

Cover Sheet:	Response to Request for Domestic Violence Restraining Order
Effective Date:	September 21, 2021
Last Revision Date:	March 5, 2024
Purpose:	These forms are used to respond to a Request for Domestic Violence Restraining Order.
Assistance:	Parties who are acting as their own attorneys may receive help from the Self Help Center to complete these forms. You may contact the Self Help Center through the Court's website, by creating an e-Correspondence account, or visit the Self Help Center in person, Monday through Thursday.
Required Forms:	 All forms are Judicial Council forms, unless otherwise indicated: Response to Request for Domestic Violence Restraining Order, DV-120 Family Law Case Participant Enrollment Form (Party), local form FL/E-LP-665 Proof of Service By Mail, DV-250 Domestic Violence and Child Custody (not a form) Get Ready for the Court Hearing, DV-520-INFO How to Safely Turn in Firearms and Ammunition How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?, DV-800-INFO Receipt for Firearms, Firearm Parts, and Ammunition, DV-800 Gender Inclusive Power and Control Wheel (not a form) Domestic Violence Resources in Sacramento County (not a form)
Optional Forms:	 This form is included for information only: How Can I Respond to a Request for Domestic Violence Restraining Order?, DV-120-INFO This form is needed only if the Request for Domestic Violence Restraining Order includes a request for child custody and visitation orders: Response to Request for Child Custody and Visitation Orders, DV-125 This form is needed only if the Request for Domestic Violence Restraining Order includes a request for support or attorney's fees: Income and Expense Declaration, FL-150
Filing Fee:	None.
Copies:	Make two copies of the completed forms. The Court will file and keep the original and will endorse and return the copies to you.

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OF BACEL	Family Law & Prodate
Before you File:	If you have a pending criminal case arising out of the same facts used to support the request for a domestic violence restraining order, consult an attorney regarding the legal rights you may be waiving by filing a response.
	A copy of the completed Response must be served on the party that filed the Request for Domestic Violence Restraining Order before it can be filed with the court.
Filing:	All forms must be typewritten or printed in blue or black ink. (See California Rules of Court, Rules 2.100-2.119)
	Forms may be filed electronically, in person or by mail/Drop Box as follows:
	e-Delivery : Instructions on how to submit them electronically can be found at https://www.saccourt.ca.gov/restraining-orders/domestic-violence.aspx
	Mail/Drop Box: Mail or place completed forms in the court drop-box located at the Family Court at 3341 Power Inn Road, Sacramento, CA 95826. Drop box hours are 8:00 am to 5:00 pm Monday through Friday, excluding Court holidays.
	In Person: Forms may be filed in person between the hours of 8:30 am and 4:00 pm. You must make an appointment online or obtain a ticket from Reception to file in person.
Next Steps:	Attend the hearing on the date and time and at the location listed on the Notice of Hearing.
	If you will need an interpreter at the hearing, please call (916) 875-2620 at least 10 days before the hearing. You will be asked to provide your name, case number, and the language needed.

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DV-120

Response to Request for Domestic Violence Restraining Order

Clerk stamps date here when form is filed.

Use this form if someone has asked for a domestic violence restraining order against you, and you want to respond in writing. You will need a copy of form DV-100, *Request for Domestic Violence Restraining Order*, that was filled out by the person who asked for a restraining order against you. There is no cost to file this form with the court.

Do not use this form if you want to ask for your own restraining order. Read <u>form DV-500-INFO</u>, *Can a Domestic Violence Restraining Order Help Me?* to find out more about this type of restraining order.

Fill in court name and street address:

Superior Court of California, County of

Name of Person (See form DV-100, ite	Asking for Protection (m 1):	n:	
Your Name:			Fill in case number:
(I) Address wher	e you can receive court	papers	Case Number:
may use another added or another person's a your mail regularly.	e used by the court and burt dates, orders, and paperess like a post office box, address, if you have their perform the pour source and the second se	ers. For privacy, you a Safe at Home addrermission and can ge	u ess,
Address:	State:	Zip:	

(The court could use this information to contact you. If you don't want the person in 1 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: ____

(3) Your Hearing Date (Court Date)

(I) Your contact information (optional)

Email Address:

Your lawyer's information (if you have one)

Firm Name:

Name: _____ State Bar No.: ____



Your hearing date is listed on form DV-109, *Notice of Court Hearing*. If you do not agree to having a restraining order against you, attend your hearing date. If you do not attend your hearing, the judge could grant a restraining order that could last up to five years.



	Case Number:
per	w to complete this form: To answer the questions below, look at the form DV-100 filled out by the son in ①. Tip: When the restraining order forms say "the person in ②" that means you, and the "person ①" means the person who is asking for a restraining order against you.
4	Information About You (see item ② on form DV-100) The person in ① listed your name, age, gender, and date of birth. If any of the information is incorrect, use the space below to give the correct information.
5	Your Relationship to the Person in 1 In item 3 of form DV-100, has the person in 1 correctly described your relationship with them? Yes No If no, what is your relationship with the person in 1?:
6	History of Court Cases and Restraining Orders (see item 4) on form DV-100) The person in 1 may have listed other court cases or restraining orders involving you. If information is incorrect or missing, use the space below to give information.
	☐ Check here if you are including a copy of restraining order or court order that you want the judge to know about.
7	 ☐ Other Protected People If the judge grants a restraining order, it can include family or household members of the person in ①. See item ⑧ on form DV-100 to see if the person in ① is asking for other people to be protected by the restraining order. a. ☐ I agree to the order requested. b. ☐ I do not agree to the order requested. Explain why you disagree, or describe a different order that you would agree to:
8	 □ Order to Not Abuse (see item ① on form DV-100) a. □ I agree to the order requested. b. □ I do not agree to the order requested. Explain why you disagree, or describe a different order that you would agree to:
	This is not a Court Order.

		Case Number:
9	 No-Contact Order (see item 1 on form DV-100) a. ☐ I agree to the order requested. b. ☐ I do not agree to the order requested. Explain why you disagree, or describe a different order that you wo 	uld agree to:
10	 □ Stay-Away Order (see item 12) on form DV-100) a. □ I agree to the orders requested. b. □ I do not agree to the orders requested. Explain why you disagree, or describe a different order that you wo 	ould agree to:
11)	 □ Order to Move Out (see item (13) on form DV-100) a. □ I agree to the order requested. b. □ I do not agree to the order requested. Explain why you disagree, or describe a different order that you wo 	ould agree to:
12	 □ Other Orders (see item (4) on form DV-100) a. □ I agree to the order requested. b. □ I do not agree to the order requested. Explain why you disagree, or describe a different order that you wo 	ould agree to:
13)	 □ Child Custody and Visitation (see item 15) on form DV-a. □ I am not the parent of the child listed in form DV-105, Request b. □ I am the parent of the child or children listed in form DV-105 (and the informal content of the orders requested. (1) □ I agree to the orders requested. (2) □ I do not agree to the orders requested. (Complete form DV-Custody and Visitation Orders, and attach it to this form.) 	for Child Custody and Visitation Orders check one):

		Case Number:
a. 🗆 b. 🗆	otect Animals (see item 16) on form DV-100) I agree to the orders requested. I do not agree to the orders requested. I lain why you disagree, or describe a different order that you would ag	ree to:
a. □ b. □	Ontrol of Property (see item (17) on form DV-100) I agree to the order requested. I do not agree to the order requested. Islain why you disagree, or describe a different order that you would ag	ree to:
a. □ b. □	Pealth and Other Insurance (see item 18) on form DV-100) I agree to the order requested. I do not agree to the order requested. Islain why you disagree, or describe a different order that you would ag	ree to:
)	ecord Communications (see item (19) on form DV-100) I agree to the order requested. I do not agree to the order requested.	
a. b.	roperty Restraint (see item 20 on form DV-100) I agree to the order requested. I do not agree to the order requested. I aliain why you disagree, or describe a different order that you would ag	gree to:
a. b.	ay Debt (Bills) Owed for Property (see item 22) on form DV I agree to the orders requested. I do not agree to the orders requested. I do not agree to the orders requested. I do not agree, or describe a different order that you would ag	

		Case Number:
20	 □ Pay Expenses Caused by the Abuse (see item ② on form Item) a. □ I agree to the order requested. b. □ I do not agree to the order requested. Explain why you disagree, or describe a different order that you would agree. 	
21)	 □ Child Support (see item 24) on form DV-100) a. □ I agree to the order requested. b. □ I do not agree to the order requested. c. □ I agree to pay guideline child support. (Learn more about guideline contents) 	hild support at
(22)	 □ Spousal Support (see item ② on form DV-100) a. □ I agree to the order requested. b. □ I do not agree to the order requested. Explain why you disagree, or describe a different order that you would ag 	ree to:
(23)	 □ Lawyer's Fees and Costs If the person in 1 checked item 26 on form DV-100, this means that they pay their lawyer's fees and costs. You may also ask for lawyer's fees and cost to pay for your lawyer's fees and cost if: The person in 1's request for restraining order is denied; The judge decides that the request was frivolous or was made only to a delay; and The person in 1 can afford to pay for your lawyer's fees and costs. Check here if you want the person in 1 to pay for some or all of your lawyer and costs. 	ests. The judge can order the person in 1
24)	 □ Batterer Intervention Program (see item ②7 on form DV-100) a. □ I agree to the order requested. b. □ I do not agree to the order requested. Explain why you disagree, or describe a different order that you would ag This is not a Court Order. 	

	Case Number:
Transfer Wireless Phone Account (see item 28) on	n form DV-100)
a. I agree to the order requested.	
b. I do not agree to the order requested. Explain why you disagree, or describe a different order that yo	would agree to:
Explain why you disagree, or describe a different order that yo	would agree to.
6) Firearms (Guns), Firearm Parts, or Ammunition (se	ee item 29 on form DV-100)
If you were served with form DV-110, <i>Temporary Restraining C</i> DV-110. You must file a receipt with the court from the law enformation after you received form DV-110. You may use <i>Parts, and Ammunition</i> .	• •
(Check all that apply)	
a. I do not own or have any prohibited items (firearms (guns)), prohibited firearm parts, or ammunition).
b. ☐ I have turned in all prohibited items that I have or own to I licensed gun dealer. A copy of the receipt showing that I to (check all that apply): ☐ is attached ☐ has already	
c. I ask for an exception to carry a firearm for work only. (You requires you to have a firearm, and that your employer can firearm is not needed. If you are a peace officer, there are a (Give details, like what your job is and why you need a fire	anot reassign you to another position where a additional requirements.)
Cannot Look for Protected People (see item ③ on fo	orm DV-100)
a. I agree to the order.	
b. \square I do not agree to the order.	
Explain why you disagree, or describe a different order that yo	ou would agree to:
Additional Reasons I Do Not Agree with the Rec	quest (ontional)
Explain why you do not agree to any of the orders requested by t	• , • ,
Explain why you do not agree to any of the orders requested by t	the person in (1) (give specific facis and reasons)
☐ Check here if you need more space. Attach a sheet of paper a Agree with the Request" at the top.	and write "DV-120, Additional Reasons I Do Not
This is not a Court C	Section 1

			Case Number:
29	If the request for resperson in 1 to pay	ocket Expenses straining order is denied by the judge at the my out-of-pocket expenses because the ter facts. The expenses are:	court hearing, I ask the judge to order the mporary restraining order was granted without
	For:	Because:	Amount: \$
	For:	Because:	Amount: \$
	For:	D	Amount: \$
(31)	Your signature I declare under pensorrect. Date:	alty of perjury under the laws of the State of	of California that the information above is true and
	Туре с	or print your name	Sign your name
32	Your lawyer's s	signature (if you have one)	
32)	Your lawyer's s		

Your Next Steps

- Turn in your completed form with the court.
- If the person in ① asked for child support, spousal support, or lawyer's fees, you must complete <u>form FL-150</u>, *Income and Expense Declaration*. If the person in ① is only asking for child support (item 24 on form DV-100), you may be eligible to fill out a simpler form, <u>form FL-155</u>. Read <u>form DV-570</u> to see if you are eligible to fill out form FL-155. Before your court date, you must file form FL-150 or FL-155 with the court.
- Have someone else (not you) mail the person in ① a copy of your forms, and complete form DV-250, Proof of Service by Mail. File form DV-250 with the court. (The person who mails this form must be at least 18 years old and cannot be you or someone protected on the restraining order.)
- Prepare for your court date by gathering evidence or witnesses, if you have any. Learn more at https://selfhelp.courts.ca.gov/respond-domestic-violence-restraining-order. More information is also available on form DV-120-INFO, How Can I Respond to a Request for Domestic Violence Restraining Order?

Important Notice about Access to Your Case

Court orders, minute orders, and child custody mediation reports are available online using our Public Case Access System. Access to court orders and minute orders provides you with information on what the court ordered in your case. Access to child custody mediation reports is necessary so that you know what child custody, visitation, or other suggestions the mediator recommended to the court.

To get secure access to your case online, you must complete and submit to the court the attached Family Law Case Participant Enrollment Form - Party, along with a copy of your driver's license, to create or update an account on our Public Case Access System. A separate form must be filed for each case or when you change your email address.

Once you complete the form, you may submit it in person at the courthouse at the public service counter or use the Drop Box. You may also submit it by US Mail at 3341 Power Inn Road, Sacramento, CA 95826.

Submitting the form as soon as possible is important because it may take two to five days to be processed from the date of receipt.

Once your access is set up you will receive an email letting you know that you are subscribed to your case. If you do not receive an email notifying you that you are subscribed to your case during the timeframes identified above, please inform the court using our Contact Us page at:

https://www.saccourt.ca.gov/contact.aspx

CONFIDENTIAL

CASE PARTICIPANT NAME:		FOR COURT USE ONLY
STREET ADDRESS:		
CITY/STATE/ZIP CODE:		
TELEPHONE NO.:		
E-MAIL ADDRESS (must be legible)	
SUPERIOR COURT OF CAL STREET ADDRESS:	IFORNIA, COUNTY OF SACRAMENTO 3341 Power Inn Road	
CITY AND ZIP CODE:	Sacramento, CA 95826	
BRANCH NAME:	William R. Ridgeway Family Relations Courthouse	
PETITIONER/PLAINTIFF:		
RESPONDENT/DEFENDANT:		
CLAIMANT:		
FAMILY LAW CAS	E PARTICIPANT ENROLLMENT FORM (PARTY)	CASE NUMBER:

You may access orders for law and motion hearings, and mediation reports prepared by Family Court Services using the court's online Public Case Access System. Access is available at no charge from the time the court creates your case subscription.

INSTRUCTIONS

To setup your account you must:

- File this form with the court with a copy of your driver license or a state or federal issued photo identification card.
- A separate form must be filed for each of your Family Law cases.
- Once the court has created your subscription to your case, you will receive a confirming email. You must follow
 the instructions in that email to complete the process.
- Once your subscription is completed, you will receive an email notification each time an order or report is added to your case.

l,	, request that the court create an account and/or subscription to my Family
Law case.	
	I declare that my private email address is (must be legible):
(Plea	ase use Ø for zero, 1 for one and clearly differentiate i, L, S, 5, 3, and 8's)
I understand if I change	my e-mail address I must file a new enrollment form with the court.
I acknowledge that con-	fidential mediation reports contain private information that is not part of the public court file.

I acknowledge that confidential mediation reports contain private information that is not part of the public court file. I understand that without a court order, I must <u>not</u> disclose any contents of the Report to anyone (including any minor children) other than the parties to my case (Petitioner/Respondent/Claimant), their attorneys and court professionals. I acknowledge that the court may impose a penalty for any unauthorized disclosure of any content of the Family Court Services report.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.	
Date:	

(TYPE OR PRINT NAME)

(SIGNATURE OF DECLARANT)

	DV-250	Proof of Service by Mail		Clerk stamps date	here when form is filed.
1	Name of Perso	on Asking for Protection:			
2	Name of Perso	on to Be Restrained:			
3	Notice to Serv The server must:	er			
	• Be 18 years of a	ge or over.			
		tems (1), (2) or (3) of form DV-100, Requestive Restraining Order.	st for	Superior Court	of California, County of
	• Mail a copy of a to the person in	ll documents checked in 4 5.			
4	I (the server) am	18 years of age or over and live in or am	employed	Fill in case number	··
	•	ere the mailing took place. I mailed a copy	of all	Case Number:	· · · · · · · · · · · · · · · · · · ·
	documents check	ed below to the person in (5):			
	Restraining b. DV-120, R	esponse to Request for Domestic Violence R		Order	
	c.	come and Expense Declaration			
		mplified Financial Statement			
	e. DV-130, <i>R</i>	estraining Order After Hearing (Order of P	rotection)		
	f. Dther (spec	cify):			
5	I placed copies of a. Name of perso b. To this address		envelope a	nd mailed them	as described below:
	City:		Sta	te [.]	Zip:
	J	e):			<i>z.</i> .p
	d. Mailed from (a		(,	state):	
6	Server's Information	mation			
	City:		State	e:	Zip:
	Telephone:				F'
		ered process server:			
		gistration:	Reg	istration number:	:
7		nalty of perjury under the laws of the State of			
			•		
	Type or print serve	er's name	Server to si	gn here	

DV-120-INFOHow Can I Respond to a Request for Domestic Violence Restraining Order?

I was served with form DV-100, DV-109, or DV-110. What does this mean?

Someone has asked for a domestic violence restraining order against you. On the forms, you are the "person in 2" and the person who wants a restraining order against you is listed in 1 on all the forms.

Form DV-100: This form has all the orders that the person in (1) has asked the judge to order.

Form DV-109: Your court hearing (court date) is listed on this form. You should attend the court hearing if you do not agree to the orders requested. If you do not attend, the judge can make orders against you without hearing from you.

Form DV-110: If you were served with form DV-110, it means that the judge granted a temporary restraining order against you. You must follow the orders.

What is a Domestic Violence Restraining Order?

It is a court order that can help protect people who have been abused by someone they have been intimate with, or are closely related to. To be eligible, the person asking for the restraining order must be:

- Someone you date or used to date
- A spouse, ex-spouse, registered domestic partner, or ex-domestic partner
- Someone you live or lived with (more than a roommate)
- Your parent, sibling, child, grandparent, or grandchild related by blood, marriage, or adoption

What can a restraining order do?

A restraining order can include orders for you to:

- Not contact or harm the protected person, including children or others listed as protected people
- Stay away from all protected people and places
- Not have any firearms (guns), firearm parts, or ammunition. This includes homemade or untraceable guns, like "ghost guns."
- Move out of the place that you share with the protected person
- Follow custody and visitation orders
- Pay child support
- · Pay spousal support
- Pay debt for property
- Give control of property (examples: cell phone, car, home) to the person asking for protection.

What if I have children with the person asking for a restraining order?

A restraining order can include orders for your children, including listing them as protected persons. It can also include child custody and visitation orders and orders to limit your ability to travel with your children.

How long does the order last?

If the judge granted a temporary restraining order (form DV-110), it will last until the hearing date. At your court hearing, the judge will decide whether to extend the order or cancel the order. The judge can extend the order for up to five years. Custody, visitation, child support, and spousal support orders can last longer than five years and they do not end when the restraining order ends.



DV-120-INFO How Can I Respond to a Request for Domestic Violence Restraining Order?

What do I do next?

Part 1: Turn in or sell prohibited items

If there is a temporary restraining order against you (see form DV-110), then you must immediately turn in, sell, or store any prohibited items you have or own.



Prohibited items include:

- **Firearms**, including any handgun, rifle, shotgun, and assault weapon
- Firearm parts, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame
- **Ammunition**, including bullets, shells, cartridges, and clips

You must then prove to the court that you've complied with the orders. Bring form DV-800/JV-270, Receipt for Firearms, Firearm Parts, and Ammunition, to a gun dealer or law enforcement when you turn in your items. After DV-800/JV-270 is complete, file it with the court. You may ask the court for information on how to turn in, sell, or store these items in your city or county. You can also read form DV-800-INFO/JV-270-INFO, How Do I Turn In, Sell, Or Store My Firearms, Firearm Parts, and Ammunition?

Part 2: Respond in writing (optional)

"Respond" means to let the judge and the other side know whether you agree or disagree with the request for restraining order, and why. Responding in writing is optional and there is no penalty if you don't. If you need more time to prepare for your case, talk to a lawyer or self-help center staff before you file a response.

If you want to respond in writing, complete form DV-120, Response to Request for Domestic Violence Restraining Order. After you complete the form, file it with the court. There is no court fee to file this form. Then "serve" the form on the person asking for the restraining order. "Serve" means to have someone 18 years old or older mail a copy to the person asking for the restraining order. You cannot be the one to mail your papers. The person who mails your form must fill out form DV-250, Proof of Service by Mail. After form DV-250 is completed, file it with the court.

Part 3: Get ready and go to your court hearing

Your court hearing is listed on form DV-109, Notice of Court Hearing. You have the option of attending your hearing in-person or remotely (by phone, or videoconference if available). For information on how to attend your hearing remotely, go to the court's website. Some courts may require advance notice. At the hearing, you and the other side will have the opportunity to tell your side of the story. For more information, read form DV-520-INFO, Get Ready for the Restraining Order Court Hearing. If you need more time to prepare your case, you may ask the judge for a new court date. The judge will decide whether to grant your request. Read form DV-115-INFO, How to Ask For a New Hearing Date, for more information. Note that if the judge does give you a new court date and if there is a temporary restraining order against you, the judge will usually extend the temporary restraining order until the next court date.

What if I need an interpreter?

You may use <u>form INT-300</u> to request an interpreter or ask the clerk how you can request one.

What if I have a disability and need an accommodation?

You may use <u>form MC-410</u> 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 section 54.8.)

DV-120-INFO, Page 2 of 3



DV-120-INFO How Can I Respond to a Request for Domestic Violence Restraining Order?

Do I need a lawyer?

It's possible to go through this process without a lawyer. But having a restraining order against you may have a lot of consequences, and you may want to hire a lawyer. If you don't hire a lawyer, you can get free help from your court's self-help center.

What if I was arrested or have criminal charges against me?

Anything you write in your court papers or say at a hearing for this case and for any criminal case can be used against you. Talk to a lawyer if you have any concerns about what you can do and say.

Where can I find a self-help center?

Free legal help is available at your court's self-help center. Find your local court's self-help center at www.selfhelp.courts.ca.gov/find. 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, and help you with the forms. Staff may also refer you to other agencies who may be able to help you.

What if I don't obey the order?

The police can arrest you. You can go to jail and pay a fine. You must still follow the orders even if you are not a U.S. citizen. If you are worried about your immigration status, talk to an immigration lawyer.

Can I use the restraining order to get divorced or end a 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.

What if I want to leave the county or state?

You must still comply with the restraining order, including custody and visitation orders. The restraining order is valid anywhere in the United States.

What if I have more than one restraining order against me?

If the police are called to enforce the order, they will need to follow the rules of enforcement (see "Priority of Enforcement" listed on the back of form DV-110, DV-130, and CR-160). If you have questions about any of the orders against you, contact your local self-help center or talk to a lawyer. Find your local court's self-help center at www.selfhelp.courts.ca.gov/find.

What if I am a victim or survivor of domestic violence?

The National Domestic Violence Hotline provides free and private safety tips. Help is available in over 100 languages. Visit online at *www.thehotline.org* or call 1-800-799-7233; 1-800-787-3224 (TTY).

What if I need a restraining order against the other person?

Do not use form DV-120 to request a domestic violence restraining order. For information on how to file your own restraining order, read <u>form DV-505-INFO</u>. You can also ask the court clerk about free or low-cost legal help.

Information about the court process is also available online

https://selfhelp.courts.ca.gov/respond-to-DV-restraining-order

Domestic Violence and Child Custody

If there has been domestic violence (domestic abuse or partner abuse) in your family, a special law may apply to your case.

What is "domestic violence"?

It means to hit, kick, scare, throw things, pull hair, push, follow, harass, sexually assault, or threaten to do any of these things. It also includes other actions that make someone afraid of being hurt, isolated or unable to get to basic things, like food. Domestic violence can be spoken, written, or physical. For more information on what domestic violence is, read form DV-500-INFO, Can a Domestic Violence Restraining Order Help Me?

What is "child custody"?

There are two kinds:

- A person with physical custody lives with the child on a regular basis.
- A person with legal custody makes important decisions about the child's health care, education, and welfare.

When does domestic violence affect my case?

In the last 5 years, has a parent in this case:

- **1.** Had a **conviction** in criminal court for domestic violence against one of the following people:
 - The other parent in the custody case;
 - Any of your children or your children's siblings;
 - Their current spouse, or someone they are currently dating, engaged to, or living with; or
 - Their parent (your child's grandparent)?
- **2.** Had a **judge decide** that they committed domestic violence against any of the people listed above? (Example: a judge granted a restraining order against the parent after people testified and gave evidence.)

If you answered yes to 1 or 2, a special law applies to your case.

This special law is sometimes called "3044" (see page 2 for the entire law). If someone is not your child's parent and is asking the court for custody, this law applies to them, too. Even if "3044" does not apply to your case, you should give the judge any information about domestic violence or abuse that you think can help the judge decide who gets custody.

How "3044" affects your case

The judge can give custody to a person who has a domestic violence **conviction or decision** against them only if the judge believes that it is in the child's best interest to do so. The judge must look at 8 factors:

- 1. What is in the child's best interest?
- 2. Has the person committed any other domestic violence?
- 3. Has the person followed all the terms and conditions of any restraining order?
- 4. Has the person finished a 1 year batterer intervention program?
- 5. Has the person finished an alcohol or drug program, if ordered by the judge?
- 6. Has the person finished a parenting class, if ordered by the judge?
- 7. If on probation or parole, has the person followed all terms of probation or parole?
- 8. Does the person still have a firearm (gun) or ammunition, in violation of a restraining order?

The judge must go through this 8-factor test in every case that it applies to, even if a court professional or evaluator makes a recommendation in your case. To learn more about the custody process in family court, visit https://selfhelp.courts.ca.gov/what-to-know-about-child-custody-parenting-time.



Family Code section 3044

- (a) Upon a finding by the court that a party seeking custody of a child has perpetrated domestic violence within the previous five years against the other party seeking custody of the child, or against the child or the child's siblings, or against a person in subparagraph (A) of paragraph (2) of subdivision (a) of Section 3011 with whom the party has a relationship, there is a rebuttable presumption that an award of sole or joint physical or legal custody of a child to a person who has perpetrated domestic violence is detrimental to the best interest of the child, pursuant to Sections 3011 and 3020. This presumption may only be rebutted by a preponderance of the evidence.
- **(b)** To overcome the presumption set forth in subdivision (a), the court shall find that paragraph (1) is satisfied and shall find that the factors in paragraph (2), on balance, support the legislative findings in Section 3020.
- (1) The perpetrator of domestic violence has demonstrated that giving sole or joint physical or legal custody of a child to the perpetrator is in the best interest of the child pursuant to Sections 3011 and 3020. In determining the best interest of the child, the preference for frequent and continuing contact with both parents, as set forth in subdivision (b) of Section 3020, or with the noncustodial parent, as set forth in paragraph (1) of subdivision (a) of Section 3040, may not be used to rebut the presumption, in whole or in part.
- (2) Additional factors:
 - (A) The perpetrator has successfully completed a batterer's treatment program that meets the criteria outlined in subdivision (c) of Section 1203.097 of the Penal Code.
 - (B) The perpetrator has successfully completed a program of alcohol or drug abuse counseling, if the court determines that counseling is appropriate.
 - (C) The perpetrator has successfully completed a parenting class, if the court determines the class to be appropriate.
 - (D) The perpetrator is on probation or parole, and has or has not complied with the terms and conditions of probation or parole.
 - (E) The perpetrator is restrained by a protective order or restraining order, and has or has not complied with its terms and conditions.
 - (F) The perpetrator of domestic violence has committed further acts of domestic violence.
 - (G) The court has determined, pursuant to Section 6322.5, that the perpetrator is a restrained person in possession or control of a firearm or ammunition in violation of Section 6389.
- (c) For purposes of this section, a person has "perpetrated domestic violence" when the person is found by the court to have intentionally or recklessly caused or attempted to cause bodily injury, or sexual assault, or to have placed a person in reasonable apprehension of imminent serious bodily injury to that person or to another, or to have engaged in behavior involving, but not limited

- to, threatening, striking, harassing, destroying personal property, or disturbing the peace of another, for which a court may issue an ex parte order pursuant to Section 6320 to protect the other party seeking custody of the child or to protect the child and the child's siblings.
- (d) (1) For purposes of this section, the requirement of a finding by the court shall be satisfied by, among other things, and not limited to, evidence that a party seeking custody has been convicted within the previous five years, after a trial or a plea of guilty or no contest, of a crime against the other party that comes within the definition of domestic violence contained in Section 6211 and of abuse contained in Section 6203, including, but not limited to, a crime described in subdivision (e) of Section 243 of, or Section 261, 273.5, 422, or 646.9 of, or former Section 262 of, the Penal Code.
- (2) The requirement of a finding by the court shall also be satisfied if a court, whether that court hears or has heard the child custody proceedings or not, has made a finding pursuant to subdivision (a) based on conduct occurring within the previous five years.
- **(e)** When a court makes a finding that a party has perpetrated domestic violence, the court may not base its findings solely on conclusions reached by a child custody evaluator or on the recommendation of the Family Court Services staff, but shall consider any relevant, admissible evidence submitted by the parties.
- (f) (1) It is the intent of the Legislature that this subdivision be interpreted consistently with the decision in Jaime G. v. H.L. (2018) 25 Cal.App.5th 794, which requires that the court, in determining that the presumption in subdivision (a) has been overcome, make specific findings on each of the factors in subdivision (b).
- (2) If the court determines that the presumption in subdivision (a) has been overcome, the court shall state its reasons in writing or on the record as to why paragraph (1) of subdivision (b) is satisfied and why the factors in paragraph (2) of subdivision (b), on balance, support the legislative findings in Section 3020.
- (g) In an evidentiary hearing or trial in which custody orders are sought and where there has been an allegation of domestic violence, the court shall make a determination as to whether this section applies prior to issuing a custody order, unless the court finds that a continuance is necessary to determine whether this section applies, in which case the court may issue a temporary custody order for a reasonable period of time, provided the order complies with Sections 3011 and 3020.
- (h) In a custody or restraining order proceeding in which a party has alleged that the other party has perpetrated domestic violence in accordance with the terms of this section, the court shall inform the parties of the existence of this section and shall give them a copy of this section prior to custody mediation in the case.

DV-520-INFO

Get Ready for Your Restraining Order Court Hearing

Make arrangements before your court hearing

- If you or a witness wants to attend court remotely (by phone or videoconference)
 - Check the court's website as soon as possible to see what you need to do to attend remotely. You can use www.courts.ca.gov/find-my-court.htm to find your court's website.
- Court interpreter: If you need an interpreter, use form INT-300 to request an interpreter or ask the court clerk how you can request one. You can also use this form to ask for an interpreter for a witness.
- Childcare: Find childcare because court may take all morning or afternoon, even all day. Some courts have a Children's Waiting Room, a safe place for children to wait while parents are in court. You can check with your court in advance to see if this is available.
- Support person: You can have someone attend court with you. The person you bring cannot speak for you but can sit next to you when your case is called (if you attend in person). If you attend by videoconference, your support person can also attend with you.
- Disability accommodation: You may use <u>form</u>
 <u>MC-410</u> 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 section 54.8.)

Bring evidence or witnesses to your court hearing

If you have evidence or witnesses, read the information below. Bringing evidence or witnesses is optional and not required. Your statements alone can be proof for your case. If you are the person asking for the restraining order you will have to convince the judge that abuse occurred. The judge will make a decision based on all evidence and statements made by both sides

- Evidence: Evidence can include pictures, emails, medical records showing injuries, police reports, etc. If you have evidence, you will need to make it available to the judge and other side to see. Sometimes the judge cannot look at or consider certain documents. The judge will decide which documents can be included in your case. If you are attending court in person, bring three copies of your written evidence, if you have not already filed and served it on the other side. If you have evidence and want to attend your court date by phone or videoconference, contact your local self-help center for information on how to share your evidence with the judge and other side.
- Witnesses: You can ask the judge to allow witnesses to speak at your court hearing. If you have a lot of witnesses, you may need to complete paperwork before your court hearing. Ask your local self-help center for more information.



Get Ready for Your Restraining Order Court Hearing

Tips for your court hearing

Plan what you want to say to the judge

It may help to plan out and make notes about what you want to say to the judge. If needed, you can use your notes for your court hearing. Read over the court papers in your case and write out anything else you want the judge to know. Focus on the facts and details that support your side of the story. Go over any papers you received from the other side. Try to understand what they are asking for and arguing in the case (their allegations). If you do not agree, tell the judge. Think about and write down how you want to defend against their arguments

Attend early and safely

Show up or call in to your hearing early. If you are attending online, practice using the technology, like Zoom, before your court date. If you are late, you may miss your case being called. If you might be late, try to call the court right away to let courtroom staff know that you will be late.

- ▶ If you attend in person, do not sit near or talk to the other person. If you are afraid of the other person, tell the officer who is in the courtroom.
- ▶ If you attend by videoconference, and you don't want the other side to see where you are or your phone number (if you call in), talk with an advocate about how to safely attend using videoconference. This may include using a virtual background or using another phone number to call in. You can contact the National Domestic Violence Hotline for free help. See page 4 for information.

Follow courtroom rules

Here are some common rules:

- Put your cellphone on silent mode, if you're attending in person.
- Do not eat or drink during your hearing, except for water.
- Do not wear a hat or sunglasses on your head.
- When speaking to the judge, call the judge "Your honor" or "judge".
- Don't interrupt anyone who is speaking.
- Wait until it's your turn to speak and let the judge know you want a chance to speak.

What will happen during my case?

The judge will give both sides time to speak

Usually, the judge asks the person who wants the restraining order to talk first. No matter who talks first, you will both get a chance to speak. Attending court can be difficult and stressful but it is important not to talk over anyone. If you have something to say and it is not your turn, let the person finish talking and then ask the judge for permission to speak.

The judge will reschedule your court hearing or make a decision

- ► There are a few reasons why the judge may have rescheduled your court date. This is called a continuance. Here are some examples:
 - Person asking for the restraining order did not serve the other side in time (by the deadline).
 - The judge needs to set aside more time to hear your case.
 - If the restrained person has not filed a response (form DV-120) and asks for more time to prepare for the case, the judge must grant their request if they ask for one at the first court date.

If the judge reschedules your court date, the judge will usually extend the temporary restraining order, if one was granted. If the judge reschedules your court date, make sure you get a new order (form DV-116, Order on Request to Continue Hearing).

- ▶ If the restraining order is denied, this means that the judge has decided that there was not enough evidence to prove that abuse happened. This means that your restraining order case is finished and any temporary protection expires.
- ▶ If the restraining order is granted, this means that the judge has decided that there is enough evidence to prove that abuse happened. You should go over the restraining order to make sure you understand all the orders. See the next page for information on next steps.



What do I do after a restraining order is granted?

If you've had your day in court and the judge granted you a long-term restraining order, you may have a couple more steps to take. Make sure all steps are completed as soon as possible. If you do not, the police may not be able to enforce your restraining order.

Protected person:

- 1 Your restraining order will be on form DV-130, Restraining Order After Hearing. If you don't have a form DV-130 that is signed by the judge, check with the clerk to see if one was filed. If it has, ask for a copy. If one has not been filed, you will need to fill out:
 - Form DV-130 (required).
 - Form DV-140, Child Custody and Visitation Order (required if court made orders for your children).
 - Form FL-342, Child Support Information and Order Attachment, or form FL-343, Spousal, Domestic Partner, or Family Support Order Attachment, if the judge orders child support or spousal support.
- Turn in your completed form(s) to the court clerk. The clerk will then give it to the judge to review and sign. You will need to pick it up once it is signed. Ask the court clerk when your forms will be ready. There is no fee for turning in this form, and you should receive some free copies.
- 3 Look at form DV-130 to see if the judge ordered you to serve the form by mail or in person. If you are ordered to serve the form by mail, this means your server only has to mail a copy of the restraining order. But, serving someone in person is always best. When you mail court papers, it may be hard to prove that the person actually received a copy especially if the person moves a lot. Learn more about service at: https://selfhelp.courts.ca.gov/DV-restraining-order/serve-longterm-order.

Restrained person:

- 1 You must obey orders the judge makes. The orders will be on form DV-130, Restraining Order After Hearing. If you do not obey them, you could be arrested, or convicted of a crime.
- (guns), firearm parts, ammunition), you must bring all items to a licensed gun dealer or police. For more information, read form DV-800-INFO/JV-270-INFO, How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition? The information is also available online at: www.selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders. Free help is also available at your local self-help center. Find your local court's self-help center at www.courts.ca.gov/selfhelp.



Get Ready For Your Restraining Order Court Hearing

What if I have a child with the other side?

If you ask for child custody or visitation (parenting time) orders, the judge may have you meet with a court professional to see if you and the other parent can agree on parenting time. This process is called "mediation." You can ask to meet separately and not with the other side in your case. Ask the court staff how you can make this request. For more information on mediation, go to: www.selfhelp.courts.ca.gov/child-custody/what-to-expect-mediation.

What happens if I don't attend the court hearing?

- ▶ If you asked for a restraining order and you do not attend the hearing, any protection you have in this case will expire. If the other side attends the hearing and you don't, the judge could make some orders against you, like lawyer's fees. To get another restraining order, you would have to fill out and file a new set of forms. If you've changed your mind and no longer want a restraining order, talk with self-help center staff or a lawyer.
- ▶ If someone asked for a restraining order against you, and you do not attend the hearing, a judge may grant a restraining order against you without hearing your side. The order can last for up to five years, and can include orders regarding children or property that you have with the person asking for protection.

Information about the court process is also available online

https://selfhelp.courts.ca.gov/DV-restraining-order/process.

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. Help is available every day, 24 hours a day, and in over 100 languages. Visit online at *www.thehotline.org* or call 1-800-799-7233; 1-800-787-3224 (TTY).

SUPERIOR COURT OF CALIFORNIA COUNTY OF SACRAMENTO FAMILY LAW DIVISION

How to Safely Turn In Firearms and Ammunition

Within 24 hours of receiving this order, you must sell or store with a licensed gun dealer, or turn in to a law enforcement agency any guns or other firearms you have in your possession or control.

Within 48 hours of receiving this order, you must file a receipt with the court that proves firearms have been turned in or sold. You may use form DV-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.

- 1. You must call the law enforcement agency first and notify them that you are turning in a firearm and ammunition per Court order.
- 2. The firearm(s) must not be loaded.
- 3. When transporting the firearm(s) in a vehicle, it must be locked inside the trunk or in a locked container in the back of the vehicle out of arm's reach. (PC 25610).
- 4. The law enforcement agency will give you instructions on surrendering ammunition. Some agencies may ask you to make more than one trip: one trip to surrender the firearm(s) and another trip to surrender the ammunition. Ammunition must be transported in a box or specific ammunition can separate from the firearm(s).
- 5. You must drive straight to the law enforcement agency. Do not stop anywhere else.
- 6. Call the agency immediately when you arrive or go inside and ask for further instructions. Leave the firearm(s) inside the vehicle unless you have been instructed otherwise.

If a receipt proving that firearms and ammunition has been sold or stored with a licensed gun dealer or law enforcement agency is not filed with the court within 48 hours, the court will advise the District Attorney's Office and law enforcement. Law enforcement will take all actions necessary to obtain the firearms and ammunition owned, possessed, or controlled by the restrained party and to address any violation of the order.

DV-800-INFO/JV-270-INFO How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?

What do I need to turn in, sell, or store?

You must turn in, sell, or store all of the following prohibited items that you have or own:

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, includes receivers, frames, and any item that may be used as or easily turned into a receiver or frame (also called "ghost guns"); and
- Ammunition, including bullets, shells, cartridges, and clips.

How do I properly turn in, sell, or store the prohibited items?

You must take them to:

• Law enforcement, who will accept all prohibited items for safekeeping or to destroy,

Of

 A licensed gun dealer, who can buy or store your firearms. If you have firearm parts or ammunition, call ahead for more information.

When do I turn in, sell, or store prohibited items?

Immediately, if law enforcement asks you to. Otherwise, within 24 hours of being served, or told by a judge to do so.

Can I give my prohibited items to family or friends?

No, only to law enforcement or a licensed gun dealer. You cannot give your prohibited items to a family member, friend, or anyone else.

Do I have to pay a fee to store prohibited items?

You may have to pay a fee. Contact law enforcement or a licensed gun dealer about fees and whether they have space to store your items.

How do I take prohibited items to law enforcement?

Call your local law enforcement agency to ask about their procedures. They will give you specific instructions, like making sure your firearms are unloaded and in the trunk of the car. Take a copy of the restraining order with you. **Do not** bring your firearms to court.

If I turn in my firearms to law enforcement, how long will they keep them?

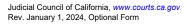
It depends. There are procedures for getting your firearms back after a restraining order expires. Ask the law enforcement agency.

After I give my firearms to law enforcement, can I change my mind?

Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearms you are selling.

How do I prove to the judge that I have complied with (obeyed) the orders?

- 1 Bring a copy of form DV-800/JV-270, Receipt for Firearms, Firearm Parts, and Ammunition, with you, and ask the dealer or officer to complete and sign the form.
- (2) File form DV-800/JV-270 with the court. Make sure you get two copies. All receipts must be filed with the court within 48 hours from the time you were served with the restraining order, unless the judge gave you another deadline.





DV-800-INFO/JV-270-INFO

How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?

Do I need to bring a copy of the receipt to anyone besides the judge?

Yes, if:

- ▶ Law enforcement served you with the restraining order, you must give them a copy of your receipt (example: form DV-800/JV-270). If you don't know who served you with the restraining order, ask the court clerk for a copy of the proof of service form for the restraining order. The law enforcement agency is listed on that form.
- ▶ You did not obey the order when you were supposed to, and the court notified law enforcement or a prosecuting attorney. (Tip: Look at forms DV-110, DV-130, or DV-820 to see if the court notified another agency. If the court did, give a copy of the receipt to the agencies listed on any of the forms).

Where can I find free help?

Free legal help is available at your court's self-help center. Find your local court's self-help center at www.selfhelp.courts.ca.gov/find. 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, and help you with the forms. Staff may also refer you to other agencies who may be able to help you.

More information on how to obey these orders is available online

https://selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders.

V-800/JV-270	Receipt for Firearms, Firearm Parts, and Ammunition	Clerk stamps date here when form is filed.
Person Asking Fo	•	_
Your Information ((Restrained Person)	
a. Your Name:		
send you official cou use another address l if you have their pern have a lawyer, give t Address:	*	Fill in court name and street address: Superior Court of California, County of
City:	State: Zip:	_
Telephone: Email Address:	Fax:	_
	have one for this case):	Court fills in case number when form is filed.
Name:	State Bar No.:	Case Number:
	State Bar 1 to	_
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	To Licensed	Gun Dealer			
(Complete the section below. Ke	ep a copy and give the ori	iginal to the person in $②$.)		
Name of Licensed Gun Dealer:					
License number:					
Address:					
Address: Telephone number:	Em	ail address:			
Items Stored or Sold					
a. Firearms, firearm parts, and Date:					
b. List of items. (List all the ite DOJ's Report of Firearm AccSeparate form is attached.	quisition), use 6 , or both	n.) Check below if you hav	e attached	a separat	e form:
I declare under penalty of perjuitrue and correct.	ry under the laws of the S	tate of California that the i	nformatio	n above is	5
■ Signature of licensed gun de					
_		Serial Number, if there is one	Sold		To b
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List of Items Surrender a. Firearms and firearm parts Make (1) (2)	ed Model	Serial Number, if there is one	Sold 		To b
☐ List of Items Surrender a. Firearms and firearm parts Make (1) (2) (3) (4) (5)	ed Model	Serial Number, if there is one	Sold _		To b
☐ List of Items Surrender a. Firearms and firearm parts Make (1)	ed Model	Serial Number, if there is one	Sold _		To be destro
□ List of Items Surrender a. Firearms and firearm parts Make (1) (2) (3) (4) (5) (6)	ed Model	Serial Number, if there is one	Sold _		To be destro
List of Items Surrender a. Firearms and firearm parts Make (1) (2) (3) (4) (5) (6) b. Ammunition	ed Model	Serial Number, if there is one	Sold	Stored	To be destro
□ List of Items Surrender a. Firearms and firearm parts Make (1) (2) (3) (4) (5) (6) b. Ammunition Brand	ed Model Type	Serial Number, if there is one Amount	Sold		To be destro
□ List of Items Surrender a. Firearms and firearm parts Make (1) (2) (3) (4) (5) (6) b. Ammunition Brand (1) Brand	Model	Serial Number, if there is one Amount	Sold	Stored	To be destro
□ List of Items Surrender a. Firearms and firearm parts Make (1) (2) (3) (4) (5) (6) b. Ammunition Brand (1) (2)	ed Model Type	Serial Number, if there is one Amount	Sold Sold	Stored	To be destro
□ List of Items Surrender a. Firearms and firearm parts Make (1) (2) (3) (4) (5) (6) b. Ammunition Brand (1) (2) (3)	Model	Serial Number, if there is one Amount	Sold	Stored	To be destro
□ List of Items Surrender a. Firearms and firearm parts Make (1) (2) (3) (4) (5) (6) b. Ammunition Brand (1) (2)	ed Model Type	Serial Number, if there is one Amount	Sold Sold Sold	Stored	To be destro

Case Number:

To the Restrained Person:		
Besides the items listed on page 2 or in an firearms (guns), firearm parts, or ammunition		u have or own any other
☐ No		
☐ Yes (If yes, check one of the boxes below:)		
a. I filed a <i>Receipt for Firearms, Firearm Par</i> proof for those items with the court on (da.)	`	, , , , , , , , , , , , , , , , , , ,
b. I am filing the proof for those firearms (gu	uns), firearm parts, or amr	nunition along with this proof.
c. I have not yet filed the proof for the other to	firearms (guns), firearm p	arts, or ammunition. (Explain why not)
Your signature		
I declare under penalty of perjury under the laws of correct.	f the State of California th	nat the information above is true and
Date:	•	
Type or print your name	Sign your name	

Case Number:

Your Next Steps

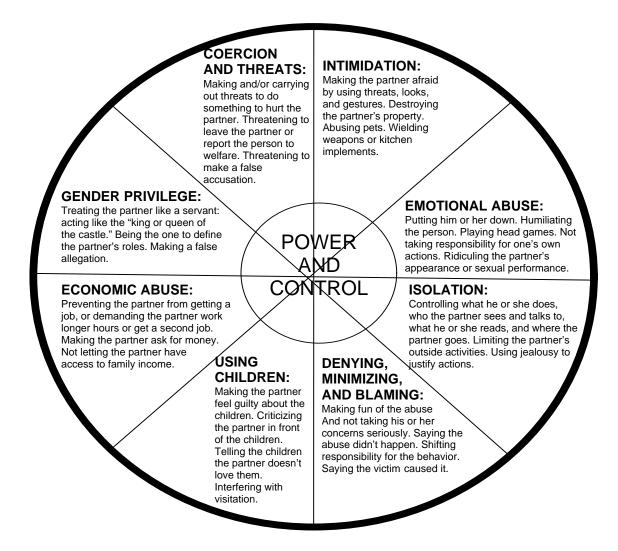
- After the form is complete, make two additional copies. Take the copies and original to the court clerk to file.
- If law enforcement served you with the restraining order, give a copy to the law enforcement agency that served you with the restraining order.
- Keep a copy for yourself.

Note that failure to file a receipt with the court and with the law enforcement agency is a violation of the judge's order.

GENDER-INCLUSIVE

POWER AND CONTROL WHEEL

Physical and sexual assaults, or threats to commit them, are often linked to other abusive behaviors. Although physical assaults may occur only occasionally, they can instill the fear of future violence, allowing the abuser to take control of the partner's life. The Gender-Inclusive Power and Control Wheel is a helpful tool to understand the overall pattern of abusive and violent behavior.



Original Power and Control Wheel developed by: Domestic Abuse Intervention Project 202 East Superior Street Duluth, MN 55802 Adapted by:

SAVE: Stop Abusive and Violent Environments

Technical assistance - Training - Education

P.O. Box 1221 Rockville, MD 20849 2/3/2012

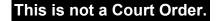
DV-125

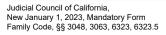
Response to Request for Child Custody and Visitation Orders

Case Number:		

This form is attached to form DV-120.

per to	w to complete this form: To answer the questions below, look at the form DV-105 filled out by the son in ①. Tip: Where form DV-105 refers to "person in ②," that means you. If you need more space complete your answer, you can use a separate piece of paper and attach it to this form. Include a title at					
the	top of the paper (example: DV-125, Custody of Children).					
1	Person Asking for Protection (see 1) on form DV-105) a. Name:					
	b. Relationship to children: Parent Legal Guardian Other (describe):					
2	Your Information a. Name:					
	b. Relationship to children: Parent Legal Guardian Other (describe):					
3	Children (see ③ on form DV-105) a. □ I am the parent of the child or children listed on form DV-105.					
	 b.					
	d. Other (describe):					
4	City and State Where Children Lived (see 4) on form DV-105)					
	a. \square I agree with the information given by the person in \bigcirc .					
	b. \square I do not agree. (Use form DV-105(A) to list where the children have lived.)					
5)	History of Court Cases Involving Children (see (5) on form DV-105)					
	The person in 1 may have listed other court cases involving your children. If information is incorrect or missing, use the space below to give information.					
	(Check all that apply. List where it was filed (city, state, or tribe), year it was filed, and case number, if known.)					
	☐ Custody or Divorce					
	☐ Juvenile Court (child welfare, juvenile justice) ☐ Guardianship					
	☐ Other (example: child support case)					
	(If a judge has already made a custody or visitation order for children in this case, attach a conv of the order if					





you have one.)

<u>6</u>)		No	Travel With Children Without Permission (see 6 on form DV-105)
			I agree to the order requested.
			I do not agree to the order requested because:
	c.		I would agree to a different order (describe the order you would agree to):
7		St	op Access to Children's School, Health, and Other Information (see (7) on form DV-105)
	a.		I agree to the order requested.
	b.		I do not agree to the order requested because:
	c.		I would agree to a different order (describe the order you would agree to):
8		Re	equest for Orders to Prevent Child Abduction (see 4-10) on form DV-108)
	a.		I agree to the order requested.
	b.		I do not agree to the order requested because:
	c.		I would agree to a different order (describe the order you would agree to):
		Cı	ustody of Children (see (9) on form DV-105)
9	a.		I agree to the order requested.
	b.		I do not agree to the order requested because:
	c.		I would agree to a different order:
			Legal Custody (The person that makes decisions about the child's health, education, and welfare.)
			(check one):
			Sole to me
			Sole to person in (1)
			☐ Jointly (shared) by persons in (1) and me. ☐ Other (describe):
			Physical Custody (The person that the child regularly lives with.)
			(check one):
			☐ Sole to me ☐ Sole to person in (1)
			☐ Jointly (shared) by persons in (1) and me.
			Other (describe):
			This is not a Court Order

Case Number:

. 🗌 I agree	isitation (Parenting T e to the order requested. ot agree to the order reques	Ime) with Children (see pages 3-ted because:	-5 on form DV-105)
e. □ I woul	d agree to a different order		e as much detail as you can.)
	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 s	schedule listed above (che		

(11) The statements made on this form are made under penalty of perjury as declared on form DV-120.

PARTY WITHOUT ATTORNEY OR ATTORNEY	STATE BAR NU	MBER:	FOR COURT USE ONLY
NAME:			
FIRM NAME:			
STREET ADDRESS:			
CITY:	STATE:	ZIP CODE:	
TELEPHONE NO.:	FAX NO.:		
E-MAIL ADDRESS:			
ATTORNEY FOR (name):			
SUPERIOR COURT OF CALIFORNIA, COUR	NTY OF Sacramento		
STREET ADDRESS: 3341 Power Inn Road			
MAILING ADDRESS: 3341 Power Inn Road			
CITY AND ZIP CODE: Sacramento, CA 95814	oily Dalationa Courtha	100	
BRANCH NAME: William R. Ridgeway Fan	illy Relations Courtilo	use	
PETITIONER:			
RESPONDENT:			
OTHER PARTY/PARENT/CLAIMANT:			
INCOME AND EVI	DENOE DEGLADAT	TON	CASE NUMBER:
INCOME AND EXI	PENSE DECLARAT	ION	
4 5		The second of the second	
1. Employment (Give information on yo	ur current job or, if you	u're unemployed, your most	t recent job.)
Attach copies a. Employer:			
of your pay b. Employer's address:			
stubs for last c. Employer's phone nu	ımber:		
two months d. Occupation:			
(black out e. Date job started:			
Social f. If unemployed, date j			
Security g. I work about numbers). h. Leet paid \$	hours per week.		
numbers). h. I get paid \$	gross (before taxes)	per month	per week per hour.
(If you have more than one job, attach jobs. Write "Question 1—Other Jobs"		sheet of paper and list the	same information as above for your other
2. Age and education			
a. My age is (specify):			
b. I have completed high school or the	ne equivalent:	Yes No If no	, highest grade completed (specify):
c. Number of years of college comple	• —	Degree(s) obtain	
d. Number of years of graduate scho			ree(s) obtained (specify):
	ipational license(s) (sp	ecity):	
vocational training	្ស (specify):		
3. Tax information			
a. I last filed taxes for tax year	(specify year):		
b. My tax filing status is sir	ngle head of	household marrie	ed, filing separately
married, filing jointly with (s)	pecify name):		
		ther (specify state):	
d. I claim the following number of exc			
d. I claim the following number of extension	shiptions (including in	ysell) on my taxes (specify)	•
 Other party's income. I estimate the This estimate is based on (explain): 	gross monthly income	e (before taxes) of the other	party in this case at (specify): \$
(If you need more space to answer any question number before your answer.)			-inch sheet of paper and write the
I declare under penalty of perjury under thany attachments is true and correct.	ne laws of the State of	California that the informat	contained on all pages of this form and
Date:			
(TYPE OR PRINT NAME)		<u> </u>	(SIGNATURE OF DECLARANT)

			FL-150
	PETITIONER: CASE NUMBER:		
	RESPONDENT:		
OTI	HER PARTY/PARENT/CLAIMANT:		
	ich copies of your pay stubs for the last two months and proof of any other income. Take a copy o Irn to the court hearing. (Black out your Social Security number on the pay stub and tax return.)	f your latest	federal tax
	Income (For average monthly, add up all the income you received in each category in the last 12 months and divide the total by 12.)	Last month	Average
;	a. Salary or wages (gross, before taxes)	\$	monthly
	b. Overtime (gross, before taxes)	\$	
(c. Commissions or bonuses	\$	
(d. Public assistance (for example: TANF, SSI, GA/GR) currently receiving	\$	
	e. Spousal support from this marriage from a different marriage federally taxable* f. Partner support from this domestic partnership from a different domestic partnership	\$	
,	g. Pension/retirement fund payments	\$	
	h. Social Security retirement (not SSI)	\$	
	. Disability: Social Security (not SSI) State disability (SDI) Private insurance	\$	
	. Unemployment compensation	\$ 	
	k. Workers' compensation	¢	
,	d. Other (military allowances, royalty payments) (specify):	Ψ	
6.	Investment income (Attach a schedule showing gross receipts less cash expenses for each piece of pro	perty.)	
;	a. Dividends/interest	\$	
ı	b. Rental property income	\$	
	c. Trust income	\$	
(d. Other (specify):	\$	_
	Income from self-employment, after business expenses for all businesses	\$	_
	Attach a profit and loss statement for the last two years or a Schedule C from your last federal tax Social Security number. If you have more than one business, provide the information above for ea		
8. [Additional income. I received one-time money (lottery winnings, inheritance, etc.) in the last 12 mo amount):	nths (specify s	source and
9.	Change in income. My financial situation has changed significantly over the last 12 months because	e (specify):	
10.	Deductions		Last month
;	a. Required union dues	\$	
ı	b. Required retirement payments (not Social Security, FICA, 401(k), or IRA)	\$	S ———
(c. Medical, hospital, dental, and other health insurance premiums (total monthly amount)	\$	<u> </u>
(d. Child support that I pay for children from other relationships		
(e. Spousal support that I pay by court order from a different marriage federally tax deductible*		
1	f. Partner support that I pay by court order from a different domestic partnership		
9	g. Necessary job-related expenses not reimbursed by my employer (attach explanation labeled "Question	າ 10g") [§]	S
11.	Assets		Total
	 Cash and checking accounts, savings, credit union, money market, and other deposit accounts 	\$	Total
	b. Stocks, bonds, and other assets I could easily sell		
(c. All other property, real and personal (estimate fair market value minus the debts		

^{*} Check the box if the spousal support order or judgment was executed by the parties and the court before January 1, 2019, or if a court-ordered change maintains the spousal support payments as taxable income to the recipient and tax deductible to the payor.

PETITIONER:			С	ASE NUMBER:	
RESPONDENT:					
OTHER PARTY/PARENT/CLAIMANT:					
2. The following people live with me:					
Name	Age	How the person is related to me (ex: son)	That perso	•	Pays some of the household expenses?
a. b. c. d. e.					Yes No Yes No Yes No Yes No Yes No Yes No
3. Average monthly expenses	Estimated	expenses Actual	expenses	Propo	sed needs
(1) Rent or mortgal If mortgage: (a) average principal: \$ (b) average interest: \$ (2) Real property taxes	ce	j. Educk. Enter	cation	ifts, and vacation of transportation repairs, bus, eccident, etc.; do	tc.)\$ o not include e)\$ \$\$ \$\$ 14 total here)\$ \$ mot add in
4. Installment payments and debts not Paid to	isted abov	/e	Amount	Balance	Date of last payment
T alu to	1 01		\$	\$	Date of last payment
			Ψ	Ψ	
			\$	\$	
			\$	\$	
			\$	\$	
			\$	\$ \$	
			\$ \$ \$	\$ \$ \$	
			\$	\$ \$	
 a. To date, I have paid my attorney this b. The source of this money was (spector) c. I still owe the following fees and cost d. My attorney's hourly rate is (specify) 	s amount fo cify): ts to my at	or fees and costs (specify).	\$ \$ \$ \$ ey fees):	\$ \$ \$	
b. The source of this money was (specc. I still owe the following fees and cos	s amount fo cify): ts to my at	or fees and costs (specify).	\$ \$ \$ \$ ey fees):	\$ \$ \$	

PETITIONER:	CASE NUMBER:
RESPONDENT:	
OTHER PARTY/PARENT/CLAIMANT:	

CHILD SUPPORT INFORMATION (NOTE: Fill out this page only if your case involves child support.)				
16. N	lumber of children			
а	I have (specify number): children under the age of 18 with the other parent in the			
	o. The children spend	percent of their time with me and	percent of their time with	the other parent.
		centage or it has not been agreed on, please des	-	· · · · · · · · · · · · · · · · · · ·
17. C	Children's health-care expens		he children through my joh	
	Name of insurance compan Address of insurance compan	y:	ne children through my job	•
d	I. The monthly cost for the ch (Do not include the amount	ildren's health insurance is or would be (specify) your employer pays.)): \$	
18. /	Additional expense for the ch	ildren in this case	Amount per mo	onth
а	Childcare so I can work or get job training		\$	
b	. Children's health care not co	overed by insurance	\$	
С	c. Travel expenses for visitation	n	\$	
d	l. Children's educational or ot	her special needs (specify below):	\$	
(6	attach documentation of any ite	ourt to consider the following special financial circle in listed here, including court orders):	Amount per month	For how many months?
		ses not included in 18b	\$	
D		r insurance (examples: fire, theft, other	\$	
С	c. (1) Expenses for my minor	children who are from other relationships and	\$	
	(2) Names and ages of tho	se children <i>(specify):</i>		
		or those children	\$	
Т	he expenses listed in a, b, and	l c create an extreme financial hardship because	(explain):	
20. C	Other information I want the c	court to know concerning support in my case	(specify):	



Superior Court of California County of Sacramento William R. Ridgeway Family Relations Courthouse 3341 Power Inn Road Sacramento, CA 95826 Domestic Violence Resources In Sacramento County

Emergency Police / Medical

911

Crisis Hotlines/Shelters

My Sister's House (Asian/Pan Pacific Services) 916-428-3271

24/7 Stand Up Placer Helpline (Roseville) 800-575-5352

WEAVE 916-920-2952 – main crisis line

St. John's Program for Real Change 916-453-1482

24/7 Sexual Assault Hotline 800-656-HOPE(4673)

24/7 Domestic Violence Hotline 800-799-SAFE(7233)

Reporting Abuse

Adult Protective Services (Elderly / Adult Victims) 916-874-9377

Children's Protective Services (CPS) 916-875-5437

Children's Emergency Services

Parent Support Hotline 916-394-2005

Volunteers with training in child development, discipline techniques, health, cultural issues, community resources, and emergency services are available to help and listen without passing judgment.

Children's Crisis Nursery 916-394-2000 Emergency childcare and shelter services.

Victim Assistance

Victim/Witness Center 916-874-5701

Trained and experienced victim advocates provide crisis counseling, direct assistance, and information about the criminal justice system and community referrals.

Victim Notification of Abuser's Release from Jail 800-491-3064 Victims can register to be notified upon their abuser's

Safe at Home 877-322-5227

release from jail.

A Confidential mailing address program for victims of domestic violence offered by the California Secretary of State.

Victim Counseling

My Sister's House 3053 Freeport Blvd. #120, Sacramento, 916-428-3271

24/7 Stand Up Placer Helpline 124 Main Street, Roseville, 916-773-7273, Ext 104

Sacramento Counseling Associates 7844 Madison Avenue, Suite 105, Sacramento, 916-962-7101

Southeast Asian Assistance Center 5625 24th Street, Sacramento, 916-421-1036 Services are available to Vietnamese, Lao, Mien, Hmong, Chinese, Cambodian, Russian, Ukrainian, Bosnian, Croatian, Herzegovinian, and Serbian

WEAVE Counseling Center 1900 K Street, Sacramento, 916-920-2952



Superior Court of California County of Sacramento William R. Ridgeway Family Relations Courthouse 3341 Power Inn Road Sacramento, CA 95826 Domestic Violence Resources In Sacramento County

Help Getting a Temporary Restraining Order

Temporary Restraining Order Workshop Family Relations Courthouse Self Help Computer Room, Room 114 Fridays at 8:45 am



Meeting ID: 160 483 1511 Passcode: 405787

Mondays and Wednesdays at 8:45 am via Zoom

This workshop helps survivors (both female and male) who do not have an attorney with the process to apply for a Domestic Violence Restraining Order.

(Please bring an Interpreter if one is needed)

Batterer's Treatment Programs

Batterer's Treatment Programs are for the abuser, male or female, and are focused on stopping the cycle of violence through anger management and personal techniques to reduce conflict and common triggers of abuse. Batterer's Treatment Programs are certified by the Sacramento County Department of Probation.

Other Legal Services

The Family Law Facilitators Office Self Help Center 3341 Power Inn Road, Room 113 (Monday through Thursday, 8:30 a.m. to 4:00 p.m.)

The Family Law Facilitators Office provides assistance with obtaining, responding to, modifying, and renewing domestic violence and elder abuse restraining orders, divorce, child custody, visitation, establishing parentage, child and spousal support, preparation of judgments, instructions on follow up steps through e-Correspondence, and referrals to other resources.

Sacramento Regional Family Justice Center 3701 Power Inn Road, 3rd floor (Monday through Friday, 9:00 a.m. to 5:00 p.m.)

The Sacramento Regional Family Justice Center provides resources to victims of domestic violence and elder abuse, including safety plans, legal assistance for the preparation of restraining orders, and court accompaniment. Attorneys are available to answer questions after pickup of temporary restraining orders.

1-800-VICTIMS(842-8467)

Legal assistance in family law matters for victims of domestic violence