

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

DV-108: Request for Order: No Travel 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 (Domestic Violence Prevention)

DV-145: Order: No Travel with Children

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 01/01/2023

**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 (see page 12 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) Domestic Violence Prevention 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 Person Asking for Protection

#1: Your name and age.

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: _____

#1: An address where you can receive mail

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

#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 Nonbinary

e. 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, 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, step-sibling, 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.)
- | | |
|--|--|
| <input type="checkbox"/> Custody _____ | #4b. Other Court Cases? If not, check "no." |
| <input type="checkbox"/> Divorce _____ | |
| <input type="checkbox"/> Juvenile (child welfare or juvenile justice): _____ | |
| <input type="checkbox"/> Guardianship _____ | |
| <input type="checkbox"/> Criminal _____ | |
| <input type="checkbox"/> 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.

6 Has the person in **2** abused you in a different way from the abuse you described in **5**?
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):

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:

#6. Tell the Judge about the next 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), Firearm Parts, or Ammunition?

(A firearm includes a handgun, rifle, shotgun, and assault weapon. A firearm part means a receiver, frame, or unfinished receiver or unfinished 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.)*

Describe firearms (guns), firearm parts, or ammunition	How many or what amount?	Location, if known
(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.

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

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

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 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)*: _____

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.

er:

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)

- | | |
|---|--|
| <input type="checkbox"/> I own the home. | <input type="checkbox"/> I have lived at this address for _____ years, _____ months. |
| <input type="checkbox"/> My name is on the lease. | <input type="checkbox"/> I pay for some or all the rent or mortgage. |
| <input type="checkbox"/> I live at this address with my child(ren). | <input type="checkbox"/> 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 | • 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.

Case Number: _____

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 if the Judge Grants Restraining Order

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

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

This form is attached to form DV-100. (Use this form to request orders for children you have with the person in 2.)

1 Your Information

Your name and relationship to the children

Name:

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

2 Person You Want Protection From

The other party's name and relationship to the children

Name:

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

3 Children Under 18 Years Old (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

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

Yes (Complete section 4b.)

No (If no, do not complete the section below. Instead, use form DV-105(A)).

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

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

Children lived with (check all that apply):

Table with columns: Dates (month/year), City, State, and Tribal Land, Me, Person in 2, Other*. Includes rows for 'From: To present' and multiple 'From: Until:' entries.

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

Other* (relationship to child):

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 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 it 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 *(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 is the visitation schedule)*

(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, complete the section 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 (*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 (*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
- 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.

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

For both types of custody, parents can share custody (joint) or one parent can have full custody (sole).

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

- No
- Yes (Complete the section):

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

You can ask a judge to make decisions about when your child spends time with the person in ②. This is called parenting time or visitation. It means the schedule and exact times each parent spends with the child. If a parent does not get custody, that parent can have parenting time with the child if a judge believes it is safe and in the child's best interest. Answer the questions below to tell the judge what parenting time you want right now for person in ②. Any orders the judge makes are temporary for now. They last until the court date (about three weeks away). On your court date, the judge can change or extend the orders.

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

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

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

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

(To learn about supervised visitations, go to: <https://selfhelp.courts.ca.gov/guide-supervised-visitiation>.)

- Yes (Go to ⑫.)
- No (Go to ⑬.)



12 Details of Supervised (Monitored) Visits

(Complete a and b):

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):

- Nonprofessional, like a trusted relative or friend (list name, if known): _____
- Professional (list name, if known): _____
- Professional fees paid by: Me _____ % Person in **(2)** _____ % Other: _____ %

b. 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. ----->

Schedule for Supervised Visits			
<i>(List the days and times the person in (2) should visit with the children.)</i>			
	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start: _____ End, if applies: _____		
Tuesday	Start: _____ End, if applies: _____		
Wednesday	Start: _____ End, if applies: _____		
Thursday	Start: _____ End, if applies: _____		
Friday	Start: _____ End, if applies: _____		
Saturday	Start: _____ End, if applies: _____		
Sunday	Start: _____ End, if applies: _____		
Follow the schedule listed above (check one):			
<input type="checkbox"/> Every week <input type="checkbox"/> Every other week <input type="checkbox"/> Other _____			
Start date for visits (month, day, year) _____			

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



13 Details of Unsupervised Visits

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

(Complete a and b):

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 child exchanges. Do you want child exchanges to be supervised by a third-party?

- No
 Yes (Complete the section below):

Who do you want to supervise the exchanges? (Check one):

- Nonprofessional, like a trusted relative or friend (list name, if known): _____
 Professional (list name, if known): _____

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

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

(Use the lines or chart below to explain what days and times the person in ② should visit with the children. Give details including when visits will happen, how often the visits should be, and who will be responsible for transporting the children.)

Schedule for Unsupervised Visits			
	Time	Person to bring children to and from visit	Location of drop-off/pick-up
Monday	Start: _____ End, if applies: _____		
Tuesday	Start: _____ End, if applies: _____		
Wednesday	Start: _____ End, if applies: _____		
Thursday	Start: _____ End, if applies: _____		
Friday	Start: _____ End, if applies: _____		
Saturday	Start: _____ End, if applies: _____		
Sunday	Start: _____ End, if applies: _____		
Follow the schedule listed above (check one): <input type="checkbox"/> Every week <input type="checkbox"/> Every other week <input type="checkbox"/> Other _____			
Start date for visits (month, day, year) _____			

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):

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.

- 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):
d. Has a history of:
e. Has a criminal record
f. Has strong ties in:
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

Give examples or reasons for your answers above:

Blank lines for providing examples or reasons.

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 her

COMPLETE #1 & #2 ONLY

when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

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: _____

2 Person to Be Restrained

Name: _____

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:



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.

4 Temporary Restraining Orders (Any orders granted are attached on form DV-110.)

a. Temporary Restraining Orders (any order requested under Family Code section 6320):

(Check one):

- (1) All granted until the court hearing.
(2) All denied until the court hearing. (Reasons for denial are given below in b.)
(3) Partly granted and partly denied until the court hearing. (Reasons for denial are given below in b.)

b. Reasons for denial of some or all of the orders requested on form DV-100.

- (1) The facts given in the request (form DV-100) do not show reasonable proof of a past act or acts of abuse. (Family Code sections 6300, 6320, and 6320.5.)
(2) The facts given in the request do not give enough detail about the most recent incidents of abuse, including what happened, the dates, who did what to whom, or any injuries or history of abuse.
(3) Other reasons for denial:



Clerk stamps date here when form is filed.

Original Order Amended Order

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):

2 Restrained Person

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

*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, firearm parts, or ammunition:

(Information that has a star (*) next to it is required to add this order into a California police database. Give all the information you know.)

Fill in court name and street address:

Superior Court of California, County of

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 8 through 11.

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

Check here if you need to list more people. List them on a separate piece of paper, write "DV-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): DV-110 DV-130

COMPLETE #1, #2 & #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-105, 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. State of California b. United States c. Other place(s) (list):

5 Stop Access to Children's School, Health, and Other Information. a. The person in 2 must not access or have access to the records or information for: All the children listed in 3. Only the children listed here (names): b. From the following (check all that apply): Medical, dental, and mental health providers School and daycare providers Extracurricular activity providers, including summer camps and sports teams Child's employers (including volunteer and unpaid positions) Other (describe):

! If you are a provider listed above, you must not release information or records regarding the children listed in 5a to the person in 2.

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.

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)