

**Restraining Order After Hearing
(Order of Protection)**

Clerk stamps date here when form is filed.

☐ **Original Order** ☐ **Amended Order****1 Protected Person** (name): _____**2 Restrained Person*****Full Name:** _____***Gender:** ☐ M ☐ F ☐ Nonbinary***Age:** _____ (Give estimate, if age unknown.)

Date of Birth: _____ Height: _____ Weight: _____

Hair Color: _____ Eye Color: _____

***Race:** _____Relationship to person in **1**: _____

Address of restrained person: _____

City: _____ State: _____ Zip: _____

Type, number, and location of firearms or ammunition: _____

(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

Clerk fills in case number when form is filed.

Case Number:**3 Other Protected People**In addition to the person in **1**, the following persons are protected by orders as indicated in items **7** through **10**.

Full name	Relationship to person in 1	Age
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

4 Expiration Date

This restraining order, except the orders noted below,* end on:

(date): _____ at (time): _____ ☐ a.m. ☐ p.m. or ☐ midnight***Custody, visitation, child support, and spousal support orders remain in effect after the restraining order ends. Custody, visitation, and child support orders usually end when the child is 18.**

- If no date is written, the restraining order ends three years after the date of the hearing in item **5** a.
- If no time is written, the restraining order ends at midnight on the expiration date.

This order must be enforced throughout the United States. See page 7.**This is a Court Order.**

5 Hearings

- a. The hearing was on *(date)*: _____ with *(name of judicial officer)*: _____
- b. These people were at the hearing *(check all that apply)*:
- ☐ The person in **(1)** ☐ The lawyer for the person in **(1)** *(name)*: _____
- ☐ The person in **(2)** ☐ The lawyer for the person in **(2)** *(name)*: _____
- c. The people in **(1)** and **(2)** must return to court on *(date)*: _____ in Department: _____
at *(time)*: _____ ☐ a.m. ☐ p.m. to review *(list issues)*: _____

To the Person in **(2)**

The court has granted a long-term restraining order. See **(6)** through **(28)**.

- If you do not obey these orders, you can be charged with a crime, go to jail or prison, and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.

6 No Guns or Other Firearms or Ammunition

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. **Within 24 hours of receiving this order, you must** sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms you have in your immediate possession or control.
- c. **Within 48 hours of receiving this order, you must file a receipt with the court** that proves guns have been turned in or sold. (You may use [form DV-800](#), *Proof of Firearms Turned In, Sold, or Stored*, for the receipt.)
- d. ☐ The court has received information that the person in **(2)** owns or possesses a firearm.
- e. ☐ Limited Exemption: The court has made the necessary findings to grant an exemption under Family Code section 6389(h). Under California law, the person in **(2)** is not required to relinquish this firearm *(specify make, model, and serial number of firearm)*: _____
but must only have it during scheduled work hours and to and from their place of work. Even if exempt under California law, the person in **(2)** may be subject to federal prosecution for possessing or controlling a firearm.

7 Cannot Look for Protected People

You must not take any action to look for any person protected by this order, including their addresses or locations.

- ☐ If checked, this order was not granted because the court found good cause not to make this order.

This is a Court Order.



8 ☐ Order to Not Abuse

You must not do the following things to the person in ① and any person listed in ③:

- 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.
- "Disturb the peace" means to destroy someone's mental or emotional calm. This can be done directly or indirectly, such as through someone else. This can also be done in any way, such as by phone, over text, or online. Disturbing the peace includes coercive control.
- "Coercive control" means a number of acts that unreasonably limit the free will and individual rights of any person protected by this restraining order. Examples include isolating them from friends, relatives, or other support; keeping them from food or basic needs; controlling or keeping track of them, including their movements, contacts, actions, money, or access to services; and making them do something by force, threat, or intimidation, including threats based on actual or suspected immigration status.

9 ☐ No-Contact Order

- a. You must **not contact** ☐ the person in ①, ☐ the persons in ③,
directly or indirectly, by any means, including by telephone, mail, email, or other electronic means.
- b. ☐ Exception to 9a:
- (1) ☐ You may have brief and peaceful contact with the person in ① to only communicate about your children for court-ordered visits.
- (2) ☐ You may have contact with your children only during court-ordered contact or visits.
- (3) ☐ Other (*explain*): _____
- c. Peaceful written contact through a lawyer or process server or another person for service of legal papers related to a court case is allowed and does not violate this order.

10 ☐ Stay-Away Order

- a. You **must** stay at least (*specify*): _____ yards away from (*check all that apply*):
- | | |
|---|---|
| <input type="checkbox"/> Person in ①. | <input type="checkbox"/> School of person in ①. |
| <input type="checkbox"/> Home of person in ①. | <input type="checkbox"/> Persons in ③. |
| <input type="checkbox"/> Job or workplace of person in ①. | <input type="checkbox"/> Children's school or child care. |
| <input type="checkbox"/> Vehicle of person in ①. | <input type="checkbox"/> Other (<i>specify</i>): _____ |
- b. ☐ Exception to 10a:
- The stay-away orders do not apply:
- (1) ☐ For you to briefly and peacefully exchange your children for court-ordered visits.
- (2) ☐ For you to visit with your children for court-ordered contact or visits.
- (3) ☐ Other (*explain*): _____

This is a Court Order.



11 ☐ **Order to Move Out**You must move out immediately from *(address)*:
12 ☐ **Other Orders****13** ☐ **Child Custody and Visitation**

The judge has granted child custody and visitation orders in this case. They are on the attached *Child Custody and Visitation Order*
or *(specify other form)*:

14 ☐ **Protect Animals**

- a. ☐ You must stay at least _____ yards away from the animals listed below.
- b. ☐ You must not take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.
- c. ☐ The person in **1** is given the sole possession, care, and control of the animals listed below.

Name <i>(or other way to ID animal)</i>	Type of animal	Breed <i>(if known)</i>	Color
<div style="border-bottom: 1px solid black; height: 15px; width: 255px;"></div>	<div style="border-bottom: 1px solid black; height: 15px; width: 165px;"></div>	<div style="border-bottom: 1px solid black; height: 15px; width: 165px;"></div>	<div style="border-bottom: 1px solid black; height: 15px; width: 165px;"></div>
<div style="border-bottom: 1px solid black; height: 15px; width: 255px;"></div>	<div style="border-bottom: 1px solid black; height: 15px; width: 165px;"></div>	<div style="border-bottom: 1px solid black; height: 15px; width: 165px;"></div>	<div style="border-bottom: 1px solid black; height: 15px; width: 165px;"></div>
<div style="border-bottom: 1px solid black; height: 15px; width: 255px;"></div>	<div style="border-bottom: 1px solid black; height: 15px; width: 165px;"></div>	<div style="border-bottom: 1px solid black; height: 15px; width: 165px;"></div>	<div style="border-bottom: 1px solid black; height: 15px; width: 165px;"></div>

15 ☐ **Control of Property**Only the person in **1** can use, control, and possess the following property:
16 ☐ **Health and Other Insurance**The person ☐ in **1** ☐ in **2** is ordered **not** to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their children, if any, for whom support may be ordered, or both.**17** ☐ **Record Communications**The person in **1** may record communications made by the person in **2** that violate this order.**This is a Court Order.**

18 ☐ **Property Restraint**

The person ☐ in ① ☐ in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each person must notify the other of any new or big expenses and explain them to the court. (If the court granted ⑨, the person in ② must not contact the person in ①. To notify the person in ① of new or big expenses, have a server mail or personally give the information to the person in ① or contact their lawyer, if they have one.)

19 ☐ **Pay Debts (Bills) Owed for Property**

a. You must make these payments until this order ends:

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

b. ☐ The court finds that the debt or debts listed above in ☐ a(1) ☐ a(2) ☐ a(3) were the result of abuse in this case, and made without the person in ①'s agreement.

20 ☐ **Pay Expenses Caused by the Abuse**

You must pay the following:

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

21 ☐ **Child Support**

Child support is ordered on the attached [form FL-342](#), *Child Support Information and Order Attachment* or (specify other form): _____

22 ☐ **Spousal Support**

Spousal support is ordered on the attached [form FL-343](#), *Spousal, Partner, or Family Support Order Attachment* or (specify other form): _____

23 ☐ **Lawyer's Fees and Costs**

You must pay the following lawyer's fees and costs:

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

This is a Court Order.

24 ☐ **Batterer Intervention Program**

- a. The person in ② must go to and pay for a probation certified 52-week batterer intervention program and show proof of completion to the court.
- b. The person in ② must enroll by (date): _____ or if no date is listed, must enroll within 30 days after the order is made.
- c. The person in ② must complete, file, and serve [form DV-805](#), *Proof of Enrollment for Batterer Intervention Program*.

25 ☐ **Transfer of Wireless Phone Account**

The court has made an order transferring one or more wireless service accounts from you to the person in ①. These orders are contained on [form DV-900](#), *Order Transferring Wireless Phone Account*.

26 **Service**

- a. ☐ **No other proof of service is needed.** The people in ① and ② were at the hearing or agreed in writing to this order.
- b. ☐ **The person in ② was not present.** Proof of service of form DV-109 and form DV-110 (if issued) was presented to the court.
 - (1) ☐ Order can be served by mail. The judge's orders in this form are the same as in form DV-110 except for the expiration date. The person in ② must be served, either by mail or in person.
 - (2) ☐ Order must be personally served. The judge's orders in this form are different from the orders in form DV-110, or form DV-110 was not issued. The person in ② must be personally served (given) a copy of this order.
- c. ☐ **Proof of service of form FL-300 to modify the orders in form DV-130 was presented to the court.**
 - (1) ☐ The people in ① and ② were at the hearing or agreed in writing to this order. No other proof of service is needed.
 - (2) ☐ The person ☐ in ① ☐ in ② was not at the hearing and must be personally served (given) a copy of this amended (modified) order.

27 **No Fee to Serve (Notify) Restrained Person**

The sheriff or marshal will serve this order for free.
Take a copy of all the papers that you need to be served to the sheriff or marshal.

This is a Court Order.

28 ☐ **Attached pages**

All of the attached pages are part of this order.

a. Number of pages attached to this eight-page form: _____

b. Attachments include forms (*check all that apply*):

☐ DV-140 ☐ DV-145 ☐ DV-150 ☐ DV-900 ☐ FL-342 ☐ FL-343 ☐ Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

Certificate of Compliance With VAWA

This restraining (protective) order meets all “full faith and credit” requirements of the Violence Against Women Act, 18 U.S.C. § 2265 (1994) (VAWA) upon notice of the restrained person. This court has jurisdiction over the parties and the subject matter; the restrained person has been or will be afforded notice and a timely opportunity to be heard as provided by the laws of this jurisdiction. **This order is valid and entitled to enforcement in each jurisdiction throughout the 50 states of the United States, the District of Columbia, all tribal lands, and all U.S. territories, commonwealths, and possessions and shall be enforced as if it were an order of that jurisdiction.**

Instructions for Law Enforcement**Start Date and End Date of Orders**

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

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

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

Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Penal Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code § 166 or 273.6.

Notice/Proof of Service

Law enforcement must first determine if the restrained person had notice of the orders. If notice cannot be verified, the restrained person must be advised of the terms of the orders. If the restrained person then fails to obey the orders, the officer must enforce them. (Family Code, § 6383.)

Consider the restrained person “served” (notified) if:

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer. (Family Code, § 6383; Penal Code, § 836(c)(2).) An officer can obtain information about the contents of the order in the California Restraining and Protective Order System (CARPOS). (Family Code, § 6381(b)-(c).)

This is a Court Order.



If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, the orders remain in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Penal Code, § 13710(b).)

Child Custody and Visitation

- The custody and visitation orders are on form DV-140. They may be written on additional pages or referenced in form DV-140 or other orders that are not part of this restraining order.
- At items 9b(1) or 10b(1) of this order, the judge may allow the person in (2) to have brief and peaceful contact with the person in (1), as needed to follow court-ordered visits. Conduct of the person in (2) that is **not** brief and peaceful is a violation of this order.

Enforcing the Restraining Order in California

Any law enforcement officer in California who receives, sees, or verifies the orders on a paper copy, in the California Law Enforcement Telecommunications System (CLETS), or in an NCIC Protection Order File must enforce the orders.

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following priority (see Penal Code, § 136.2 and Family Code, §§ 6383(h)(2), 6405(b)):

1. **EPO:** If one of the orders is an *Emergency Protective Order* (form EPO-001) and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
2. **No-Contact Order:** If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
3. **Criminal Order:** If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
4. **Family, Juvenile, or Civil Order:** If more than one family, juvenile, or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(The clerk will fill out this part.)

Clerk's Certificate
[seal]

—Clerk's Certificate—

I certify that this *Restraining Order After Hearing (Order of Protection)* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy