

California Law Enforcement Telecommunications System (CLETS) Information Form

- ☐ This form is submitted with the initial filing *(date)*: _____
- ☐ This is an amended form *(date)*: _____

Important: This form **MUST NOT** become part of the public court file. It is confidential and private.

Fill out as much of this form as you can and give it to the court clerk. If the court issues a restraining order, this form will provide law enforcement with information that will help them enforce it. If any of this information changes, fill out a new (amended) form.

Case Number *(if you know it)*: _____

1 Person to Be Protected *(Name)*: _____

Sex: ☐ M ☐ F Height: _____ Weight: _____ Race: _____
 Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____
 Mailing Address *(listed on restraining order)*: _____
 City: _____ State: _____ Zip: _____ Telephone *(optional)*: _____
 Vehicle *(Type, Model, Year)*: _____ *(License Number and State)*: _____

2 Person to Be Restrained *(Name)*: _____

Sex: ☐ M ☐ F Height: _____ Weight: _____ Race: _____
 Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____
 Residence Address: _____
 City: _____ State: _____ Zip: _____ Telephone: _____
 Business Address: _____
 City: _____ State: _____ Zip: _____ Telephone: _____
 Employer: _____
 Occupation/Title: _____ Work Hours: _____
 Driver's License Number and State: _____ Social Security Number: _____
 Vehicle *(Type, Model, Year)*: _____ *(License Number and State)*: _____
 Describe any marks, scars, or tattoos: _____
 Other names used by the restrained person: _____

3 Guns or Firearms

Describe any guns or firearms that you believe the person in ② owns or has access to
(Number, types, and locations): _____

4 Other People to Be Protected

Name	Date of Birth	Sex	Race	Relation to Person in ①
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

☐ Additional persons to be protected are listed on Attachment 4.

This is not a Court Order—Do not place in court file.

NCICS DV-100

Request for Domestic Violence Restraining Order

You must also complete form CLETS-001, Confidential CLETS Information, and give it to the clerk when you file this Request.

Clerk stamps date here when form is filed.



**Northern California Intertribal
Court System**
3000 Shanel Rd
Hopland, California 95449
(707) 472-2160
courtclerk@tribalcourt.org

Court fills in case number when form is filed.

Case Number:

1 Name of Person Asking for Protection:

Age: _____

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

2 Name of Person You Want Protection From:

Description of person you want protection from:

Sex: ☐ M ☐ F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Race and Tribal Affiliation: _____ Age: _____ Date of Birth: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

3 Do you want an order to protect family or household members? ☐ Yes ☐ No

If yes, list them:

Full name	Sex	DOB	Lives with you?	Relationship to you
_____	_____	_____	☐ Yes ☐ No	_____
_____	_____	_____	☐ Yes ☐ No	_____
_____	_____	_____	☐ Yes ☐ No	_____

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Protected People" for a title.

4 What is your relationship to the person in 2 ? (Check all that apply):

- a. ☐ We are now married or registered domestic partners **OR** *If you do not have one of these relationships, the court may not be able to consider your request. Read form for help.*
- b. ☐ We used to be married or registered domestic partners
- c. ☐ We live together.
- d. ☐ We used to live together.

We are related by blood, marriage, or adoption (specify relationship):

- f. ☐ We are dating or used to date, or we are or used to be engaged to be married.
- g. ☐ We are the parents together of a child or children under 18:

Child's Name: _____ Date of Birth: _____

Child's Name: _____ Date of Birth: _____

Child's Name: _____ Date of Birth: _____

- ☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Additional Children" for a title.
- ☐ We have signed a Voluntary Declaration of Paternity for our child or children. (Attach a copy if you have one).

This is not a Court Order.



5 Other Restraining Orders and Court Cases

- a. Are there any restraining/protective orders currently in place OR that have expired in the last six months (emergency protective orders, criminal, juvenile, family)?
☐ No ☐ Yes (date of order): _____ and (expiration date): _____ (Attach a copy if you have one).
- b. Have you or any other person named in (3) been involved in another court case with the person in (2)?
☐ No ☐ Yes If yes, check each kind of case and indicate where and when each was filed:

Kind of Case	County or Tribe Where Filed	Year Filed	Case Number (if known)
☐ Divorce, Nullity, Legal Separation	_____	_____	_____
☐ Civil Harassment	_____	_____	_____
☐ Domestic Violence	_____	_____	_____
☐ Criminal	_____	_____	_____
☐ Juvenile, Dependency, Guardianship	_____	_____	_____
☐ Child Support	_____	_____	_____
☐ Parentage, Paternity	_____	_____	_____
☐ Other (specify): _____	_____	_____	_____
☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Other Court Cases" for a title.			

Check the orders you want.**6 ☐ Personal Conduct Orders**

I ask the court to order the person in (2) not to do the following things to me or anyone listed in (3):

- a. ☐ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (on the Internet, electronically or otherwise), or block movements
- b. ☐ Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail or e-mail or other electronic means

The person in (2) will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

7 ☐ Stay-Away Order

- a. I ask the court to order the person in (2) to stay at least _____ yards away from (check all that apply):

- | | |
|--|--|
| ☐ Me | ☐ My school |
| ☐ My home | ☐ Each person listed in (3) |
| ☐ My job or workplace | ☐ The child(ren)'s school or child care |
| ☐ My vehicle | ☐ Other (specify): _____ |

- b. If the person listed in (2) is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, workplace, or vehicle? ☐ Yes ☐ No (If no, explain): _____

8 ☐ Move-Out Order

(If the person in (2) lives with you and you want that person to stay away from your home, you must ask for this move-out order.)

I ask the court to order the person in (2) to move out from and not return to (address): _____

I have the right to live at the above address because (explain): _____

This is not a Court Order.



9 Guns or Other Firearms or Ammunition

I believe the person in (2) owns or possesses guns, firearms, or ammunition. ☐ Yes ☐ No ☐ I don't know
If the judge approves the order, the person in (2) will be ordered not to own, possess, purchase, or receive a firearm or ammunition. The person will be ordered to sell to, or store with, a licensed gun dealer, or turn in to law enforcement, any guns or firearms that he or she owns or possesses.

10 Record Unlawful Communications

☐ I ask for the right to record communications made to me by the person in (2) that violate the judge's orders.

11 Care of Animals

☐ I ask for the sole possession, care, and control of the animals listed below. I ask the court to order the person in (2) to stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:

I ask for the animals to be with me because:

12 Child Custody and Visitation

- a. ☐ I do not have a child custody or visitation order and I want one.
b. ☐ I have a child custody or visitation order and I want it changed.

If you ask for orders, you must fill out and attach form DV-105, Request for Child Custody and Visitation Orders. You and the other parent may tell the court that you want to be legal parents of the children (use [form DV-180](#), Agreement and Judgment of Parentage).

13 Child Support (Check all that apply):

- a. ☐ I do not have a child support order and I want one.
b. ☐ I have a child support order and I want it changed.
c. ☐ I now receive or have applied for TANF, Welfare, CalWORKS, or Medi-Cal.

If you ask for child support orders, you will be directed to apply for child support in the County in which you reside.

14 Property Control

☐ I ask the court to give **only** me temporary use, possession, and control of the property listed here:

15 Debt Payment

☐ I ask the court to order the person in (2) to make these payments while the order is in effect:

☐ *Check here if you need more space. Attach a sheet of paper and write "DV-100, Debt Payment" for a title.*

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

16 Property Restraint

☐ **I am married to or have a registered domestic partnership with the person in (2).** I ask the judge to order that the person in (2) not borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in (2) to notify me of any new or big expenses and to explain them to the court.

17 Spousal Support

☐ I am married to or have a registered domestic partnership with the person in (2) and no spousal support order exists. I ask the court to order the person in (2) to pay spousal support. *(You must complete, file, and serve [form FL-150](#), Income and Expense Declaration, (a California Judicial Council form, before your hearing).*

This is not a Court Order.



18 ☐ **Rights to Mobile Device and Wireless Phone Account****a.** ☐ **Property control of mobile device and wireless phone account**

I ask the court to give **only** me temporary use, possession, and control of the following mobile devices: _____ and the wireless phone account for the following wireless phone numbers because the account currently belongs to the person in **(2)**:

(including area code): _____ ☐ my number ☐ number of child in my care

(including area code): _____ ☐ my number ☐ number of child in my care

(including area code): _____ ☐ my number ☐ number of child in my care

☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Rights to Mobile Device and Wireless Phone Account" for a title.

b. ☐ **Debt Payment**

I ask the court to order the person in **(2)** to make the payments for the wireless phone accounts listed in 18a because: _____

Name of the wireless service provider is: _____ Amount: \$ _____ Due Date: _____

If you are requesting this order, you must complete, file, and serve [form FL-150](#), Income and Expense Declaration California Judicial Council form, before your hearing.

c. ☐ **Transfer of Wireless Phone Account**

I ask the court to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed in 18a to me because the account currently belongs to the person in **(2)**.

If the judge makes this order, you will be financially responsible for these accounts, including monthly service fees and costs of any mobile devices connected to these phone numbers. You may be responsible for other fees. You must contact the wireless service provider to find out what fees you will be responsible for and whether you are eligible for an account.

19 ☐ **Insurance**

I ask the court to order the person in **(2)** NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of me or the person in **(2)**, or our child(ren), for whom support may be ordered, or both.

20 ☐ **Lawyer's Fees and Costs**

I ask that the person in **(2)** pay some or all of my lawyer's fees and costs.

You must complete, file, and serve [form FL-150](#), Income and Expense Declaration, before your hearing.

21 ☐ **Payments for Costs and Services**

I ask the court to order the person in **(2)** to pay the following:

*You can ask for lost earnings or your costs for services caused directly by the person in **(2)** (damaged property, medical care, counseling, temporary housing, etc.). You must bring proof of these expenses to your hearing.*

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

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

22 ☐ **Batterer Intervention Program**

I ask the court to order the person listed in **(2)** to go to a 52-week batterer intervention program and show proof of completion to the court.

23 ☐ **Other Orders**

What other orders are you asking for?

☐ Check here if you need more space. Attach a page and write "DV-100, Other Orders" for a title.

THIS IS NOT A COURT ORDER

24 ☐ **Time for Service (Notice)**

The papers must be personally served on the person in ② at least five days before the hearing, unless the court orders a shorter time for service. If you want there to be fewer than five days between service and the hearing, explain why below. The Tribal Court will assist you with service.

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

If you want the sheriff or marshal to serve (notify) the restrained person about the orders for free, ask the court clerk what you need to do.

26 **Court Hearing**

The court will schedule a hearing on your request. If the judge does not make the orders effective right away (“temporary restraining orders”), the judge may still make the orders after the hearing. If the judge does not make the orders effective right away, you can ask the court to cancel the hearing.

Describe Abuse

27 Describe how the person in ② abused you. Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, keep you under surveillance, impersonate (on the Internet, electronically or otherwise), batter, telephone, or contact you; or to disturb your peace; or to destroy your personal property.

a. Date of most recent abuse: _____

1. Who was there? _____

2. Describe how the person in ② abused you or your child(ren):

☐ *Check here if you need more space. Attach a sheet of paper and write “DV-100, Recent Abuse” for a title.*

3. Did the person in ② use or threaten to use a gun or any other weapon? ☐ No ☐ Yes (If yes, describe):

4. Describe any injuries: _____

5. Did the police come? ☐ No ☐ Yes

If yes, did they give you or the person in ② an Emergency Protective Order? ☐ Yes ☐ No ☐ I don't know

Attach a copy if you have one.

The order protects: _____

This is not a Court Order.



27 Describe Abuse (continued)**Has the person in ② abused you (or your child(ren)) other times?**

b. Date of abuse: _____

1. Who was there? _____

2. Describe how the person in ② abused you or your child(ren):

_____☐ Check here if you need more space. Attach a sheet of paper and write "DV-100, Recent Abuse" for a title.3. Did the person in ② use or threaten to use a gun or any other weapon? ☐ No ☐ Yes (If yes, describe):
_____4. Describe any injuries: _____
_____5. Did the police come? ☐ No ☐ Yes

If yes, did they give you or the person in ② an Emergency Protective Order?

☐ Yes ☐ No ☐ I don't know Attach a copy if you have one.The order protects ☐ you and ☐ the persons in ③If the person in ② abused you other times, check here ☐ and use [Form DV-101](#), Description of Abuse or describe any previous abuse on an attached sheet of paper and write "DV-100, Previous Abuse" for a title.**28 Other Persons to Be Protected**The persons listed in item ③ need an order for protection because (describe):

_____**29** Number of pages attached to this form, if any: _____

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

Date: _____

*Lawyer's name, if represented*_____
*Sign your name**Check if signature page is
attached*_____
*Lawyer's signature**Check if signature page is
attached***This is not a Court Order.**

Clerk stamps date here when form is filed.

Person in ① must complete items ①, ②, and ③ only.

① Name of Protected Person:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-mail Address: _____

Fill in court name and street address:

Northern California Intertribal Court System
3000 Shanel Rd, Hopland, CA 95449
(707) 472-2160



Court fills in case number when form is filed.

Case Number:**② Name of Restrained Person:**

Description of restrained person: _____

③ Sex: ☐ M ☐ F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____
 Race and Tribal Affiliation: _____ Age: _____ Date of Birth: _____
 Address (if known): _____
 City: _____ State: _____ Zip: _____
 Relationship to protected person: _____

Additional Protected Persons

In addition to the person named in ①, the following persons are protected by temporary orders as indicated in items ⑥ and ⑦ (family or household members):

<u>Full name</u>	<u>Relationship to person in ①</u>	<u>Sex</u>	<u>Age</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

☐ Check here if there are additional protected persons. List them on an attached sheet of paper and write, "DV-110, Additional Protected Persons" as a title.

The court will complete the rest of this form.

④ Court Hearing

Hearing Date: _____ Time: _____ ☐ a.m. ☐ p.m.

This order expires at the end of the hearing stated below:

This is a Court Order.**Temporary Restraining Order**

(CLETS-TRO
(Domestic Violence Prevention)

5 ☐ **Criminal Protective Order**

- a. ☐ A criminal protective order on form CR-160, *Criminal Protective Order—Domestic Violence*, is in effect.
Case Number: _____ County: _____ Expiration Date: _____
- b. ☐ No information has been provided to the judge about a criminal protective order.

To the person in 2

The court has granted the temporary orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.

6 **Personal Conduct Orders** ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

- a. You must **not** do the following things to the person in ① and ☐ persons in ③:
- ☐ Harass, attack, strike, threaten, assault (*sexually or otherwise*), hit, follow, stalk, molest, destroy personal property, disturb the peace, keep under surveillance, impersonate (*on the Internet, electronically or otherwise*), or block movements
 - ☐ Contact, either directly or indirectly, in any way, including but not limited to, by telephone, mail, e-mail or other electronic means
 - ☐ Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ③.
(If this item is not checked, the court has found good cause not to make this order.)
- b. Peaceful written contact through a lawyer or process server or another person for service of [Form DV-120](#) (*Response to Request for Domestic Violence Restraining Order*) or other legal papers related to a court case is allowed and does not violate this order.
- c. ☐ Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

7 **Stay-Away Order** ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

- a. You **must** stay at least (*specify*): _____ yards away from (*check all that apply*):
- | | |
|--|--|
| ☐ The person in ① | ☐ School of person in ① |
| ☐ Home of person in ① | ☐ The persons in ③ |
| ☐ The job or workplace of person in ① | ☐ The child(ren)'s school or child care |
| ☐ Vehicle of person in ① | ☐ Other (<i>specify</i>): _____ |
- b. ☐ Exceptions: Brief and peaceful contact with the person in ①, and peaceful contact with children in ③, as required for court-ordered visitation of children, is allowed unless a criminal protective order says otherwise.

8 **Move-Out Order** ☐ **Not requested** ☐ **Denied until the hearing** ☐ **Granted as follows:**

You must take only personal clothing and belongings needed until the hearing and move out immediately from (*address*): _____

This is a Court Order.

9 No Guns or Other Firearms or Ammunition

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. ☐ The court has received information that you own or possess a firearm.

10 Record Unlawful Communications

☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in ① can record communications made by you that violate the judge's orders.

11 Care of Animals ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in ① is given the sole possession, care, and control of the animals listed below. The person in ② must stay at least _____ yards away from and not take, sell, transfer, encumber, conceal, molest, attack, strike, threaten, harm, or otherwise dispose of the following animals:

12 Child Custody and Visitation ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

Child custody and visitation are ordered on the attached form DV-140, *Child Custody and Visitation Order* or (specify other form): _____. The parent with temporary custody of the child must not remove the child from California unless the court allows it after a noticed hearing (Fam. Code, § 3063).

13 Child Support

Not ordered now but may be ordered after a noticed hearing.

14 Property Control ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

Until the hearing, **only** the person in ① can use, control, and possess the following property:

15 Debt Payment ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in ② must make these payments until this order ends:

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

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

16 Property Restraint ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

If the people in ① and ② are married to each other or are registered domestic partners ☐ the person in ① and the person in ② must not transfer, borrow against, sell, hide, or get rid of or destroy any property, including animals, except in the usual course of business or for necessities of life. In addition, each son must notify the other of any new or big expenses and explain them to the court. (The person in cannot contact the person in ② if court has made a "no contact" order.) Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

This is a Court Order.



17 Spousal Support

Not ordered now but may be ordered after a noticed hearing.

18 Rights to Mobile Device and Wireless Phone Account**a. Property control of mobile device and wireless phone account**

☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

Until the hearing, only the person in ① can use, control, and possess the following property:

Mobile device (describe) _____ and account (phone number): _____

Mobile device (describe) _____ and account (phone number): _____

Mobile device (describe) _____ and account (phone number): _____

☐ Check here if you need more space. Attach a sheet of paper and write "DV-110 Rights to Mobile Device and Wireless Phone Account" as a title.

b. Debt Payment ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

The person in ② must make these payments until this order ends:

Pay to (wireless service provider): _____ Amount: \$ _____ Due date: _____

c. Transfer of Wireless Phone Account

Not ordered now but may be ordered after a noticed hearing.

19 Insurance

☐ The person in ① ☐ the person in ② is ordered NOT to cash, borrow against, cancel, transfer, dispose of, or change the beneficiaries of any insurance or coverage held for the benefit of the parties, or their child(ren), if any, for whom support may be ordered, or both.

20 Lawyer's Fees and Costs

Not ordered now but may be ordered after a noticed hearing.

21 Payments for Costs and Services

Not ordered now but may be ordered after a noticed hearing.

22 Batterer Intervention Program

Not ordered now but may be ordered after a noticed hearing.

23 Other Orders ☐ Not requested ☐ Denied until the hearing ☐ Granted as follows:

☐ Check here if there are additional orders. List them on an attached sheet of paper and write "DV-110, Other Orders" as a title.

24 No Fee to Serve (Notify) Restrained Person

If the sheriff serves this order, he or she will do so for free.

Date: _____

Judge (or Judicial Officer)

This is a Court Order.



Warnings and Notices to the Restrained Person in 2**If You Do Not Obey This Order, You Can Be Arrested And Charged With a Crime.**

- If you do not obey this order, you can go to jail or prison and/or pay a fine.
- It is a felony to take or hide a child in violation of this order.
- If you travel to another state or to tribal lands or make the protected person do so, with the intention of disobeying this order, you can be charged with a federal crime.

You Cannot Have Guns, Firearms, And/Or Ammunition.

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, and/or ammunition while the order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control. The judge will ask you for proof that you did so. If you do not obey this order, you can be charged with a crime. Federal law says you cannot have guns or ammunition while the order is in effect.

Service of Order by Mail

If the judge makes a restraining order at the hearing, which has the same orders as in this form, you will get a copy of that order by mail at your last known address, which is written in (2). If this address is incorrect, or to find out if the orders were made permanent, contact the court.

Child Custody, Visitation, and Support

- **Child custody and visitation:** If you do not go to the hearing, the judge can make custody and visitation orders for your children without hearing from you.
- **Child support:** The judge can order child support based on the income of both parents. The judge can also have that support taken directly from a parent's paycheck. Child support can be a lot of money, and usually you have to pay until the child is age 18. File and serve a *Financial Statement (Simplified)* (form FL-155) or an *Income and Expense Declaration* (form FL-150) if you want the judge to have information about your finances. Otherwise, the court may make support orders without hearing from you.
- **Spousal support:** File and serve an *Income and Expense Declaration* (form FL-150) so the judge will have information about your finances. Otherwise, the court may make support orders without hearing from you.

Instructions for Law Enforcement

This order is effective when made. It is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the order and then shall enforce it. Violations of this order are subject to criminal penalties.

Arrest Required if Order Is Violated

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

This is a Court Order.

If the Protected Person Contacts the Restrained Person

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

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced according to the following priorities (see Pen. Code, § 136.2, and Fam. Code, §§ 6383(h), 6405(b)):

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

Child Custody and Visitation

- The custody and visitation orders are on form DV-140, items ③ and ④. They are sometimes also written on additional pages or referenced in DV-140 or other orders that are not part of the restraining order.
- **Forms DV-100 and DV-105 are not orders. Do not enforce them.**

Certificate of Compliance With VAWA

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

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____

This is a Court Order.

NCICS DV-109 Notice of Court Hearing

Clerk stamps here when form is filed.

1 Name of Person Asking for Order:

Your **lawyer** in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or email but you must provide it to the Court Clerk separately.

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____



**Northern California
Intertribal Court
System 3000 Shanel
Rd
Hopland, CA 95449
(707) 472-2160**

2 Name of Person to Be Restrained:

Case Number: _____

The court will fill out the rest of this form.

3 Notice of Court Hearing

A court hearing is scheduled on the request for restraining orders against the person in ②.

**Hearing
Date**

→ Date: _____ Time: _____
Type: _____

INSTRUCTIONS

4 Temporary Restraining Orders (any orders granted are attached on Form DV-110)

a. Temporary restraining orders for personal conduct, stay away, and protection of animals, as requested in Form DV-100, *Request for Domestic Violence Restraining Order*, are:

- (1) ☐ All **granted** until the court hearing
- (2) ☐ All **denied** until the court hearing (specify reasons for denial in (b)):
- (3) ☐ Partly **granted** and partly **denied** until the court hearing (specify reasons for denial in (b)):

b. Requested temporary restraining orders for personal conduct, stay away, and protection of animals are denied because:

- (1) ☐ The facts as stated in form DV-100 do not show reasonable proof of a past act or acts of abuse. (Family Code, §§ 6320 and 6320.5)
- (2) ☐ The facts do not describe in sufficient detail the most recent incidents of abuse, such as what happened, the dates, who did what to whom, or any injuries or history of abuse.
- (3) ☐ Further explanation of reason for denial, or reason not listed above:

This is a Court Order.

DV-109, Page 1 of 3

**Notice of Court Hearing
(Domestic Violence Prevention)**



5 Service of Documents and Time for Service—for Person in 2No Fee to Serve (Notify) Restrained Person ☐ Ordered ☐ Not Ordered

The sheriff or marshal will serve this order without charge because:

- a. ☐ The order is based on unlawful violence, a credible threat of violence, or stalking.
- b. ☐ The person in 1 is entitled to a fee waiver.

Number of pages attached to this order, if any: _____

Date: _____

*Judicial Officer***Warnings and Notices to the Person in 1**

- If item 4 (a)(2) or 4(a)(3) is checked, the judge has denied some or all of the temporary orders you requested until the court hearing. The judge may make the orders you want after the court hearing.
- At the hearing, the judge will consider whether denial of any requested orders will jeopardize your safety and the safety of children for whom you are requesting custody or visitation.
- You must come to the hearing if you want the judge to make restraining orders or continue any orders already made. If you cancel the hearing or do not come to the hearing, any restraining orders made on Form DV-110 will end on the date of the hearing.

Warnings and Notices to the Restrained Person in 2

- If you want to respond in writing, file a DV-120, *Response to Request for Domestic Violence Restraining Order*, to the Court Clerk for NCICS. The Court Clerk will ensure the Person in 1 is served and the Judge receives your response.
- Whether or not you respond in writing, go to the court hearing if you want the judge to hear from you before making orders. You may tell the judge why you agree or disagree with the orders requested. You may bring witnesses and other evidence; however, you are responsible to ensure your witnesses appear and the evidence is submitted at least one business day prior to your scheduled hearing.
- At the hearing, the judge may make restraining orders against you that could last up to five years.
- If you have any questions regarding the hearing or process, you may contact the NCICS Court Clerk.

This is a Court Order.

Case Number:

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

Date: _____, by _____, Clerk of the Court

1 Name of Protected Person:

Your lawyer in this case (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

Address (If you have a lawyer for this case, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, give a different mailing address instead. You do not have to give your telephone, fax, or e-mail.):

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of**2 Name of Restrained Person:****Description of restrained person:**Sex: ☐ M ☐ F Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Race: _____ Age: _____ Date of Birth: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to protected person: _____

Fill in case number:

Case Number:**3 I am protected by the attached protective/restraining order. The order was made by (name and address of court):****4 The attached order:**

- Is a true and correct copy
- Is currently valid and in full force and effect
- Has not been changed, canceled, or replaced by any other order
- Was made in a different state, U.S. territory, Indian tribal court, the District of Columbia, Puerto Rico, US Virgin Islands, or in a military court
- Expires on (date) _____

5 I ask that the attached order be registered with this court for entry into the California Law Enforcement and Telecommunication System (CLETS). My request is voluntary. I understand that registration of the order is not necessary for enforcement.

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

Date: _____

Type or print your name

Sign your name

This is a Court Order.

The attached out-of-state restraining order is registered, valid, and enforceable in California, and can be entered into CLETS, unless it ends or is changed by the court that made it.

Date: _____

*Judge (or Judicial Officer)***Court Clerk Must Seal This Form and Attached Foreign Protection Order**

This form sets forth the procedure to register a foreign protection order under Family Code section 6404. No court hearing is required to register the foreign protection order. This form and the attached foreign protection order must be sealed pursuant to Family Code section 6404(a). Access to the foreign protection order is allowed only to law enforcement, the person who registered the order upon written request with proof of identification, the defense after arraignment on criminal charges involving an alleged violation of the order, or upon further order of the court.

(Clerk will fill out this part.)

—Clerk's Certificate—*Clerk's Certificate**[seal]*

I certify that this *Order to Register Out-of-State or Tribal Court Protective/Restraining Order* is a true and correct copy of the original on file in the court.

Date: _____ Clerk, by _____, Deputy

This is a Court Order.