

# DOMESTIC VIOLENCE RESTRAINING ORDER WITH CHILDREN

Forms are available online at [www.sutter.courts.ca.gov](http://www.sutter.courts.ca.gov) or [www.courts.ca.gov](http://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.***

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**SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SUTTER**

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

## Request for Domestic Violence Restraining Order, Form DV-100

Item 1: Fill in your name, your age, and an address where you can receive mail.

Item 2: Fill in information about the person you want protection from: their full name, age, date of birth (if known), gender, and race.

Item 3: How are you related to the person you want protection from?

Item 4: Are there any other restraining orders or court cases? If not, check “No.”

Item 5: Tell the judge about the most recent instance of abuse. Fill it out completely and be specific.

Item 6: Tell the judge about the next most recent instance of abuse. Fill it out completely and be specific.

Item 7: Tell the judge about the next most recent instance of abuse. Fill it out completely and be specific.

Item 8: If you want others protected under your Restraining Order, fill in their information and explain why they need protection. Be specific.

Item 9: Does the restrained person have firearms, firearm parts, or ammunition? If yes, give as much information as you can.

Items 10 – 14: Check the boxes for the orders that you want the judge to make right now.

Item 15: If you have children with the other party and you want custody and visitation orders, check #15 and complete and attach Form DV-105, Request for Child Custody and Visitation Orders.

Items 16 – 22: Check the boxes for the orders that you want the judge to make right now.

Items 23 – 28: Check the boxes for the orders that you want the judge to make at your court date.

Items 29 – 31: These are automatic orders if the judge grants the restraining order.

Item 32: If you have additional pages to add to your request, fill in the number of extra pages attached.

Item 33: Fill in the date, print your name, and sign your name.

## Request for Child Custody and Visitation Orders, Form DV-105

Item 1: Your name and relationship to the children.

Item 2: The restrained person’s name and relationship to the children.

Item 3: Starting with the oldest child first, fill in the children’s full names and dates of birth.

Item 4: Fill in the children’s address history for the last 5 years, starting with where the children live now. Check the boxes to show who they lived with at each address.

Item 5: If there are any other court cases involving the children, check the box for the case type and provide the information for each case. If there are custody and/or visitation orders already in place, fill in what the current orders are and why you want the order changed.

Item 6: If you want to limit where the restrained person can travel with the children, check “Yes,” and fill in the orders you are requesting.

Item 7: If you do not want the restrained person to have access to the children’s records or information, check “No,” and fill in the orders you are requesting.

Item 8: If you think the restrained person might kidnap your children, check “Yes,” and complete Form DV-108, Request for Orders to Prevent Child Abduction.

Item 9: If you want the judge to make custody orders, check “Yes,” and check who you want to have legal custody and who you want to have physical custody of the children.

Item 10: If you do not want the judge to order any visits with the children for the restrained person, check “No.” You are done with this form. If you do want the judge to order visits with the children for the restrained person, check “Yes,” and continue to Item 11.

Item 11: If you want the restrained person’s visits with the children to be supervised, check “Yes,” and go to Item 12. If you do not want the restrained person’s visits with the children to be supervised, check “No,” and go to Item 13.

Item 12: If you want the restrained person’s visits with the children to be supervised, complete Item 12. You may use the chart to provide details for the supervised visits. If you want the visits to be virtual, check the box for “Virtual visit.” If you complete Item 12, you are done with this form.

Item 13: If you want the restrained person’s visits with the children to be unsupervised, complete Item 13. You may use the chart to provide details for the visits. If you want the visits to be virtual, check the box for “Virtual visit.”

## Request for Orders to Prevent Child Abduction, Form DV-108

If you think the restrained person might kidnap your children, complete this form. If you do not need this form, it can be removed from the packet.

Item 1: Fill in your name.

Item 2: Fill in the restrained person’s name.

Item 3: Explain why you think the other party might take your children without your permission. Check the boxes that apply to your situation and explain at the bottom of the page.

Items 4 – 10: check the boxes for the orders that you want the judge to make to prevent the restrained party from kidnapping your children.

## Notice of Court Hearing, Form DV-109

Item 1: Your name.

Item 2: Name of person to be restrained.

Leave the rest of the form blank.

## Temporary Restraining Order, Form DV-110

Item 1: Your name.

Item 2: Information about the person to be restrained.

Item 3: List other people you want protected under your restraining order. Fill in their name, their relationship to you, and their age.

Leave the rest of the form blank.

## Child Custody and Visitation Order, Form DV-140

Item 1: Your name and relationship to the children.

Item 2: The restrained person's name and relationship to the children.

Item 3: List the children that you have with the restrained person, starting with the oldest child first. Provide their full names and dates of birth.

Leave the rest of the form blank.

## Order to Prevent Child Abduction, Form DV-145

If you completed the Request to Prevent Child Abduction Orders, DV-108, you must include this form with your Temporary Restraining Order.

Item 1: Your name and relationship to the children.

Item 2: The restrained person's name and relationship to the children.

Leave the rest of the form blank.

## Ex Parte Application Declaration, Sutter County Local Form

Fill in your name and that you are seeking a "Temporary Restraining Order."

Check how you gave notice and provide details. Be specific.

At the bottom, after you have given notice, fill in the date, print your name, and sign your name.