

Were You Served with a Domestic Violence Temporary Restraining Order?

<p>Step 1</p>	<p>Complete the following forms in blue or black ink:</p> <p><input checked="" type="checkbox"/> DV-120 Response to Request for Domestic Violence Restraining Order</p> <p><input type="checkbox"/> MC-025 Additional page (<i>if you need more space to tell your side of the story</i>)</p> <p><i>Only complete the next form <u>if you and the other party have children together</u> and want to ask for a detailed visitation schedule:</i></p> <p><input type="checkbox"/> DV-125 Response to Request for Child Custody and Visitation Orders</p> <p><i>Only complete the next form <u>if the other party asked for child support or spousal support</u>:</i></p> <p><input type="checkbox"/> FL-150 Income and Expense Declaration</p> <p><i>If you were also served with Divorce, Legal Separation, Nullity or Petition to dissolve a Domestic Partnership forms at the same time as the restraining order forms, talk to a Self-Help staff person or a private attorney about how to answer those forms, too.</i></p>
<p>Step 2</p>	<p>Review: Bring your completed forms to the Restraining Order Help Center at 201 N. First Street, San Jose to have them reviewed to make sure they are filled out correctly. Then make 4 copies in addition to the original.</p>
<p>Step 3</p>	<p>File: Turn in the original and copies of the forms to the Clerk's Office in the Courthouse at: 201 North First Street, San Jose, CA 95113</p> <p>The Clerk's Office opens at 8:30am Monday-Friday, closing times are subject to change, visit www.scscourt.org or call 408-534-5600 for current office hours.</p> <p>Note: It is free to file a <i>Response</i> to a restraining order request. However, if you are also filing a <i>Response</i> to a divorce, parentage or other type of case there is a filing fee. You can ask for a fee waiver if you cannot afford the fees.</p> <p><input type="checkbox"/> If you are not asking for a fee waiver, you will pay the filing fee and get copies back with a file-stamp.</p> <p><input type="checkbox"/> If you are asking for a fee waiver, your file-stamped copies may be returned immediately, OR you may be asked to return in up to 24 hours. Please check with the clerk who takes your forms.</p>
<p>Step 4</p>	<p>Service: After the filed copies are returned to you:</p> <ul style="list-style-type: none"> • Keep for your records—1 filed copy • Serve: At least 2 calendar days before the court date serve 1 filed copy of your <i>Response</i> by mail on the other party. "<i>Serve by mail</i>" means someone, NOT YOU, who is at least 18 years old must mail the filed copy to the other party. <p>Whoever does the service must complete the attached <i>Proof of Service by Mail</i> form (DV-250) and give it back to you. File the original and a copy of this form at the Clerk's Office. The clerk will file stamp the copy and give it back to you.</p>
<p>Step 5</p>	<p>What happens next:</p> <ul style="list-style-type: none"> ▪ Go to your court hearing to present your side of the case. ▪ Bring 3 copies of your <u>filed</u> <i>Response</i> and <i>Proof of Service</i> forms to court with you—one for the other side, one for the Judge and one for you.

Please turn over for important information→

WHAT IS A RESTRAINING ORDER?

A restraining order is issued to protect a person or persons from someone they claim is abusing them or threatening to abuse them. When a restraining order is filed, the Judge reads what the other party (the person who filed) asks for and either grants or denies their request for temporary orders and sets a hearing date. These orders are in effect only until the Court hearing. The Judge can make Personal Conduct orders (you cannot call, write, contact or harass the other party), Stay-Away orders (you have to stay a certain distance away from the protected person and specific places), Move-Out orders (one person is ordered to move from the home and not live there), Custody and Visitation orders and orders protecting property if you and the other party are married.

HOW DO I TELL MY SIDE OF THE STORY?

First, read the orders very carefully and be sure to obey the orders until the hearing. You should file a *Response* so that the Judge has your side of the story, whether or not you agree with the other party's statement. If you do not file a *Response*, the Judge will only have the other party's side in writing. Also, if you do not file a *Response*, the Judge may not let you talk in court.

WHAT IF I DID NOT GET SERVED IN TIME OR WANT TO HIRE AN ATTORNEY?

At the court hearing you may ask for a continuance (a rescheduled hearing) to have more time to hire an attorney and/or write up and file a *Response*. If the other party has an attorney, you can contact their attorney before the hearing date to ask for a continuance. If you and the attorney agree to a continuance then you can both come to court on your hearing date and tell the Judge. If you do not agree you will have to ask the Judge for a continuance. If the Judge gives you a continuance, all the order s/he made will usually remain in place until the next hearing date.

HOW CAN I GET HELP?

Here are some ways to get help:

- Go to <http://www.calbar.ca.gov/Public>, then click on "Lawyer Referral services" to hire or consult with a private attorney.
- For free legal advice and information, see our "Do-It-Yourself Resources" flyer. Go to www.scscourt.org, click on "Self-Help" then "Self-Help Flyers".
- The Self Help Center/Family Law Facilitator – See our information flyer:
 - Contact us: Go to www.scscourt.org then click "**Contact the Self Help Center**". Walk-in assistance is limited to emergencies so contact us remotely first.
 - Obtain Forms: Go to www.scscourt.org then click "**Complete Forms at Home**".
 - Form Review: Restraining order responses may be reviewed in person at the Restraining Order Help Center located at 201 N. First Street, San Jose, CA 95113, visit www.scscourt.org for current office hours. If you cannot get to the office in person you may email your forms as a PDF file to SHCDocReview@scscourt.org. Reviews by email will take longer than in-person reviews.
 - Note: We **cannot** help people who have attorneys.

Superior Court, County of Santa Clara
Self Help Center/Family Law Facilitator's Office
 201 N. First Street, San Jose, CA 95113
 408-882-2926

DO YOU WANT AN ATTORNEY TO REPRESENT YOU AT YOUR RESTRAINING ORDER HEARING?

FREE Services	You Must Qualify	Telephone
Bay Area Legal Aid (BALA) 4 N. Second Street, Suite 600 San Jose, CA 95113 http://www.baylegal.org/offices7.html	Help if you are: <ul style="list-style-type: none"> • Asking for a restraining order • Legal representation if you are low income • Languages spoken: Spanish, Vietnamese, Mandarin, and others. 	Legal Advice line: 408-850-7066 (Mon-Th 9:30-3) General Info: 408-283-3700
Domestic Violence Limited Scope Representation (DVLSR-Pro Bono Project) 25 N. 14th Street, Suite 506 San Jose, CA 95112	Help if you are: <ul style="list-style-type: none"> • Asking for a restraining order • Defending against a restraining order • Legal representation if you are low income 	408-998-5298
Legal Advocates for Children and Youth (LACY) 152 North 3 rd Street , 3 rd Floor San Jose , CA 95112 (Across from Saint James Park on 3 rd Street) http://www.lawfoundation.org/lacy.asp	Help if you are: <ul style="list-style-type: none"> • Under 18 or in high school • Asking for a restraining order 	408-280-2416
Senior Adults Legal Assistance (SALA) 160 East Virginia Street, Suite 260 San Jose, CA 95112 http://www.sala.org	Help if you are: <ul style="list-style-type: none"> • 60 years or older • Asking for a restraining order for elder abuse, domestic violence or civil harassment (for physical abuse only) • Languages spoken: English and Spanish 	408-295-5991

Lawyer Referral Services (<i>not free</i>)	Telephone
Santa Clara County Bar Association http://www.sccba.com/legalconsumer	<ul style="list-style-type: none"> • \$41 initial consultation fee or • \$31 initial consultation fee for Modest Means • Attorneys are also available who charge a reduced fee for income qualifying individuals 408-971-6822
Palo Alto Bar Association http://www.paaba.org/lrs.htm	<ul style="list-style-type: none"> • \$35 initial consultation fee 650-326-8322

This information may change. This is not a commitment by these Agencies that they will be able to help you.
Agencies may not always have someone who can help you.

IMPORTANT PHONE NUMBERS & WEBSITES

Domestic Violence Resources – County of Santa Clara

24 hour crisis lines Domestic Violence Agencies in Santa Clara County

- Asian Women's Home (408) 975-2739
- Community Solutions – South County (408) 683-4118
- Next Door, Solutions to Domestic Violence (408) 279-2962
- Support Network for Battered Women (800) 572-2782

Other Domestic Violence Hotlines

- MAITRI – South Asian Languages (888) 862-4874 open M-F, 9 am to 1 pm
- National Domestic Violence Hotline (800) 799-SAFE

Help with restraining order forms, restraining order court hearings, and other family law issues

- Asian Americans for Community Involvement (AACI) (408) 975-2730
- Asian Law Alliance (408) 287-9710
- Bay Area Legal Aid (408) 283-3700
- Community Solutions – South County (408) 683-4118
- LACY (help for parenting or pregnant teens) (408) 293-4790
- Legal Aid Society, Santa Clara County, Family Law Section (408) 998-5200
- Next Door, Solutions to Domestic Violence (408) 501-7542 Spanish (408) 501-7549
- Pro Bono Project (408) 998-5298
- DVLSR (free lawyer for your domestic violence hearing) (408) 998-5298
- Support Network for Battered Women (800) 572-2782
- SALA (60 years old or older) (408) 295-5991

Help with domestic violence/immigration issues

- Asian Law Alliance (408) 287-9710
- Bay Area Legal (408) 283-3700
- Catholic Charities (408) 944-0691
- Katherine & George Alexander Community Law Center (408) 288-7030

Victim Notification System

These systems tell you an inmate's custody status and give electronic notice of an intimate's release from jail or prison.

- Jail (800) 464-3568
- Prison (916) 358-2436

Victim Witness Assistance Center

(408) 295-2656

This center provides services to crime victims and witnesses including crisis counseling, follow-up care, help in court, and applications for money for counseling and other immediate needs.

California Victim Compensation Program

(800) 735-2929

This is a California program for victims of crime.

Sheriff's Department Civil Division

(408) 808-4800

To find out if your restraining order was served on the restrained person

District Attorney - Criminal Division

- Main Office (San Jose) (408) 299-7500
- Victim Advocate – Domestic Violence Unit (408) 792-2546

Adult Probation

(408) 435-2000

Santa Clara County Jail- Main Booking

(408) 299-2306

Family Violence Center – San Jose Police Department

(408) 277-3700

Santa Clara County Superior Court Resources

To check on the status of your Temporary Orders ("ex parte" request) <http://www.sccsuperiorcourt.org/family/exparte/exparte.pdf>

Domestic Violence Internet Resources

Family Violence Center – San Jose Police Dept. www.sjpd.org/fvc/fvc_home.html
Support Network for Battered Women www.snbw.org
MAITRI <http://www.maitri.org/>
Santa Clara County Self Service www.scselfservice.org
California Self-Help Center www.legalselfhelp.ca.gov

Information for you

The following pages are for your
information.

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 [form INT-300](#) 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 [form MC-410](#) to request assistance. Contact the disability/ADA coordinator at your local court for more information.

Request for Accommodations



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



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 [form DV-505-INFO](#). 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>

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

Request for Accommodations

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



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.
- ② 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.
- ② If you have any prohibited items (firearms (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.



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).

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,
or
- 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.

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>.



SUPERIOR COURT OF CALIFORNIA
COUNTY OF SANTA CLARA

How to Safely Turn In Firearms and Ammunition

Important! You must call BEFORE you bring firearms or ammunition to a law enforcement agency. You have 24 hours from the time you received the restraining order or protective order to call. Follow the steps below.

- 1 Call the Santa Clara County Sheriff's Department or the Police Department where you live. Tell them you have a restraining or criminal protective order and you need to turn in your firearm(s) and ammunition.
2 The law enforcement agency will explain where and how to turn in your firearm(s) and ammunition. Some agencies ask you to make two trips: one for the firearm(s) and one for the ammunition. Follow their instructions carefully.
3 Law enforcement may ask for:
- a description of you and your car,
- your ID, and
- your court order.

Here are the non-emergency phone numbers.

- Campbell Police Dept (408) 866-2101, 866-2102
Gilroy Police Dept. (408) 846-0300
Los Altos Police Dept. (650) 947-2779
Los Gatos/Monte Sereno Police Dept. (408) 354-8600
Milpitas Police Dept. (408) 586-2400
Morgan Hill Police Dept. (408) 779-2101
Mountain View Police Dept. (650) 903-6344
Palo Alto Police Dept. (650) 329-2406
San Jose Police Dept. 311 or (408) 277-8900
San Jose State Univ. Police Dept. (408) 924-2185
Santa Clara County Sheriff's Office (408) 808-4400
Santa Clara Police Dept. (408) 615-4700
Stanford Univ. Dept. of Public Safety (650) 723-9633
Sunnyvale Dept. of Public Safety (408) 730-7110

Do not call 911. Call your local police department or the Santa Clara County Sheriff's Office.

Follow these Safety Instructions:

- Your firearm(s) must be unloaded.
Place the firearm in your trunk, and lock your trunk. If you do not have a trunk, lock your firearm in a container and put it in the back of your vehicle out of arm's reach. Do NOT put it in your glove compartment! (Calif. Penal Code § 12026.1(a))
Drive straight to the law enforcement agency. Do not stop anywhere else.
Park your car where the agency told you to park.
Call the agency when you get there. They will tell you what to do. If you do not have a cell phone, leave the firearm in your car and go inside and ask for instructions.

If you want to have your firearms and ammunition destroyed:

Follow the safety instructions above. The agency will also ask you to sign a paper that gives them permission to destroy your firearm(s) and ammunition.

If your firearms are antiques or collector's items:

When you turn in your firearm(s), tell the agency how they should be stored. Some agencies may not be able to follow your storage instructions.

You have 24 hours to turn in (or sell) your firearms and ammunition.

If the court ordered you to "relinquish" your firearms and ammunition, you have only 24 hours to do so. If you decide to sell them, you must sell them to a federally licensed gun dealer. Look in the Yellow Pages or online under "Firearms Dealers." Be sure that the firearm dealer is federally licensed.

Questions About Safely Turning In Firearms and Ammunition

This information will answer your questions about turning in firearms.
If you have other questions, call your local police department. (*See other side.*)

What is a firearm?

Firearms include:

- handguns and pistols,
- rifles and shotguns,
- black powder firearms and muzzle-loading firearms,
- assault weapons, and
- *any* weapon that sends a projectile through a barrel and the weapon's frame or receiver.

How do I turn in my firearms and ammunition?

You have 2 options:

- You can call your local police department or the Santa Clara County Sheriff's Office and ask for instructions, or
- You can sell them to a *federally licensed* gun dealer. Look in the Yellow Pages or online under "Firearms Dealers."

How long do I have to turn in my firearms and ammunition?

If the court ordered you to "relinquish" your firearms and ammunition, you only have **24 hours** from the time that you received the restraining order or criminal protective order.

What if I was ordered to turn in firearms and ammunition on a weekend, can I get more than 24 hours?

No. You only have 24 hours. Law enforcement is available 24/7. See other side for instructions.

Can I turn in my firearms and ammunition now, and sell them later?

Yes. You can have one sale of the firearms and ammunition. You must use a federally licensed gun dealer for the sale. The gun dealer will give the law enforcement agency a bill of sale for the firearms and/or ammunition. If the paperwork is correct, the law enforcement agency will turn over the guns and/or ammunition to the gun dealer.

What happens if my firearms have not been registered?

It depends. Not all firearms have to be registered. But, if you did not register a weapon that had to be registered, you may have committed a crime. Talk to a lawyer as soon as possible.

How long will law enforcement keep my firearms and ammunition?

Usually they keep the firearms and ammunition until your restraining or protective order ends. If they cannot keep them for the whole period, they will let you know in writing so you can make other arrangements.

Do I have to pay law enforcement to keep my firearms and ammunition?

Maybe. Each agency has its own policy. They will tell you about any fees when you turn them in. They will also let you know in writing if their fees change.

Can a law enforcement officer take my firearms and ammunition from me?

Yes. If you are involved in domestic violence, the officer can take away your firearms and ammunition. (*Calif. Family Code, § 6389(c)(2)*)

Can I get my firearms back from law enforcement after the court order ends?

Yes, *if* you are legally allowed to have a firearm. Fill out a Law Enforcement Gun Release (LEGR) Application and send it to the California Department of Justice. You can get the application at: <http://ag.ca.gov/firearms/forms>. You will also have to pay a fee (\$20 for the first firearm and \$3 for each additional firearm).

The Department of Justice will send you a notice within 4-6 weeks to tell you if you are eligible to possess a weapon again. If you are eligible, take that notice to the law enforcement agency where your firearm(s) and ammunition are stored within 30 days of the date on the notice. If you wait more than 30 days, you will have to submit another application.

Where can I get more information?

You can:

- Call your local law enforcement agency, or
- Read the law (*Calif. Penal Code §§ 12001 and 6389*).
- Contact an attorney.

BLANKS

DV ANSWER PACKET

Please complete the following forms in blue or black ink.

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 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 Santa Clara

Street: 201 N. First St., San Jose, CA 95113

Mail: 191 N. First St., San Jose, CA 95113

Fill in case number:

Case Number:**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: _____

! 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: **Self-Represented** _____ 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.

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 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: _____

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 child listed in form DV-105, *Request for Child Custody and Visitation Orders*
b. I am the parent of the child or children listed in form DV-105 (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 www.courts.ca.gov/selfhelp-support.htm.)

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 **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 for work only. (You will have to show the judge that your work requires you to have a firearm, and that your employer cannot reassign you to another position where a firearm is not needed. If you are a peace officer, there are additional requirements.)

(Give details, like what your job is and why you need a firearm): _____

27 **Cannot Look for Protected People** (see item **30** 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: _____

28 **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):

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.



29 **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: \$	

30 **Additional Pages**

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

31 **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

32 **Your lawyer's signature** *(if you have one)*

Date: _____

Self-Represented

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 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?*

This is not a Court Order.

SHORT TITLE:

CASE NUMBER:

DV-120, Reasons I Do Not Agree

- 1
- 2
- 3
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- 25

(Required for verified pleading) The items on this page stated on information and belief are *(specify item numbers, not line numbers)*:

This page may be used with any Judicial Council form or any other paper filed with the court.

Page _____

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of Santa Clara
 Street: 201 N. First Street, San Jose, CA 95113
 Mail: 191 N. First Street, San Jose, CA 95113

Court fills in case number when form is filed.

Case Number:**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: **Self-Represented** State Bar No.: _____

Firm Name: _____

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 _____



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.



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.

Proof of Service

DV ANSWER PACKET

Your server (the person who mails a filed copy of your forms to the other party) will complete the next form and return it to you.

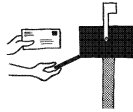
Proof of Service by Mail (CLETS), form DV-250

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.

**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

Fill in court name and street address:

Superior Court of California, County of Santa Clara
 Street: 201 N. First St., S.J., CA 95113
 Mail: 191 N. First St., San Jose, CA 95113

Fill in case number:

Case Number: _____