

What is a “domestic violence restraining order”?

It is a court order that can help protect people who have been abused by someone they've had an intimate relationship with, are closely related to, or have lived with as more than just roommates.

How can the restraining order help me?

The court can order the restrained person to:

- Not contact or go near you, your children, other relatives, or others who live with you;
- Not have any guns or ammunition;
- Move out of your home;
- Obey child custody and visitation orders;
- Pay child support;
- Pay spousal support; and
- Obey orders about property.

Does this request cost money to file?

No, filing this request with the court is free.

How soon can I get the order?

The judge will decide within one business day whether to grant you a temporary restraining order. Sometimes the judge decides sooner.

How long does the order last?

If the judge makes a temporary order, it will last until your hearing date (court date). At your court date, the judge will decide whether to grant you a long-term restraining order that can last up to five years.

Do I have to go to court?

Yes. Go to court on the date the clerk gives you. If you do not, any order you have will end. To learn more about what to expect at your court date go to <https://selfhelp.courts.ca.gov/prepare-your-restraining-order-court-date> or read [form DV-520-INFO](#), *Get Ready for the Restraining Order Court Hearing*.

Am I eligible?

You can ask for one if:

① You want a restraining order against:

- Your spouse, ex-spouse, registered domestic partner, or ex-registered domestic partner;
- Someone you have a child with;
- Your parent, child, sibling, or grandparent (includes in-laws);
- Someone you live with or used to live with (more than just roommates);

and

② That person has been abusive.

Abuse can be spoken, written, or physical. It can be physical, sexual, or emotional. It includes threats to harm you or your family, stalking, harassment, destroying personal property, repeatedly contacting you, and disturbing your peace.

Disturbing your peace means destroy your 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 someone from their 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 that they don't want to do by force, threat, or intimidation. This includes threats related to actual or suspected immigration status.

How do I ask for a domestic violence restraining order?

See [form DV-505-INFO](#), *How Do I Ask for a Temporary Restraining Order?* The forms are available at any California courthouse or county law library or at: www.courts.ca.gov/forms.



What if I don't qualify for a domestic violence restraining order?

There are other kinds of restraining orders you can ask for. Here are some examples:

- **Civil harassment order** (can be used for neighbors, roommates, cousins, uncles, and aunts).
- **Dependent adult or elder abuse restraining order** (if you are at least 65 or a dependent adult).
- **Gun violence restraining order** (to prevent someone from hurting themselves or others with a firearm).
Note that all restraining orders include a firearms restriction. A gun violence restraining order gives limited protection because it only restrains the person from having firearms and ammunition.

To learn more about other kinds of restraining orders go to <https://www.courts.ca.gov/selfhelp-abuse.htm>.

Can I use the restraining order to get divorced or terminate a registered domestic partnership?

No. These forms will not end your marriage or registered domestic partnership. You must file other forms to end your marriage or registered domestic partnership.

Can the order stop the other parent from taking our children away?

If you get a temporary restraining order that includes an order for custody, the parent with custody may not remove the child from California before notice to the other parent and a court hearing on the request to establish or modify custody. Read the order and form DV-140, *Child Custody and Visitation Order*, if issued, for any other limits. There are some exceptions. Ask a lawyer.

Is the restraining order valid outside of California?

Yes, the restraining order would be valid anywhere in the United States. This means that police must enforce the restraining order anywhere in the country.

What if I don't have a green card?

You can get a restraining order even if you are not a U.S. citizen. If you are worried about deportation, talk to an immigration lawyer.

Do I need a lawyer to make this request?

No, but this type of request can be hard to get through on your own. Free help may be available at your local court's self-help center. (See below.)

Where can I find a self-help center?

Find your local court's self-help center at www.courts.ca.gov/selfhelp. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case.

Where can I find other help?

The National Domestic Violence Hotline provides free and private safety tips and help in over 100 languages. Call them at 1-800-799-7233; 1-800-787-3224 (TTY); or visit online at www.thehotline.org.

I need an interpreter. How can I get help?

You may use [form INT-300](#) to request an interpreter or ask the court clerk how you can request one.

I have a disability. How can I get help?

You may use [form MC-410](#) to request assistance. Contact the disability/ADA coordinator at your local court for more information.

Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms.htm for *Disability Accommodation Request* ([form MC-410](#)). (Civil Code, § 54.8.)