMILY LAW INFORMATION CENTER
(530) 822-3305**

Instructions

To ask for a domestic violence restraining order, you will need to complete this form and other forms (see page 13 for list of forms). If this case includes sensitive information about a minor child (under 18 years old), see form [DV-160-INFO](#), *Privacy Protection for a Minor (Person Under 18 Years Old)*, for more information on how to protect the child's information.

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____

**#1: An address
where you can
receive mail****1 Person Asking for Protection**

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, a Safe at Home address, 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: _____

2 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 ☐ Nonbinary

e. Race: _____

**#2: Information about
the person you want
protection from.****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, do not complete the rest of this form. You may be eligible for another type of restraining order. Learn more at <https://selfhelp.courts.ca.gov/restraining-orders>.)

(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, stepsibling, or sibling in-law |
| <input type="checkbox"/> Child, stepchild, or legally adopted child | <input type="checkbox"/> Grandparent, step-grandparent, or grandparent-in-law |
| <input type="checkbox"/> Child's spouse | <input type="checkbox"/> Grandchild, step-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 (child welfare or juvenile justice): _____
- ☐ Guardianship _____
- ☐ 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. Listed below are some examples of what “abuse” means under the law. **It is not a complete list** of all examples of abuse. Give information on any incident that you believe was abusive.

- 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
- tried to control/interfere with your contraception, birth control, pregnancy, or access to health information
- harassed you
- 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.



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), firearm parts, or ammunition?

(A firearm includes a handgun, rifle, shotgun, and assault weapon. A firearm part means a receiver or frame or any item that may be used as or easily turned into a receiver or frame. Ammunition includes bullets, shells, cartridges, and clips.)

a. ☐ I don't know

b. ☐ No

c. ☐ Yes (If you have information, complete the section below.)

<u>Describe Firearms (Guns), Firearm Parts, or Ammunition</u>	<u>Number or Amount</u>	<u>Location, if known</u>
---	-------------------------	---------------------------

(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____
(6)	_____	_____	_____

#9. Does the Restrained Person have firearms, firearm parts, 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. (For more information on what "disturbing the peace" means, read form [DV-500-INFO](#), *Can A Domestic Violence Restraining Order Help Me?*)

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

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): _____

c. Do you and the person in (2) live together or live close to each other?

- ☐ 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): _____

This is not a Court Order.



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

Number: _____

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):

If you have children with the other party and you want custody and visitation orders, check #15 and complete and attach DV-105.

15 ☐ **Child Custody and Visitation**

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

Orders that you can request on form DV-105 include:

- Child custody
- No visits with your children
- Stop person in **(2)** from accessing your child's school or medical information
- Virtual visits with your children
- Supervised (monitored) visits with your children
- Unsupervised (unmonitored) visits with your children

This is not a Court Order.



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

Number: _____

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 (number of 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: \$ _____
Pay to: _____	For: _____	Amount: \$ _____

(24) ☐ Child Support *(this applies only 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

(You must be 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. (If you ask for fees and costs and the court grants your restraining order, the court must award you fees and costs if the respondent can afford to pay.)

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.

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 this program is to stop abuse. There are weekly classes on accountability, abuse effects, and gender roles. If ordered, the person in (2) has to show 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): _____
- c. ☐ My number ☐ Number of child in my care (including area code): _____
- d. ☐ My number ☐ Number of child in my care (including area code): _____

Automatic Orders if the Judge Grants Restraining Order

In this section are orders that the person in (2) would have to follow if the judge grants a restraining order.

29 ☐ No Firearms (Guns), Firearm Parts, or Ammunition

- Cannot own, possess, or buy firearms (guns), firearm parts, and ammunition.
- Must turn in, sell, or store any firearms (guns), firearm parts, or ammunition that they have or control.

30 ☐ No Body Armor

- Cannot own, possess, or buy body armor.
- Must relinquish any body armor in their possession.

31 ☐ Cannot Look for Protected People

Cannot 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.

This is not a Court Order.



32 Additional Pages

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

33 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:

Type or print your name



Sign your name

34 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 Information for Law Enforcement*
- **If you are asking for child custody and visitation orders**, 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 you.

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. See form [SER-001](#), *Request for Sheriff to Serve Court Papers*. Learn more about service at <https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order>.

4) If you are asking for child support or spousal support you must also complete form [FL-150](#), *Income and Expense Declaration*. If you are only asking for child support, 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.

Instructions: Use this form to request orders for children you have with the person in ②. For more information on the orders you can request, read form [DV-105-INFO](#), *Asking for Child Custody and Visitation Orders*.

This form is attached to form DV-100.

1 Your Information

Name: _____

Your name and relationship to the children

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

2 Person You Want Protection From

Name: _____

The other party's name and relationship to the children

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

3 Children Under 18 Years Old (for children you have with the person in ②, list from oldest to youngest)

a. Name: _____

Date of birth: _____

b. Name: _____

Date of birth: _____

c. Name: _____

Date of birth: _____

d. Name: _____

Date of birth: _____

Starting with the oldest child first, fill in children's full names and dates of birth.

☐ (Check here if you need more space. Write "DV-105, Children" at the top and attach it to this form.)

4 City and State Where Children Lived (If you do not complete this section, the judge may not be able to make custody and visitation orders.)

a. Have all the children listed in ③ lived together for the last five years?

☐ No (If no, complete form DV-105(A). Do not complete the section below.)

☐ Yes (If yes, complete the section below.)

If the children have lived together, check "yes," and complete section

b. List where the children have lived for the last five years. Start with their current location.

Dates (month/year)

City and State

(include tribal land, if applies)

Children lived with (check all that apply):

Me

Person in ②

Other (relationship to child)

From: _____ To present

☐

☐

☐

☐ Check here if this address is private (confidential). List the state only.

From: _____ Until: _____

☐

☐

☐

From: _____ Until: _____

☐

☐

☐

From: _____ Until: _____

☐

☐

☐

From: _____ Until: _____

☐

☐

☐

From: _____ Until: _____

☐

☐

☐

Starting with where they live now, where have the children lived for the last 5 years and who have they lived with?

This is not a Court Order.

5 History of Court Cases Involving Your Children

a. Do you know about any other case involving any child listed in ③?

☐ No☐ Yes (If yes, complete the section below):**Are there any other cases involving custody or visitation for the children? If yes, provide the information about each case.**

(Check all that apply. List where the case was filed (city, state, or tribe), year it was filed, and case number, if known.)

☐ Custody _____☐ Divorce _____☐ Juvenile Court (child welfare, juvenile justice) _____☐ Guardianship _____☐ Criminal _____☐ Other (example: child support case) _____

b. Is there a current order for custody or visitation in effect?

☐ No☐ Yes (If yes, complete the section below):**Do you already have custody and/or visitation orders? If yes, write what your current order is and why you want to change it.**

What did the judge order? (Examples: who has custody of the children and what the visitation schedule is)

(Attach a copy of the order, if you have one.)

Why do you want to change the order?

Is there another parent or guardian besides you and the other party in this case?

c. If there is another parent or legal guardian besides you and the person in ②, list their information below.

Name: _____ ☐ Parent ☐ Legal Guardian**This is not a Court Order.**

Orders a Judge Can Make to Protect Your Children

To ask for orders to protect your children, answer the questions below.

Check the boxes and complete #6 and #7 only if you want these orders.

6 Do you want to limit where the person in 2 can travel with your children?

- ☐ No
- ☐ Yes *(If yes, complete the section below):*

I ask the judge to order that the person in 2 must have written permission from me, or a court order, to take the children outside:

- ☐ The county of *(list)*: _____
- ☐ California
- ☐ Other places *(list)*: _____

7 Do you want the person in 2 to have access to the children's records or information?

- ☐ Yes
- ☐ No *(If no, complete the section below):*

a. I ask the judge to order that the person in 2 **not** access or have access to the records or information for:

- ☐ All the children listed in 3.
- ☐ Only the children listed here *(names)*: _____

b. For the following records or information *(check all that apply)*:

- ☐ Medical, dental, and mental health
- ☐ School and daycare
- ☐ Extracurricular activity, including summer camps and sports teams
- ☐ Child's employment (including volunteer and unpaid positions)
- ☐ Other *(describe)*: _____

(If the judge makes this order, providers will not be able to release the protected information to the person in 2.)

Answer #8. If yes, complete and attach DV-108

8 Do you believe the person in 2 might abduct (kidnap) your children?

- ☐ No
- ☐ Yes *(To ask for orders to help prevent abduction, you must complete form [DV-108](#), Request for Orders to Prevent Child Abduction, and attach it to this form.)*

This is not a Court Order.



Child Custody

You can ask a judge to make custody orders for your children. There are two types of custody in California: legal and physical custody. For both types of custody, parents can share custody (joint) or one parent can have full custody (sole).

- **Legal custody** means the person who makes decisions about the child's health, education, and welfare.
- **Physical custody** means the person who the child regularly lives with.

Any orders made by the judge now will last until your court date (about three weeks away). On your court date, the judge can change or extend the orders.

9 Do you want the judge to make child custody orders?

- ☐ No
- ☐ Yes (If yes, complete the section below):

Answer #9. If yes, check who you want to have legal custody and who you want to have physical custody of the children

Legal Custody (check one):

- ☐ Sole to me
- ☐ Sole to person in (2)
- ☐ Jointly (shared) by me and person in (2)
- ☐ Other (describe): _____

Physical Custody (check one):

- ☐ Sole to me
- ☐ Sole to person in (2)
- ☐ Jointly (shared) by me and person in (2)
- ☐ Other (describe): _____

Visitation (Parenting Time) with Children

Visitation (parenting time) is the time each parent spends with the child. If a parent does not get custody, that parent can have visits, if a judge believes it is safe and in the child's best interest. Visitation orders a judge can make include:

- No visits
- Visits supervised (monitored) by a third party
- Virtual or in-person visits
- Visits not supervised

Any orders made by the judge now will last until your court date (about three weeks away). On your court date, the judge can change or extend the orders. Answer the questions below to tell the judge what parenting time you want the person in (2) to have until your court date.

10 Do you want the person in (2) to have visits (parenting time) with the children?

- ☐ No, I ask the judge to order no visits for the person in (2) (Stop here. You have finished completing this form.)
- ☐ Yes (Go to (11).)
- ☐ Yes, but only virtual visits (Go to (11).)

Answer #10. If "no," you are done with the form. If "yes," continue to #11 and follow the directions.

11 Do you want visits with the children to be supervised (monitored) by a third party?

(To learn about supervised visitations, go to selfhelp.courts.ca.gov/guide-supervised-visitation.)

- ☐ Yes (Go to (12).)
- ☐ No (Go to (13).)

This is not a Court Order.



12 Details of Supervised (Monitored) Visits

If you want the other party's visits with the children to be supervised, complete #12.

a. Who do you want to supervise the visits? (check one):

(1) ☐ Professional (list name, if known): _____

Professional fees paid by: Me _____ % Person in (2) _____ % Other: _____ %

(2) ☐ Nonprofessional, like a trusted relative or friend

(Name): _____ ☐ Check here if the person has agreed to supervise visits.

b. Location of visits (check one): ☐ In person at a safe location ☐ Virtual visit (not in person)

☐ Other (describe): _____

c. How often and how long should the visits be? (check one):

☐ Once a week, for (number of hours): _____

☐ Twice a week, for (number of hours): _____ each visit.

☐ Other (describe): _____

☐ Check here if you want to use the chart listed below for a schedule.

You may use the chart to provide details for the supervised visits. If you want the visits to be virtual, check the virtual box.

Plan for Supervised Visits		Virtual visit with person in (2)	Person to bring children to and from visit (or make available for virtual visit)	Location of drop-off/pick-up
	Time			
Monday	Start: _____ End, if applies: _____	<input type="checkbox"/>		
Tuesday	Start: _____ End, if applies: _____	<input type="checkbox"/>		
Wednesday	Start: _____ End, if applies: _____	<input type="checkbox"/>		
Thursday	Start: _____ End, if applies: _____	<input type="checkbox"/>		
Friday	Start: _____ End, if applies: _____	<input type="checkbox"/>		
Saturday	Start: _____ End, if applies: _____	<input type="checkbox"/>		
Sunday	Start: _____ End, if applies: _____	<input type="checkbox"/>		

Follow the plan listed above (check one):
☐ Every week ☐ Every other week ☐ Other _____

Start date for visits (month, day, year): _____

! (If you completed (12), you are done completing this form. Do not complete (13).)

This is not a Court Order.



13

Details of Unsupervised Visits

If you want the other party's visits with the children to be unsupervised, complete #13.

- a. If the judge allows the person in 2 to have unsupervised visits with your children, you will have to tell the judge how you want to handle drop-off and pick-up of the children, also called exchanges.
- Do you want exchanges to be supervised by a third party?
- ☐ No ☐ Yes (If yes, do you want a professional or nonprofessional to supervise? Check 1 or 2)
- (1) ☐ Professional (list name, if known): _____
- Professional fees paid by: Me _____ % Person in 2 _____ % Other: _____ %
- (2) ☐ Nonprofessional, like a trusted relative or friend
- (Name): _____ ☐ Check here if the person has agreed to supervise visits.

b. Parenting time you want the person in 2 to have with the children.

- (1) Location of visits (check one): ☐ In person at a safe location ☐ Virtual visit (not in person)
- ☐ Other (describe): _____
- (2) Give details including when visits will happen, how often the visits should be, and who will be responsible for transporting the children. (Use the lines or chart below): _____

You may use the chart to provide details for the visits. If you want the visits to be virtual, check the virtual box.

Plan for Unsupervised Visits		Virtual visit with person in 2	Person to bring children to and from visit (or make available for virtual visit)	Location of drop-off/pick-up
	Time			
Monday	Start:	<input type="checkbox"/>		
	End, if applies:			
Tuesday	Start:	<input type="checkbox"/>		
	End, if applies:			
Wednesday	Start:	<input type="checkbox"/>		
	End, if applies:			
Thursday	Start:	<input type="checkbox"/>		
	End, if applies:			
Friday	Start:	<input type="checkbox"/>		
	End, if applies:			
Saturday	Start:	<input type="checkbox"/>		
	End, if applies:			
Sunday	Start:	<input type="checkbox"/>		
	End, if applies:			

Follow the schedule listed above (check one):

☐ Every week ☐ Every other week ☐ Other _____

Start date for visits (month, day, year): _____

This is not a Court Order.

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

(Use this form to ask for protection if you believe that the person in ② might take the children without your permission and hide them from you.)

① **Your Name:** Your full name

② **Name of Person You Want Protection From:** Other party's full name

③ **Reasons I Am Afraid of Child Abduction**

(In this section, explain to the judge why you believe there is a risk that the person in ② will take your children without your permission and hide them from you. The judge will use the information below to decide whether to grant any orders you request on page 2.)

The person in ② (check all that apply):

- a. ☐ Has violated or threatened to violate a custody or visitation order.
- b. ☐ Does not have strong ties to California.
- c. ☐ Has done things recently that make it easy to take our children, like (check all that apply):
- | | |
|---|--|
| <input type="checkbox"/> Quit a job | <input type="checkbox"/> Applied for a passport, birth certificate, or school or medical records |
| <input type="checkbox"/> Closed a bank account | <input type="checkbox"/> Hidden or destroyed documents |
| <input type="checkbox"/> Sold or gotten rid of property | <input type="checkbox"/> Other (explain): _____ |
| <input type="checkbox"/> Sold a home or ended a lease | |
- d. ☐ Has a history of:
- | | |
|---|--|
| <input type="checkbox"/> Abusing me | <input type="checkbox"/> Taking away or hiding our children from me |
| <input type="checkbox"/> Child abuse | <input type="checkbox"/> Threatening to take away or hide our children from me |
| <input type="checkbox"/> Abusing other partners | <input type="checkbox"/> Not cooperating with me in parenting |
- e. ☐ Has a criminal record
- f. ☐ Has strong ties in:
- ☐ Another county in California (list county): _____
- ☐ Another state (list state): _____
- ☐ Another country (list country): _____
- g. ☐ Is a citizen of another country (list country or countries): _____
- Does the person in ② have strong family, cultural, or emotional ties to that country? ☐ Yes ☐ No

Explain why you think the other party might take your children without your permission. Read items 3a – 3g and check the boxes that apply to your situation. You will then need to explain at the bottom of the page.

Give examples or reasons for your answers above:

The statements made above are made under penalty of perjury as declared on the request form (DV-100, ③②).

This is not a Court Order.



Orders a Judge Can Make to Prevent Abduction

In this section, you can ask for orders to prevent the person in (2) from abducting (kidnapping) your children.

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

#4 - #10: Check the boxes for the orders that you want the Judge to make to prevent the other party from kidnapping your children.

4 ☐ Do Not Move With Children Without Permission

I ask the judge to order that the person in (2) not move with our children without my written permission or the judge's permission.

5 ☐ Turn In and Do Not Apply for Passports or Other Important Documents

I ask the judge to order the person in (2) to not apply for passports or other documents that can be used for travel, like visas and birth certificates, and to turn in the following documents: _____

by (date): _____ to (name of person to give documents to): _____

6 ☐ Provide Travel Plan and Documents

If the person in (2) is allowed to travel with our children, the person in (2) should be ordered to give me:

(Check all that apply.)

- ☐ Children's travel schedule
- ☐ Copies of round-trip airline tickets
- ☐ Addresses and telephone numbers where the children can be reached
- ☐ An open airline ticket for me in case the children are not returned.
- ☐ Other (describe): _____

7 ☐ Notify Other State of Travel Restrictions

I ask the judge to order the person in (2) to register this order with

(list county and state): _____ before the children can travel to that state for visits.

8 ☐ Notify Foreign Embassy or Consulate of Passport Restrictions

I ask the judge to order the person in (2) to notify (name of embassy or consulate): _____ of this order and to file proof of the notification with the court by (date): _____

9 ☐ Foreign Custody and Visitation Order

I ask the judge to order the person in (2) to get a custody and visitation order equal to the most recent U.S. order before the child can travel to (list country): _____ for visits.

(Note that foreign orders may be changed or enforced depending on the laws of the country.)

10 ☐ Post a Bond

I ask the judge to order the person in (2) to post a bond for \$ _____.

If the person in (2) takes the children without my permission, I can use this money to bring the children back.

This is not a Court Order.

Clerk stamps date here when form is filed.

Instruction: The person asking for a restraining order must complete items ① and ②. The court will complete the rest of this form.

① Person Asking for Protection

Name: _____

**COMPLETE
#1 & #2
ONLY**

Fill in court name and street address:

Superior Court of California, County of _____

② Person to Be Restrained

Name: _____

Court fills in case number when form is filed.

Case Number: _____

③ Notice of Hearing

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



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

Name and address of court if different from above:

You may attend your court date remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to: www.courts.ca.gov/find-my-court.htm.

At the hearing, the court must consider whether failure to make any of the orders requested by the person in ① might risk the safety of the person in ① or any children listed on form DV-105. If child or spousal support was requested, the court must consider whether failure to make support orders would risk the safety of the person in ① or any children listed on form DV-105.

To the person in ②:

- If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order.
- If you do not attend the hearing, the judge may still grant the restraining order that could last up to five years. After you receive a copy of the order, you could be arrested if you violate the order.



☐ Original Order ☐ Amended Order

Instruction: 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 Restrained Person

COMPLETE #1, #2, AND #3 ONLY. Make sure to provide all required information in #2.

***Full Name:** _____

***Gender:** ☐ M ☐ F ☐ Nonbinary ***Race:** _____

***Age:** (estimate, if age unknown) Date of Birth: _____

Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

Relationship to person in **①**: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

Firearms, firearm parts, or ammunition that restrained person may have:
(Include information from form DV-100, item 9)

(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 named in **①**, the people listed below are protected by the orders listed in **⑨** through **⑫**.

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 order must be enforced throughout the United States. See page 7.

This is a Court Order.



This form is attached to (check one): ☒ Form DV-110 ☐ Form DV-130 ☐ Form DV-310

COMPLETE #1, #2, AND #3 ONLY

1 Name of Protected Person: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

2 Name of Restrained Person: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

3 ☐ Children Under 18 Years Old

a. Name: _____ Date of birth: _____
b. Name: _____ Date of birth: _____
c. Name: _____ Date of birth: _____
d. Name: _____ Date of birth: _____

☐ (Check here if you have more children to list. On a separate piece of paper write "DV-140, Children" at the top and attach it to this form.)

4 ☐ No Travel With Children Without Permission

☐ Person in (1) ☐ Person in (2) ☐ Other (name): _____

must have written permission from the other parent, or a court order, to take the children outside of:

a. ☐ County of (list): _____
b. ☐ State of California
c. ☐ United States
d. ☐ Other place(s) (list): _____

This is a Court Order.



**COMPLETE
#1 & #2 ONLY**This form is attached to DV-140, *Child Custody and Visitation Order*.**1 Name of Protected Person:** _____Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (*describe*): _____**2 Name of Restrained Person:** _____Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (*describe*): _____**3 Court's Decision**

Based on the information given, the judge finds that:

a. ☐ **There is not a risk** that the person in (2) might take the children without proper permission. The judge has not granted any of the orders in (4)–(12).b. ☐ **There is a risk** that the person in (2) might take the children without permission because person in (2):*(Check all that apply):*(1) ☐ Has violated or threatened to violate a custody or visitation order.(2) ☐ Does not have strong ties to California.(3) ☐ Has done things recently that make it easy to take the children (*check all that apply*):☐ Quit a job☐ Sold a home or ended a lease☐ Closed a bank account☐ Hidden or destroyed documents☐ Sold or gotten rid of property☐ Applied for a passport, birth certificate, or school or medical records(4) ☐ Has a history of (*check all that apply*):☐ Abusing person in (1)☐ Taking the children without permission☐ Abusing other partners☐ Not cooperating with person (1) in parenting☐ Child abuse(5) ☐ Has a criminal record(6) ☐ Has strong ties in:☐ Another county in California (*list county*): _____☐ Another state (*list states*): _____☐ Another country (*list country*): _____(7) ☐ Is a citizen of another country (*list country*): _____(8) ☐ Other reasons: _____**The Orders are Granted as Follows:****4 ☐ Do Not Move Without Written Permission of the Other Parent or Court Order**The person in (2) 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.

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.

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

Respondent:

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

_____ /

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

Print Name

SIGN YOUR 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)