

# Responding to a Domestic Violence Restraining Order

## WHEN TO USE THIS PACKET

The forms included in this packet can be used to **respond** to the request for a Domestic Violence Restraining Order.

“Respond” means to let the judge and the other side know whether you agree or disagree with the request for restraining order, and why.

You must attend the hearing if you wish to be heard on the issues requested in the Domestic Violence Restraining Order. At the hearing, the court may make an order keeping you away from the person asking for a Restraining Order. The court may also make an order keeping you away from your children and may make permanent custody, visitation and support orders. If you do not attend the hearing, the court will not hear your side of the story.

## STEPS TO RESPOND:

1. The following forms in this packet are to be completed.
  - ☐ DV-120 Response to Request for Temporary Restraining Order
  - ☐ DV-125 Response to Request for Child Custody and Visitation Orders
  - ☐ DV-105(A) City and State Where Children Lived
  - ☐ MC-031 Declaration (optional to use if you need more space)
  - ☐ DV-800 Proof of Firearms Turned in, Sold or Stored
2. You will need to make at least two **(2)** additional copies of each form you fill out and any attachments you are including. One copy will be for you; another copy will be for the other party; and the original is for the court.
3. Keep a copy of the forms for your records.
4. One copy of the forms must be served (server must be someone else over the age of 18; **you cannot serve this**) to the other party.
5. The server must complete and sign the **“Proof of Service by Mail” (DV-250)**.
6. File your Response paperwork and the Proof of Service at least 2 days before the hearing.

**NOTE:** The Self-Help Center can review your documents and assist you in correcting any mistakes before you submit your forms to the court. You may wish to speak with a private attorney regarding your rights before you complete these documents, especially if there are criminal charges that may be pending against you.



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

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## **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?**

In a restraining order, a judge can order 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, ammunition, or body armor. 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

## **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.

## **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.



# 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. 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?](#)

### Part 2: Relinquish body armor

If there is a temporary restraining order against you (see form DV-110), you must relinquish any body armor that you have or own.

Note: If you need to have and use body armor for your work, livelihood, or safety, you may ask for an exception with a chief of police or sheriff in the county where you will have and use the body armor (see Pen. Code, § 31360(c)).

### Part 3: 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 4: 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 Your 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.



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

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### **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.

### **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 [selfhelp.courts.ca.gov/find](https://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 that may be able to help you.

### **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.

### **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 "Conflicting Orders—Priorities for Enforcement" listed on the last page 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 [selfhelp.courts.ca.gov/find](https://selfhelp.courts.ca.gov/find).

### **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. If the judge has granted a restraining order against you, any violation of the order may impact your time with your children.

### **What if I have access to firearms or ammunition?**

If a restraining order is granted against you, and you do not follow the judge's order to turn in your firearms and ammunition, you have violated the restraining order and can be charged with a crime, fined, or go to jail. If you have a child, having illegal access to firearms or ammunition may impact your visitation (parenting time) and whether you have custody of your child. If the other parent is staying in a confidential shelter, the court must consider your access to firearms or ammunition when deciding whether you should have in-person visits with your child.

### **What if I need to have a firearm or ammunition for my job?**

If the judge grants a restraining order against you, you cannot have firearms or ammunition. The judge may give you permission to have a firearm or ammunition for work. Before permission can be granted, you will be required to show the judge that (1) carrying a firearm or ammunition is required for your work, and (2) your employer is unable to reassign you to another position where carrying a firearm or ammunition is not necessary. There are other things you will have to prove. For more information, go to [selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders/exception](https://selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders/exception), or see Family Code section 6389(h).

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

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### **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.

### **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 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 form [DV-505-INFO](#), *How to Ask for a Domestic Violence Restraining Order*. You can also ask the court clerk about free or low-cost legal help.

### **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 [thehotline.org](http://thehotline.org) or call 1-800-799-7233.

### **Information about the court process is also available online**

[selfhelp.courts.ca.gov/respond-to-DV-restraining-order](http://selfhelp.courts.ca.gov/respond-to-DV-restraining-order)

### **What if I need an interpreter?**



You may use form [INT-300](#) to request an interpreter or ask the 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 or 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 [courts.ca.gov/forms](http://courts.ca.gov/forms) for *Disability Accommodation Request* (form [MC-410](#)). (Civ. Code, § 54.8.)

**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. There is no cost to file this form with the court. You will need a copy of the form (DV-100, *Request for Domestic Violence Restraining Order*) that was filled out by the person who asked for a restraining order against you.

**Do not use this form** to ask for your own restraining order. Read form DV-500-INFO, *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****1 Name of Person Asking for Protection:**

(See form DV-100, item ①):

**2 Your Name:****! Address where you can receive court papers**

(This address will be used by the court and by the person in ① to send you official court dates, orders, and papers. For privacy, you may use another address like a post office box, a Safe at Home address, or another person's address, if you have their permission and can get your mail regularly. If you have a lawyer, give their information.)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Fill in case number:

**Case Number:****! Your contact information (optional)**

(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.)

Email Address: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

**Your lawyer's information (if you have one)**

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

**3 Your Hearing Date (Court Date)**

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.

**This is not a Court Order.**

**How to complete this form:** To answer the questions below, look at the form DV-100 filled out by the person in ①. Tip: When the restraining order forms say “the person in ②,” that means you, and the “person in 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.

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**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?:

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**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.

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☐ Check here if you are including a copy of restraining order or court order that you want the judge to know about.

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**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: 

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**8 ☐ Order to Not Abuse** (see item ⑩ 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: 

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**This is not a Court Order.**





**9** ☐ **No-Contact Order** (see item **11** 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: \_\_\_\_\_

\_\_\_\_\_

**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 would 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 would agree to: \_\_\_\_\_

\_\_\_\_\_

**12** ☐ **Other Orders** (see item **14** 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: \_\_\_\_\_

\_\_\_\_\_

**13** ☐ **Child Custody and Visitation** (see item **15** on form DV-100 and DV-105)

- a. ☐ I am **not** the parent of the children listed in form DV-105, *Request for Child Custody and Visitation Orders*
- b. ☐ I am the parent of the children listed in form DV-105 and (check one):

(1) ☐ I agree to the orders requested.

(2) ☐ I do not agree to the orders requested. (Complete form DV-125, *Response to Request for Child Custody and Visitation Orders*, and attach it to this form.)

**This is not a Court Order.**

**14** ☐ **Protect Animals** (see item 16 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 would agree to: \_\_\_\_\_

\_\_\_\_\_

**15** ☐ **Control of Property** (see item 17 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: \_\_\_\_\_

\_\_\_\_\_

**16** ☐ **Health and Other Insurance** (see item 18 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: \_\_\_\_\_

\_\_\_\_\_

**17** ☐ **Record Communications** (see item 19 on form DV-100)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested.

**18** ☐ **Property Restraint** (see item 20 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: \_\_\_\_\_

\_\_\_\_\_

**19** ☐ **Pay Debt (Bills) Owed for Property** (see item 22 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 would agree to: \_\_\_\_\_

\_\_\_\_\_

**This is not a Court Order.**

**(20) ☐ Pay Expenses Caused by the Abuse** (see item (23) 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: \_\_\_\_\_  
\_\_\_\_\_

**(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 child support at [selfhelp.courts.ca.gov/child-support](http://selfhelp.courts.ca.gov/child-support).)

**(22) ☐ Spousal Support** (see item (25) 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: \_\_\_\_\_  
\_\_\_\_\_

**(23) ☐ Lawyer's Fees and Costs**

If the person in (1) checked item (26) on form DV-100, this means that they have asked the judge to order you to pay their lawyer's fees and costs. You may also ask for lawyer's fees and costs. The judge can order the person in (1) to pay for your lawyer's fees and cost if:

- (1) The person in (1)'s request for restraining order is denied;  
(2) The judge decides that the request was frivolous or was made only to abuse, intimidate, or cause unneeded delay; and  
(3) 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's fees and costs.

**(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 agree to: \_\_\_\_\_  
\_\_\_\_\_

**This is not a Court Order.**



**25** ☐ **Transfer Wireless Phone Account** (see item 28 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: \_\_\_\_\_  
\_\_\_\_\_

**26** **Firearms (Guns), Firearm Parts, or Ammunition** (see item 29 on form DV-100)

**!** If you were served with form DV-110, *Temporary Restraining Order*, you must follow the orders in item 5 on form DV-110. You must file a receipt with the court from the law enforcement agency or a licensed gun dealer within 48 hours after you received form DV-110. You may use form DV-800/JV-270, *Receipt for Firearms, Firearm Parts, and Ammunition*.

(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 law enforcement or sold/stored them with a licensed gun dealer. A copy of the receipt showing that I turned in, sold, or stored the prohibited items

(check all that apply):

- ☐ is attached
- ☐ has already been filed with the court.

- c. ☐ I ask for an exception to carry a firearm or ammunition for work. (Complete (1)–(3) below):

(1) Are you a sworn peace officer?

- ☐ No
- ☐ Yes

(2) Are there any orders or state or federal laws that prohibit you from having firearms or ammunition?

- ☐ No
- ☐ Yes (explain): \_\_\_\_\_
- ☐ I don't know (explain): \_\_\_\_\_

(3) (Explain what your job is and why you need a firearm or ammunition): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Note: You **must** follow any orders to turn in, sell, or store prohibited items until the judge decides whether to grant you an exception. Before an exception can be granted, you will be required to show the judge that (1) carrying a firearm or ammunition is required for your work and (2) your employer is unable to reassign you to another position where carrying a firearm or ammunition is not necessary. There are other things you will need to prove. For more information on what you need to show the judge to qualify for this exception, go to [selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders/exception](http://selfhelp.courts.ca.gov/respond-to-DV-restraining-order/obey-firearms-orders/exception), or see Family Code section 6389(h).

**This is not a Court Order.**



**27 No Body Armor** (see item 30 on form DV-100)

If you were served with form DV-110, *Temporary Restraining Order*, you are prohibited from owning, possessing, or buying body armor. You must also relinquish any body armor you have in your possession.

(Check all that apply):

- a. ☐ I do not own or have any body armor.
- b. ☐ I have relinquished all body armor that I have in my possession.
- c. ☐ I was granted an exception, or will ask for an exception, to have body armor. Note: this exception is granted by a chief of police or sheriff under Penal Code section 31360(c). (Attach a copy of the letter granting permission, if you have one.)

**28 Cannot Look for Protected People** (see item 31 on form DV-100)

- a. ☐ I agree to the order.
- b. ☐ I do not agree to the order.

Explain why you disagree, or describe a different order that you would agree to: \_\_\_\_\_

\_\_\_\_\_

**29 ☐ Additional Reasons I Do Not Agree with the Request** (optional)

Explain why you do not agree to any of the orders requested by the person in 1 (give specific facts and reasons):

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- ☐ Check here if you need more space. Attach a sheet of paper and write "DV-120, Additional Reasons I Do Not Agree with the Request" at the top.

**This is not a Court Order.**



**30** ☐ **My Out-of-Pocket Expenses**

If the request for restraining order is denied by the judge at the court hearing, I ask the judge to order the person in ① to pay my out-of-pocket expenses because the temporary restraining order was granted without enough supporting facts. The expenses are:

For: _____	Because: _____	Amount: \$ _____
For: _____	Because: _____	Amount: \$ _____
For: _____	Because: _____	Amount: \$ _____

**31** **Additional Pages**

Number of pages attached to this form, if any: \_\_\_\_\_

**32** **Your Signature**

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*



\_\_\_\_\_  
*Sign your name*

**33** **Your Lawyer's Signature** (if you have one)

Date: \_\_\_\_\_

\_\_\_\_\_  
*Lawyer's name*



\_\_\_\_\_  
*Lawyer's signature*

**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 form FL-150, *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, form FL-155. Read form DV-570 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 the forms 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 [selfhelp.courts.ca.gov/respond-domestic-violence-restraining-order](http://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?*

**This is not a Court Order.**

PLAINTIFF/PETITIONER:	CASE NUMBER:
DEFENDANT/RESPONDENT:	

**DECLARATION**

*(This form must be attached to another form or court paper before it can be filed in court.)*

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)

☐ Attorney for    ☐ Plaintiff    ☐ Petitioner    ☐ Defendant  
☐ Respondent    ☐ Other (*Specify*):





PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
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**DECLARATION**

*(This form must be attached to another form or court paper before it can be filed in court.)*

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)

☐ Attorney for   ☐ Plaintiff   ☐ Petitioner   ☐ Defendant  
☐ Respondent   ☐ Other (*Specify*):



This form is attached to form DV-120.

**How to complete this form:** To answer the questions below, look at the form DV-105 filled out by the person in ①. Tip: Where form DV-105 refers to "person in ②," that means you. If you need more space to 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. ☐ I am **not** the parent of all the children listed on form DV-105.
- c. ☐ I am **not** the parent of the following children (list names):  
\_\_\_\_\_
- d. ☐ Other (describe): \_\_\_\_\_

**④ City and State Where Children Lived** (see ④ on form DV-105)

- a. ☐ I agree with the information given by the person in ①.
- b. ☐ 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 \_\_\_\_\_
- ☐ Criminal \_\_\_\_\_
- ☐ 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 copy of the order if you have one.)

**This is not a Court Order.**

**6** ☐ **No Travel With Children Without Permission** (see **6** 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): \_\_\_\_\_

**7** ☐ **Stop 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** ☐ **Request 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): \_\_\_\_\_

**9** ☐ **Custody of Children** (see **9** 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:

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.**

10 ☐ **Your Visitation (Parenting Time) with Children** (see pages 3–5 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:  
(Use the lines or chart below to describe the parenting time you want. Give 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:		
<b>Follow the schedule listed above (check one):</b> <input type="checkbox"/> Every week <input type="checkbox"/> Every other week <input type="checkbox"/> Other _____			
<b>Start date for visits (month, day, year)</b> _____			

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

**This is not a Court Order.**



**DV-105(A) City and State Where Children Lived**

Case Number: \_\_\_\_\_

**1** This form is attached to (*check one*):

- ☐ DV-105 (*For person in ①: Use this form if you have children that have not lived together for the last five years.*)
- ☐ DV-125 (*For person in ②: Use this form to list where your children have lived for the last five years.*)
- ☐ DV-305 (*Use this form if you have children who have not lived together for the last five years.*)
- ☐ DV-325 (*Use this form to list where your children have lived for the last five years.*)

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

a. Name of child or children: \_\_\_\_\_

b. <u>Dates (month/year)</u>		<u>City and State</u> ( <i>include tribal land, if applies</i> )	<u>Children lived with (check all that apply):</u>		
			<u>Person</u> <u>in ①</u>	<u>Person</u> <u>in ②</u>	<u>Other (relationship</u> <u>to child)</u>
From: _____	To present		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/> Check here if this address is private (confidential). List the state only.			
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**3** List another child or children who have not lived with the child or children listed above. List where they have lived for the last five years. Start with their current location.

a. Name of child or children: \_\_\_\_\_

b. <u>Dates (month/year)</u>		<u>City and State</u> ( <i>include tribal land, if applies</i> )	<u>Children lived with (check all that apply):</u>		
			<u>Person</u> <u>in ①</u>	<u>Person</u> <u>in ②</u>	<u>Other (relationship</u> <u>to child)</u>
From: _____	To present		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/> Check here if this address is private (confidential). List the state only.			
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
From: _____	Until: _____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- ☐ Check here to list other children with a different residence history than the children you've already listed. Use another form DV-105(A) and attach it to this form.

**This is not a Court Order.**





**DV-800/JV-270****Receipt for Firearms, Firearm Parts, and Ammunition**

Clerk stamps date here when form is filed.

**1 Person Asking For Protection:**

Name: \_\_\_\_\_

**2 Your Information (Restrained Person)**

a. Your Name: \_\_\_\_\_

b. Your Address

(This address could be used by the court and by the person in ① to send you official court dates, orders, and papers. For privacy, you may use another address like a post office box, or another person's address, if you have their permission and can get your mail regularly. If you have a lawyer, give their information.)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

c. Your Lawyer (if you have one for this case):

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:****3 To the Restrained Person:**

If a judge has ordered you to turn in, sell, or store your firearms (guns), firearm parts, and ammunition, use this form to prove to the judge that you have obeyed their orders. Take this form to a law enforcement officer or a licensed gun dealer to complete ④ or ⑤. For more information on how to properly turn in your items, read form DV-800-INFO/JV-270-INFO, *How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, and Ammunition?*

**4****To Law Enforcement**

(Complete the section below. Keep a copy and give the original to the person in ②.)

Name of Law Enforcement Agency: \_\_\_\_\_

Name of Law Enforcement Agent: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email address: \_\_\_\_\_

**Items Surrendered**

a. Firearms, firearm parts, and ammunition transferred on:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ ☐ a.m. ☐ p.m.

b. List of items. (List all the items surrendered by the person in ②. You may attach a separate form from your agency (e.g., a property report), use ⑥, or both.) Check below if you have attached a separate form:

☐ Separate form is attached. (If it does not include all surrendered items, list additional items in ⑥.)

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

► Signature of law enforcement agent \_\_\_\_\_



Case Number:

5

### To Licensed Gun Dealer

(Complete the section below. Keep a copy and give the original to the person in (2).)

Name of Licensed Gun Dealer: \_\_\_\_\_

License number: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone number: \_\_\_\_\_ Email address: \_\_\_\_\_

#### Items Stored or Sold

a. Firearms, firearm parts, and ammunition transferred on:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ ☐ a.m. ☐ p.m.

b. List of items. (List all the items surrendered by the person in (2). You may attach a separate form (e.g., DOJ's Report of Firearm Acquisition), use (6), or both.) Check below if you have attached a separate form:

☐ Separate form is attached. (If it does not include all surrendered items, list additional items in (6).)

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

► Signature of licensed gun dealer \_\_\_\_\_

6

#### ☐ List of Items Surrendered

a. Firearms and firearm parts

	Make	Model	Serial Number, if there is one	Sold	Stored	To be destroyed
(1)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

b. Ammunition

	Brand	Type	Amount	Sold	Stored	To be destroyed
(1)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Check here if there is not enough space above for your answer. Use a separate sheet of paper to list other items and attach it to this form. Use "DV-800/JV-270, List of Surrendered Items" as a title.



Case Number:

**7 To the Restrained Person:**

**Besides the items listed on page 2 or in an attached form, do you have or own any other firearms (guns), firearm parts, or ammunition?**

☐ No

☐ Yes *(If yes, check one of the boxes below:)*

a. ☐ I filed a *Receipt for Firearms, Firearm Parts, and Ammunition* (form DV-800/JV-270) or other proof for those items with the court on *(date)*: \_\_\_\_\_

b. ☐ I am filing the proof for those firearms (guns), firearm parts, or ammunition along with this proof.

c. ☐ I have not yet filed the proof for the other firearms (guns), firearm parts, or ammunition. *(Explain why not):*


\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Your signature**

I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

  
\_\_\_\_\_  
*Sign your name*

**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.**



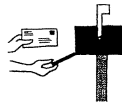
**DV-250****Proof of Service by Mail**

Clerk stamps date here when form is filed.

**1 Name of Person Asking for Protection:****2 Name of Person to Be Restrained:****3 Notice to Server**

The server must:

- Be 18 years of age or over.
- Not be listed in items ①, ② or ③ of form DV-100, *Request for Domestic Violence Restraining Order*.
- Mail a copy of all documents checked in ④ to the person in ⑤.



Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:****4 I (the server) am 18 years of age or over and live in or am employed in the county where the mailing took place. I mailed a copy of all documents checked below to the person in ⑤:**

- a. ☐ DV-112, *Waiver of Hearing on Denied Request for Temporary Restraining Order*
- b. ☐ DV-120, *Response to Request for Domestic Violence Restraining Order*
- c. ☐ FL-150, *Income and Expense Declaration*
- d. ☐ FL-155, *Simplified Financial Statement*
- e. ☐ DV-130, *Restraining Order After Hearing (Order of Protection)*
- f. ☐ Other (specify): \_\_\_\_\_

**5 I placed copies of the documents checked above in a sealed envelope and mailed them as described below:**

- a. Name of person served: \_\_\_\_\_
- b. To this address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- c. Mailed on (date): \_\_\_\_\_
- d. Mailed from (city): \_\_\_\_\_ (state): \_\_\_\_\_

**6 Server's Information**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_

If you are a registered process server:

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

**7 I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.**

Date: \_\_\_\_\_

Type or print server's name

Server to sign here

