

REQUEST TO CHANGE OR END RESTRAINING ORDER

Family Law

What you will find in this packet:

- **Additional Resources** (FamLaw-101-INFO)
- **Interpreter Request** (MC-300e&s)
- **Requirements for Filing Court Papers** (MC-500-INFO)
- **Request to Change or End Restraining Order Information** (FamLaw-37-INFO)
- **Request to Change or End Restraining Order** (DV-300)
- **How Do I Ask to Change or End a Domestic Violence Restraining Order?** (DV-300-INFO)
- **Notice of Court Hearing and Temporary Order to Change or End Restraining Order** (DV-310)
- **Order on Request to Change or End Restraining Order** (DV-330)

Additional forms if you are asking to change child custody and visitation orders:

- **Request to Change Child Custody and Visitation Orders** (DV-305)
- **Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)** (FL-105/GC-120)
- **Attachment to Declaration Under Uniform Child Custody Jurisdiction and Enforcement Act (UCCJEA)** (FL-105(A)/GC-120(A))

Additional forms that must be served (blank) to other party – do not write on these:

- **Response to Request to Change or End Restraining Order** (DV-320)
- **Response to Request to Change Child Custody and Visitation Orders** (DV-325) (if you are asking to change child custody and visitation orders)

Forms that must be filed after you have the other party served:

- **Proof of Personal Service (CLETS)** (DV-200)
- **Proof of Service by Mail (CLETS)** (DV-250)

Forms to ask to reschedule your court hearing if you haven't been able to serve the other party:

- **Request to Reschedule Hearing to Change or End Restraining Order** (DV-315)
- **Order to Reschedule Hearing to Change or End Restraining Order** (DV-316)

You Can Get Court Forms FREE at: www.cc-courts.org/forms

If you don't find what you're looking for here, you may want to check out the additional resources listed on the back of this page

~ Additional Resources ~

Family Law court is for people who are ending a marriage or other committed relationship, dividing what they own and owe, working out child custody and visitation issues, dealing with child support or spousal support, addressing domestic violence issues, or identifying the legal parent(s) of a child.

Many of your questions may be answered by the content of the packet(s) provided. However, if you have additional questions or need additional assistance, the Court does offer self-help assistance through:

Contra Costa County Family Law Facilitators/Self-Help Center

<https://www.cc-courts.org/family/flf.aspx>

<https://direct.lc.chat/12110427/>

In person services are available during Lobby & DCSS hours, and by appointment. Virtual assistance is also available during LiveChat hours.

Please refer to the court website for current hours of service. Due to high demand, services may reach capacity prior to the regularly scheduled closing time. If capacity is reached, the que for services will be closed.

Self-Help Center staff are not your attorneys and cannot give you legal advice. Any information you share with Self-Help Center staff is not confidential. There is no attorney-client privilege and both sides may be assisted in a case. Self-Help Center staff provide procedural assistance and are not responsible for the outcome of your case.

Often, people involved in court cases need additional help in understanding their case and knowing their options. For some suggestions about where to get help, consider the following resources:

Contra Costa Superior Court

<https://www.cc-courts.org/family/family-law.aspx>

Contra Costa County Law Library

Offering Lawyer in the Library by Appointment
Printing Services for Forms & Packets (for a fee)

<http://www.cccplib.org/>

Contra Costa County Bar Association's Lawyer Referral Service

www.cccba.org/community/find-a-lawyer/index.php

Legal Aid Association of California for Legal Help

<https://www.lawhelpca.org/issues/families-and-kids>

<https://www.lawhelpca.org/issues/protection-from-abuse>

State Bar of California for Legal Help

<https://www.calbar.ca.gov/Public/Need-Legal-Help>

The Clerk of the Court cannot accept any papers for filing that do not comply with California Rules of Court 2.100 et seq. (CRC 2.118)

To avoid having your papers rejected by the clerk:

Use Judicial Council forms whenever possible

Judicial Council forms can be found at:

<https://courts.ca.gov/rules-forms/find-your-court-forms>

Contra Costa County Local forms can be found at:

<https://www.cc-courts.org/forms/forms.aspx?Tab=Local>

If the form you need is not on the Judicial Council website or within the Local Forms, you will need to make your own. Any forms created must follow these rules:

1. One-sided paper – only one side of each page may be used when not filing electronically
2. White or unbleached paper – 8 1/2 by 11 inches
3. 12 pt black font with style equivalent to Courier, Times New Roman, or Arial (Handwritten papers are OK – but should be written legibly)
4. Margins – at least 1 inch from the left edge and 1/2 inch from right edge
5. Line spacing – 1.5 or double-spaced, with lines numbered consecutively in the left margin
6. Page Numbers – pages must be numbered consecutively on the bottom using Arabic numerals (1, 2, 3 ...)
7. Footer – except for exhibits, each page must have a footer at the bottom containing the title of the paper, and must be in at least 10 pt font
8. Binding – each paper not electronically filed must contain original pages without riders and must be firmly bound (e.g. paper clips or stapled)
9. First Page –
 - must contain your name, address, telephone number, and email address in the upper left corner, with the right corner being left blank for use of the clerk
 - the title of the court should appear in the center at approximately line 8
 - below the title of the court, starting at the left margin, the title of the case, along with the name of each party on case must be listed on separate lines
 - below the title of the court, to the right of and opposite the title of the case, the case number must be included

You may use **Judicial Council Form MC-030** as a first page of any Declaration. You may also use **Judicial Council Form MC-020** as an attachment to any form to remain in compliance with these rules.

For filing in person, you will need the **original document**, signed in ink (blue is best), and correct number of identical copies (***original for the Court, a copy for each party***) for the clerk to file.

Electronic Filing (E-Filing)

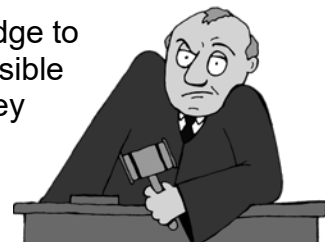
In addition to the above requirements, if you are e-filing your documents, you must be in compliance with California Rules of Court 2.250 et seq.

In Family Law Cases, self-represented litigants may choose to file in person or through e-file. Some documents are required to be filed in person.

The format of the documents to be filed electronically must meet the following requirements:

1. The software used to create the document must be available generally to the public or at a reasonable cost (e.g. adobe, pdf).
2. The printing of documents must not result in the loss of document text, format, or appearance.
3. The document must be text searchable, without loss of the document's content.

The Rules are important – Remember - You want the Judge to understand what you have written. Don't make that impossible by submitting papers that are too hard to read because they are upside down, the print is too small or too light, or the pages have fallen out of the file because they are too small or too large and/or not properly fastened.



Superior Court of California, County of Contra Costa

Interpreter Request

If you need an interpreter, please complete the form below and submit it to any Filing Window or courtroom.

Case Number: _____

Case Type:

- | | |
|---|---|
| <input type="checkbox"/> Criminal | <input type="checkbox"/> Small Claims – (\$12,500 or less) |
| <input type="checkbox"/> Traffic | <input type="checkbox"/> Civil - <input type="checkbox"/> \$25,000 <input type="checkbox"/> over \$25,000 |
| <input type="checkbox"/> Civil Harassment | <input type="checkbox"/> Civil – Other _____ |
| <input type="checkbox"/> Conservatorship | <input type="checkbox"/> Family Law |
| <input type="checkbox"/> Proceedings to terminate parental rights | <input type="checkbox"/> Unlawful Detainer |
| <input type="checkbox"/> Dependent Adult Abuse | <input type="checkbox"/> Guardianship |
| <input type="checkbox"/> Juvenile | <input type="checkbox"/> Elder Abuse |

Party Requesting Interpreter: _____

Is interpreter for a witness? ☐ Yes ☐ No

Phone Number(s) where party can be reached: _____

Date of Hearing: _____ Time of Hearing: _____

Department: _____ Location: ☐ Martinez ☐ Pittsburg ☐ Richmond ☐ Walnut Creek

Language Needed: ☐ Spanish ☐ Mandarin ☐ Cantonese ☐ Vietnamese

☐ Other: _____

To avoid the risk that your hearing will have to be postponed, please submit this form a minimum of one week in advance.

Current information about this program is available at our website:

www.cc-courts.org/interpreter

Superior Court of California, County of Contra Costa

Solicitud Para Intérprete

Si necesita un intérprete, favor completar este formulario y presentarlo en cualquier ventanilla para archivar documentos o con la secretaria del tribunal.

Número de Caso: _____

Tipo de Caso:

- | | |
|--|--|
| <input type="checkbox"/> Criminal | <input type="checkbox"/> Demanda Civil – (\$12,500 o menos) |
| <input type="checkbox"/> Tráfico | <input type="checkbox"/> Demanda Civil -
<input type="checkbox"/> \$25,000 <input type="checkbox"/> más de \$25,000 |
| <input type="checkbox"/> Acoso Civil | <input type="checkbox"/> Civil – otro tipo _____ |
| <input type="checkbox"/> Conservador | <input type="checkbox"/> Casos de Familia |
| <input type="checkbox"/> Casos para Terminar Derechos de Madre o Padre | <input type="checkbox"/> Juicio de Desalojo |
| <input type="checkbox"/> Abuso de Adultos Incapacitados | <input type="checkbox"/> Tutela |
| <input type="checkbox"/> Tribunal de Menores | <input type="checkbox"/> Abuso de Personas Mayores |

Persona que Necesita Intérprete: _____

☐ Marque aquí si esta persona es un testigo

Número Telefónico: _____

Fecha de la Audiencia Judicial: _____ Hora: _____

Departamento: _____ Ciudad: ☐ Martinez ☐ Pittsburg ☐ Richmond ☐ Walnut Creek

Idioma Solicitado: ☐ Español ☐ Mandarín ☐ Cantonés ☐ Vietnamita

☐ Otro Idioma: _____

Para evitar la posibilidad que su audiencia sea aplazada, favor the presentar este formulario al menos una semana antes de la fecha de su audiencia.

Información actualizada acerca de este servicio se encuentra en nuestra página web:
www.cc-courts.org/interpreter

Superior Court of California, County of Contra Costa

REQUEST TO CHANGE OR END RESTRAINING ORDER

Instructions

If there is a domestic violence restraining order currently in effect, you can use the forms in this packet to request that the court change or end any order made in the Restraining Order After Hearing (DV-130), except for orders related to firearms, firearm parts, and body armor.

No filing fees: If the domestic violence restraining order has not expired, there are no fees for filing these forms.

Do not use this packet if:

- The restraining order has expired and you want to renew it. Instead, please see the Request for Renewal of Restraining Order” packet for the appropriate forms.
- The restraining order has expired and you are requesting a change to child custody, visitation, child support, spousal or domestic partner support, or property orders. Instead, please see the “Request for Order” packet for the appropriate forms.

Assistance with reviewing your completed forms is available at the Martinez, Richmond, and Pittsburg courthouses from 8 am until 4 pm, Monday through Friday (excluding court holidays). To avoid delays, get help and file your forms at the correct location:

Martinez: If you live in Central County, you may obtain assistance and submit your documents at the Restraining Order window in the Spinetta Family Law Center, 751 Pine Street.

Richmond: If you live in West County and your restraining order was previously filed by the Richmond courthouse, you can get assistance and submit your documents at the Restraining Order window in the George D. Carroll Courthouse, 100 37th Street.

Pittsburg: If you live in East County and your restraining order was previously filed by the Pittsburg courthouse, you can get assistance and submit your documents at the Restraining Order window in the Richard E. Arnason Justice Center, 1000 Center Drive.

SERVICE

After you submit your completed forms, they will be reviewed by a judge and filed. You will then need to serve the other party with the forms. **THIS IS A VERY IMPORTANT STEP!** Read DV-300-INFO for information about how to serve the other party.

Instructions

Use this form to ask a judge to change or end a domestic violence restraining order (form DV-130) that is still in effect (not expired). You can also use this form to ask to change or end a juvenile restraining order (form JV-255) based on domestic violence, if the juvenile case has been closed. For more information on this process, read form [DV-300-INFO](#), *How Do I Ask to Change or End a Domestic Violence Restraining Order?* Do not use this form to ask to change or end orders made in a separate family law case (a case with a different case number than your restraining order). For more information, read form [FL-300-INFO](#), *Information Sheet for Request for Order*.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**1 Your Information**

a. Name: _____

b. Who are you in this case? (Check one):

☐ Protected person ☐ Restrained person

c. Is this your first request to change or end the restraining order?

☐ Yes ☐ No (How many times have you made a request?): _____d. **!** Address where you can receive court papers

(This address will be used by the court and the other party to send you official court dates, orders, and papers. 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: _____

e. **!** Your contact information (optional)

(The court could use this information to contact you. If you don't want the other party to have this information, leave it blank or provide a safe phone number or email address. If you have a lawyer, give their information.)

Telephone: _____ Email Address: _____ Fax: _____

f. Your lawyer's information (if you have one)

Name: _____ State Bar No.: _____

Firm Name: _____

2 Information About Your Case

a. The other party in this case is (full name): _____

b. The current order expires on (date): _____

(Attach a copy of the current restraining order (form DV-130, DV-330, DV-730, or JV-255).)

This is not a Court Order.

3

- a. ☐ I ask the judge to end all the orders granted in the restraining order (form DV-130, DV-330, or JV-255).
- b. ☐ I ask the judge to change or end some of the orders in the restraining order (form DV-130, DV-330, or JV-255).

(If you checked b, complete section below)

(1) Describe the changes that you want the judge to make to the restraining order

(For example, you can identify the order by name (stay-away order) and say "I ask for the stay-away order to be changed to ...")

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

(2) Do you want the judge to change orders for child custody or visitation?

- ☐ Does not apply to my case. I do not have a child with the other party in this case.
- ☐ No.
- ☐ Yes. (If yes, you must complete form DV-305 and attach it to this form.)

This is not a Court Order.

- 3** b. (3) **Do you want to add people to, or remove people from, the restraining order?**
(listed on form DV-130, item 3, or JV-255, item 3)

☐ No

☐ Yes *(complete section below)*

<u>Full name</u>	<u>Age</u>	<u>Relationship to you</u>	<u>Lives with you?</u>	<u>Request to:</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Add <input type="checkbox"/> Remove
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Add <input type="checkbox"/> Remove
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Add <input type="checkbox"/> Remove
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Add <input type="checkbox"/> Remove

☐ Check this box if you need to list more people. Use a separate piece of paper and write "DV-300, Other Protected people" at the top. Turn it in with this form.

Explain why the people listed above should be added or removed.

- (4) Do you want the judge to change the restraining order immediately?**

(Usually, a judge makes a decision at a court hearing, when both sides have a chance to speak and give evidence. In some situations, a judge may make orders immediately (1) if you are the protected party and temporary orders are needed for more protection, (2) to prevent immediate harm to a child in this case, or (3) if there is an immediate risk that a child in this case will be taken out of California. If you are the restrained party, the judge cannot end or change the restraining order before the protected party has been properly served with this request and there has been a court hearing on your request.)

☐ No.

☐ Yes. *(If yes, complete section below.)*

Describe the orders you are asking the judge to make immediately.

Explain why you need orders immediately.

This is not a Court Order.



4 Reason for Request

In this section, explain why you are asking the judge to change or end the orders.

- ☐ Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 5, Reasons for Request" for a title.

5 ☐ Extend My Deadline to Give Notice to the Other Party

(Usually, the judge will give you about three weeks to serve the other party with your request. If you need more time to serve the other party, the judge may be able to give you more time.)

I ask the judge to give me more time to serve the other party because *(explain why you need more time)*:

6 ☐ Lawyer's Fees and Costs

I ask that the other party pay for some or all of my lawyer's fees and costs.

7 Additional Pages

a. How many additional pages are you attaching to this five-page form? _____

b. Which forms are you attaching to this order? *(Check at least one)*:

☐ DV-130 ☐ DV-330 ☐ DV-730 ☐ JV-255 ☐ Other: _____

This is not a Court Order.



8 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

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

Date: _____

Lawyer's name



Lawyer's signature

Your Next Steps

- After you complete this form, complete items 1 and 2 of form [DV-310](#), *Notice of Court Hearing and Temporary Order to Change or End Restraining Order*.
- File this form and form DV-310 with the court clerk. **You must do this before your restraining order expires.**
- Once you get your forms back from the court, follow the judge's orders on how to serve the other side (look at form DV-310, item 5). Have an adult (not you or anyone protected by the restraining order) serve the other side with a copy of your forms. You can also ask the sheriff to personally serve the papers, and they will do this for free. See form SER-001, *Request for Sheriff to Serve Court Papers*. Learn more about service at www.selfhelp.courts.ca.gov/DV-restraining-order/change-end/serve-request.
- After the other side has been served, have the person who served your papers complete a form and file the completed form with the court:
 - If the papers were personally served, have your server complete form [DV-200](#), *Proof of Personal Service*.
 - If the papers were served by mail, have your server complete form [DV-250](#), *Proof of Service by Mail*.
- If you are asking to change child support or spousal support, you must also complete form [FL-150](#), *Income and Expense Declaration*. If you are only asking for child support, you may be eligible to fill out a simpler form, [FL-155](#), *Financial Statement (Simplified)*. Read form [DV-570](#) to see if you are eligible. Before your court date, turn in your completed form to the court and serve a copy on the other party.

This is not a Court Order.



Who can make a request?

The protected person or the restrained person can ask the judge to change or end the restraining order. Other people protected by the restraining order (listed on form DV-130, item 3, or JV-255, item 3) cannot ask to change or end the order.

How do I ask to change or end a domestic violence restraining order?

You will need to complete court papers and file them with the court. After you file your court papers, you will get a court date and have the other party served. You must attend your court date for the judge to decide whether to grant your request. See page 3 for step-by-step instructions.

What if I want to renew my restraining order?

If you are the protected person, you can ask the court to renew your restraining order. You must make your request before your restraining order expires. For information on how to renew your restraining order, read form [DV-700-INFO](#), *How Do I Ask the Court to Renew My Restraining Order?*

What if my restraining order has expired?

If the Restraining Order After Hearing (form DV-130, DV-730, or JV-255) has expired, do not follow the steps on page 3.

- If you need another restraining order, you will need to make a new request. Read form [DV-505-INFO](#), *How to Ask for a Domestic Violence Restraining Order*.
- If the restraining order included child custody, visitation (parenting time), child support, spousal support, support for a domestic partner, or property orders, these orders remain in effect and can be changed only by a judge. For information on how to ask to change these orders, read form [FL-300-INFO](#), *Information Sheet for Request for Order*.

Do I have to pay to file form DV-300 with the court?

No. There is no court fee.

How do I end or change a temporary restraining order?

If you have a temporary restraining order (form DV-110 or DV-116) and you want to change or end the order, a lawyer or the court's self-help center may be able to help you. Do not use this process to change or end a temporary restraining order.

What if I want to change or end a juvenile restraining order?

If you have a restraining order based on domestic violence that was granted by a juvenile dependency court (form JV-255), and the juvenile case has been closed (dismissed), follow the steps on page 3 to ask to change or end the juvenile restraining order.

- If your juvenile case is still open, talk to your lawyer about how to change or end the restraining order.
- If you have a juvenile restraining order that was granted in a juvenile justice (delinquency) case (form JV-265), ask your lawyer or the prosecutor about how to change or end the restraining order.

What if I want the judge to grant an order that was not included in the Restraining Order After Hearing?

The judge may be able to grant the order if it is needed for more protection. Follow the steps on page 3 to make the request. You will need to describe the orders you want and explain why they are needed.

When will my restraining order change or end?

Only the court has the power to change or end the restraining order. The restraining order remains in effect and must be followed until a judge changes or ends the order.



What orders can I ask to change or end?

You can ask to change or end any order granted in a Restraining Order After Hearing, except for orders related to firearms, ammunition, or body armor. The judge cannot remove the restriction on having firearms, ammunition, or body armor. If you need to carry a firearm for your job, the judge may grant you a limited exception but there are strict requirements. Ask a lawyer or your court self-help center for more information.

What if I want to change child custody orders?

- If child custody orders were made through your restraining order, you can ask to change these orders by following the steps on page 3.
- If custody or visitation orders were made in a separate family law case, do not follow the steps on page 3 of this form; read form [FL-300-INFO](#), *Information Sheet for Request for Order*.

Note that a special law applies to child custody orders when there has been domestic violence. For more information, go to selfhelp.courts.ca.gov/domestic-violence-child-custody.

If I ask to end the restraining order, what will happen to the child custody, visitation, support, or property orders?

If a judge ends the restraining order, any child custody, visitation (parenting time), child support, spousal support, support for a domestic partner, or property orders will remain in effect, unless the court also changes or ends those orders.

Where can I find a self-help center?

Free legal help is available at your court's self-help center. Find your local court's self-help center at selfhelp.courts.ca.gov/find. 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 need an interpreter?

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

**I have a disability. How can I get help?**

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

Request for Accommodations

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

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. Go to thehotline.org or call 1-800-799-7233.

Confidential Address Program

If you are a victim of domestic violence or live with a victim of domestic violence, there is a special program called Safe at Home that you can apply for. It is a free program that can help you keep your address private. To learn more about the program, go to sos.ca.gov/registries/safe-home. Note that it may take several weeks to be approved.



Steps to make a request**1 Complete court forms:**

- Form [DV-300](#), *Request to Change or End Restraining Order*; and
- Form [DV-310](#), *Notice of Court Hearing and Temporary Order to Change or End Restraining Order* (items 1 and 2 only).
- If you are asking to change child custody and visitation orders, you must complete form [DV-305](#), *Request to Change Child Custody and Visitation Orders*.

2 File forms with court

File all forms with the court clerk. Make sure you include a copy of your current Restraining Order After Hearing with form DV-300. You can file in person or electronically. For more information on how or where to file, go to the court's website. To find the court's website, go to selfhelp.courts.ca.gov/find.

3 Get your papers back from the court

Once you get your papers back from the court, you will have a court date (see form DV-310). If you asked for any temporary orders, look at form DV-310 to see if the judge granted or denied that request. Make sure you get at least two copies back: one for you and one to have served on the other party. If you filed your papers electronically, the court will give the papers back to you electronically, unless you asked to pick them up or receive them by mail.

4 Have the other party served with papers

- **If you are the restrained person**, you must have the protected person personally served. This means you must have an adult personally give a copy of all the court papers (listed on form DV-310, item 5d) to the protected person. It cannot be you or anyone listed on the restraining order. Your server must then complete form [FL-330](#), *Proof of Personal Service*. Make a copy of the completed form FL-330 and file it with the court. If you cannot have the protected person personally served, contact a lawyer or self-help center for other options.
- **If you are the protected person**, you can serve the restrained person by mail. This means you must have an adult mail a copy of all the court papers (listed on form DV-310, item 5d) to the restrained party. It cannot be you or anyone listed on the restraining order. Your server must then complete form [DV-250](#), *Proof of Service of Mail (CLETS)*. Make a copy of the completed form DV-250 and file it with the court.

If you can't serve the other side before your court hearing, you will need to ask the judge to reschedule your court hearing. Fill out and file forms [DV-315](#) and [DV-316](#). The judge will review your request and decide whether to reschedule your court hearing. If you do not receive a signed copy of form DV-316 from the judge before your court date or the judge denied your request to reschedule your hearing, you *must* attend your court date (listed on form DV-310 or DV-316) if you still want to move forward with your request.

5 Get ready for and attend your court hearing

At your court hearing, the judge will decide whether to grant your request to change or end the restraining order. At the hearing, you and the other side will have the opportunity to tell your side of the story. Bring any evidence or witnesses you have. If you don't want to attend your court hearing in person, go to the court's website to find out more information about attending by phone or videoconference.

**Notice of Court Hearing and
Temporary Order to Change or End
Restraining Order***Clerk stamps date here when form is filed.*

Instructions: The person making the request must complete items ① and ②.
The court will complete the rest of this form.

① Protected Party

Name: _____

② Restrained Party

Name: _____

③ Notice of Hearing

A court hearing is scheduled on the request to change or end a domestic violence restraining order:

*Fill in court name and street address:***Superior Court of California, County of***Fill in case number:***Case Number:**

The current restraining order remains in full force and effect. If the court granted temporary orders in ④ those orders and all nonconflicting orders must be followed until the court hearing below:



Date: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court if different from above: _____

You may attend your court date remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to www.courts.ca.gov/find-my-court.htm.

④ ☐ Court's Decision on Request for Temporary Ordersa. ☐ **Denied.** Reasons for denial: _____b. ☐ **Granted.**

(1) The temporary orders listed below in b(2) (check all that apply):

- ☐ Have been requested by the protected party and are needed to prevent domestic violence.
☐ Are needed to help prevent (1) irreparable harm to a child in this case or (2) a child from being removed from California.

(2) **Temporary Orders**

The following temporary orders remain in full force and effect until the hearing listed in ③:

_____☐ Temporary orders listed on (give form number or name of attachment): _____**This is a Court Order.**

5 Service

- a. ☐ Protected person ☐ Restrained person must have the other party served with a copy of all the forms listed in **5**d by:
- b. (date of deadline): _____
- c. (1) ☐ This order can be served by mail because it is a request by the protected person and does not include temporary orders.
(2) ☐ This order must be personally served because it is a request by the restrained person.
(3) ☐ This order must be personally served because the court has granted temporary orders.
- d. Forms to serve:
- DV-300, *Request to Change or End Restraining Order*;
 - DV-310, *Notice of Court Hearing and Temporary Order to Change or End Restraining Order* (this form); and
 - DV-320, *Response to Request to Change or End Restraining Order* (leave blank).

6 No Fee to Serve (Notify) Order

The sheriff or marshal will serve this order for free. If you want the sheriff to serve your papers, (1) complete form [SER-001](#), *Request for Sheriff to Serve Court Papers*, and (2) give the completed form and a copy of this order to the sheriff.

7 ☐ Attached Pages

All of the attached pages are part of this order.

- a. Number of pages attached to this three-page form: _____
- b. Attachments include forms (*check all that apply*):
☐ DV-140 ☐ DV-145 ☐ Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

This is a Court Order.



To Person in 2

- **Respond in writing (optional):** You can respond in writing by completing form [DV-320](#), *Response to Request to Change or End Restraining Order*. File the original with the court, and have someone 18 or over—**not you**—mail a copy of it to the other party before the hearing. Also file form [DV-250](#), *Proof of Service by Mail*, with the court before the hearing, and bring a copy to the court hearing.
- **At the hearing:** Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making a decision. At the hearing, tell the judge why you agree or disagree with the request. Bring any evidence or witnesses you have.

**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.)

(Clerk will fill out this part.)

Instructions to Clerk: If the court made temporary orders in **(4)**, the court must enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made. You must give up to three free (certified, stamped, and endorsed) copies of this order to the protected party.

Clerk's Certificate
[seal]

—Clerk's Certificate—

I certify that this *Notice of Court Hearing and Temporary Order to Change or End 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.

**Order on Request to
Change or End Restraining Order***Clerk stamps date here when form is filed.***1 Protected Person** (name): _____**2 Restrained Person** (name): _____**3 Request**

The request was made by the:

- a. ☐ protected person ☐ restrained person to:
b. ☐ change the restraining order ☐ end the restraining order

*Fill in court name and street address:***Superior Court of California, County of***Fill in case number:***Case Number:****4 Court's Decision***(Check a or b)*

- a. ☐ The request to change the restraining order is:
- (1) ☐ Granted. The court has changed the Restraining Order After Hearing. The new orders are listed on form DV-130, or JV-255, and attached to this form.
- (2) ☐ Denied. The Restraining Order After Hearing issued on ☐ form DV-130 ☐ form JV-255 set to expire on (date): _____ remains in full force and effect.
- b. ☐ The request to end the restraining order is:
- (1) ☐ Granted. The court has ended the Restraining Order After Hearing.
- (A) ☐ Any child custody, visitation, and child support orders in the Restraining Order After Hearing.
☐ remain in effect. ☐ end with this order. ☐ were modified on (date): _____
- (B) ☐ Spousal or domestic partner support orders in the Restraining Order After Hearing
☐ remain in effect. ☐ end with this order. ☐ were modified on (date): _____
- (2) ☐ Denied. The Restraining Order After Hearing issued on ☐ form DV-130 ☐ form JV-255 set to expire on (date): _____ remains in full force and effect.
- c. In making this order, the court has considered whether failure to make any of the orders requested might risk the safety of the person in **(1)** or any children listed on form DV-105 or DV-305. If child or spousal support was requested, the court has considered whether failure to make support orders would risk the safety of the person in **(1)** or any children listed on form DV-105 or DV-305.

This is a Court Order.

5 Hearing

- a. The hearing was on *(date)*: _____ with *(name of judicial officer)*: _____
- b. These people attended the hearing *(check all that apply)*:
- ☐ The person in ①
 - ☐ The person in ②
 - ☐ The lawyer for the person in ① *(name)*: _____
 - ☐ The lawyer for the person in ② *(name)*: _____

6 Serving (Giving) Order to Other Party

The request to change or end the restraining order was made by the:

a. ☐ **Protected party**

- (1) ☐ You do not have to serve the restrained party because they were or their lawyer was at the court date or agreed to this order.
- (2) ☐ You must have the restrained party personally served with a copy of this order by *(date)*: _____
- (3) ☐ You must have the restrained party served with a copy of this order. This can be done by mail. You must serve by *(date)*: _____
- (4) ☐ Other: _____

b. ☐ **Restrained party**

- (1) ☐ You do not have to serve the protected party because they were or their lawyer was at the court date or agreed to this order.
- (2) ☐ You must have the protected party personally served with a copy of this order by *(date)*: _____
- (3) ☐ You must have the protected party served with a copy of this order. This can be done by mail. You must serve by *(date)*: _____
- (4) ☐ Other: _____

c. ☐ **Court**

- (1) ☐ Further notice is not required.
- (2) ☐ The court will mail a copy of this order to all parties by *(date)*: _____
- (3) ☐ Other: _____

7 No Fee to Serve (Notify) Order

The sheriff or marshal will serve this order for free. If you want the sheriff to serve your papers, (1) complete form [SER-001, Request for Sheriff to Serve Court Papers](#), and (2) give the completed form and a copy of this order to the sheriff.

This is a Court Order.

8 ☐ **Lawyer's Fees and Costs**

The person in ____ must pay to the person in ____ the following amounts for:

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

9 ☐ **Attached Pages**

All of the attached pages are part of this order.

a. Number of pages attached to this three-page form: _____

b. Attachments include forms (*check all that apply*):

<input type="checkbox"/> DV-130	<input type="checkbox"/> DV-140	<input type="checkbox"/> DV-145	<input type="checkbox"/> FL-341(C)	<input type="checkbox"/> FL-342	<input type="checkbox"/> FL-343
<input type="checkbox"/> JV-255	<input type="checkbox"/> Other: _____				

Judge's Signature

Date: _____

Judge or Judicial Officer

(Clerk will fill out this part.)

Instructions to Clerk: If the court granted the request to change or end the restraining order (if ④a(1) or ④b(1) is checked), the court must enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made. You must give up to three free (certified, stamped, and endorsed) copies of this order to the protected party.

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Order on Request to Change or End 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.

Complete the next forms
only if you are asking to
change child custody or
visitation orders made in
a Restraining Order After
Hearing (DV-130).

(Use this form to ask the judge to change child custody or visitation orders that were made through a domestic violence restraining order.)

This form is attached to form DV-300.

1 Protected Party

Name: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

2 Restrained Party

Name: _____

Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (describe): _____

3 Children Under 18 Years Old (list from oldest to youngest)

a. Name: _____ Date of birth: _____

b. Name: _____ Date of birth: _____

c. Name: _____ Date of birth: _____

d. Name: _____ Date of birth: _____

☐ (Check here if you need more space. Write "DV-305, Children" at the top and attach it to this form.)

4 City and State Where Children Lived

a. Have all the children listed in 3 lived together for the last five years?

☐ Yes (If yes, complete b, below.)

☐ No (If no, complete form DV-105(A). Do not complete the section below.)

b. List where the children have lived for the last five years. Start with their current location.

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

This is not a Court Order.



5 History of Court Cases Involving Your Children

a. Do you know about any other case involving any child listed in ③?

☐ No

☐ Yes *(If yes, complete section below.)*

(Check all that apply. List where it was filed (city, state, or tribe), year it was filed, and case number, if known.)

☐ Custody _____

☐ Divorce _____

☐ Juvenile court *(child welfare, juvenile justice)* _____

☐ Guardianship _____

☐ Criminal _____

☐ Other *(example: child support case)* _____

b. If there is another parent or legal guardian besides the persons in ① and ②, list their information below.

Name: _____ ☐ Parent ☐ Legal Guardian

6 Request to Change Orders

I ask the judge to change or end some of the child custody or visitation orders.

(Check all the orders that you want the judge to make.)

a. ☐ No Travel With Children Without Permission

(1) ☐ End this order

(2) ☐ Change this order *(explain how you want it changed):*

b. ☐ Stop Access to Children's School, Health, or Other Information

(1) ☐ End this order

(2) ☐ Change this order *(explain how you want it changed):*

This is not a Court Order.



(1) ☐ End this order

(2) ☐ Change this order (*explain how you want it changed*):

(There are two types of custody: legal and physical. A person with legal custody makes decisions about the child's health, education, and welfare. A person with physical custody lives with the child regularly. For both types of custody, parents can share custody (joint) or one parent can have full custody (sole). Complete the section below if you want the judge to change child custody orders.)

Legal custody (*check one*):

- Physical custody (
- check one*
-):

-

I ask the judge to change the visitation (parenting time) order to *(explain how you want the order changed)*:

[illegible]

This is not a Court Order.

6 f. ☐ Other Orders

List any orders for child custody or visitation you want to change or end.

(1) _____ ☐ End order ☐ Change order*(2) _____ ☐ End order ☐ Change order*

*Explain how you want these orders changed:

☐ Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 6f, Other Orders" for a title.
7 Reason for Request to Change Child Custody or Visitation Order

Explain why you want the orders changed:

☐ Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 7, Reason for Request to Change Child Custody or Visitation Order" for a title.
This is not a Court Order.

ATTORNEY OR PARTY WITHOUT ATTORNEY NAME: FIRM NAME: STREET ADDRESS: CITY: STATE: ZIP CODE: TELEPHONE NO.: FAX NO.: EMAIL ADDRESS: ATTORNEY FOR (name):	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
<i>(This section applies to cases other than probate guardianships.)</i> PETITIONER: RESPONDENT: OTHER PARTY: CHILD'S NAME (Juvenile cases only):	
<i>(This section applies only to probate guardianship cases.)</i> GUARDIANSHIP OF (name):	CASE NUMBER:
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)	

1. I am (check one): ☐ a party to this proceeding to determine custody of a child ☐ the authorized representative of the agency, which is a party to this proceeding to determine custody of a child.

2. There are (specify number): _____ minor children who are subject to this proceeding, as follows (list oldest child first):

Full Name	Date of birth	Place of birth (city and state)
a.		
b.		
c.		
d.		

☐ Check this box if you need to list more children. (On form [MC-020](#) or a separate piece of paper, write "FL-105, Attachment 2, Additional Children" at the top, provide all requested information for each additional child, and attach to this form.)

3. a. ☐ Check this box if there is only one child or if all of the children listed in item 2 have lived together for the past five years. (Provide the current address of the child listed in item 2a and their residence history for the past **five years**. If the current address is confidential under Family Code section 3429, check the box and provide only the state of residence.)

Dates of residence (Month/Year)		Residence (City, State)	Person child lived with and complete current address	Relationship
From:	To present	<input type="checkbox"/> Confidential (list state only)	<input type="checkbox"/> Confidential (list state only)	
From:	To:			
From:	To:			
From:	To:			
From:	To:			

☐ Additional addresses are listed on Attachment 3a. (Form [MC-020](#) may be used for this purpose.)

b. ☐ Check this box if there is more than one child and all the children have not lived together for the past five years. (Attach form FL-105(A)/GC-120(A) and list each other child's current address and their residence history for the past five years.)

CASE NAME:	CASE NUMBER:
------------	--------------

4. Do you have information about, or have you participated as a party or as a witness or in some other capacity in, another court case or custody or visitation proceeding, in California or elsewhere, concerning a child subject to this proceeding?

☐ Yes ☐ No (If yes, attach a copy of the orders if you have one and provide the following information):

Proceeding	Case number	Court (name, state or tribe, location)	Court order or judgment (date)	Name of each child	Your connection to the case	Case status
a. <input type="checkbox"/> Family						
b. <input type="checkbox"/> Probate Guardianship						
c. <input type="checkbox"/> Other						

Proceeding	Case Number	Court (name, state or tribe, location)
d. <input type="checkbox"/> Juvenile		
e. <input type="checkbox"/> Adoption		

5. ☐ One or more domestic violence restraining/protective orders are now in effect. (Attach a copy of the orders if you have one and provide the following information):

Court	County	State or Tribe	Case Number (if known)	Orders expire (date)
a. <input type="checkbox"/> Criminal				
b. <input type="checkbox"/> Family				
c. <input type="checkbox"/> Juvenile				
d. <input type="checkbox"/> Other				

6. Do you know of any person who is not a party to this proceeding who has physical custody of or claims to have rights to custody of or visitation with any child in this case? ☐ Yes ☐ No (If yes, provide the following information):

a. Name and address of person:

☐ Has physical custody
☐ Claims custody rights
☐ Claims visitation rights

Name of each child:

b. Name and address of person:

☐ Has physical custody
☐ Claims custody rights
☐ Claims visitation rights

Name of each child:

c. Name and address of person:

☐ Has physical custody
☐ Claims custody rights
☐ Claims visitation rights

Name of each child:

7. ☐ Number of pages attached: _____

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

Date:

 (NAME OF DECLARANT)



 (SIGNATURE OF DECLARANT)

NOTICE TO DECLARANT: You have a continuing duty to inform this court if you obtain any information about a custody proceeding in a California court or any other court concerning a child subject to this proceeding.

CASE NAME:	CASE NUMBER:
------------	--------------

**ATTACHMENT TO
DECLARATION UNDER UNIFORM CHILD CUSTODY JURISDICTION AND ENFORCEMENT ACT (UCCJEA)**

Instructions: *If all the children subject to the proceeding have not lived together for the last five years, use as many copies of this form as needed to list all the children. Number each item and each page consecutively, and attach all pages to form FL-105/GC-120.*

3. b. _____ Name of child: *(Provide the child's current address and their residence history for the past **five years**. If the current address is confidential under Family Code section 3429, check the box and provide only the state of residence.)*

☐ Residence information is the same as given for the child listed in item 2a on form FL-105/GC-120. *(If **not** the same, provide the information below.)*

Dates of residence (Month/Year)		Residence (City, State)	Person child lived with (name and complete current address)	Relationship
From:	To present			
		<input type="checkbox"/> Confidential (list state only)	<input type="checkbox"/> Confidential (list state only)	
From:	To:			
From:	To:			
From:	To:			
From:	To:			

3. b. _____ Name of child: *(Provide the child's current address and their residence history for the past **five years**. If the current address is confidential under Family Code section 3429, check the box and provide only the state of residence.)*

☐ Residence information is the same as given for the child listed in item 2a on form FL-105/GC-120. *(If **not** the same, provide the information below.)*

Dates of residence (Month/Year)		Residence (City, State)	Person child lived with (name and complete current address)	Relationship
From:	To present			
		<input type="checkbox"/> Confidential (list state only)	<input type="checkbox"/> Confidential (list state only)	
From:	To:			
From:	To:			
From:	To:			
From:	To:			

Page ____ of ____

**Do not write
on the next forms.**

**The DV-320 form should
be served blank
on the other party
so that they can fill it in.**

**If you are asking to change a
custody or visitation order, you
must also serve the DV-325 on
the other party.**

Use **this form** if someone has asked to change or end a restraining order, and you want to respond in writing. You will need a copy of form DV-300, *Request to Change or End Restraining Order*, that was filled out by the other party in your case. There is no cost to file this form with the court.

1 Your Name: _____

Who are you in this case? (Check one):

☐ Protected person ☐ Restrained person

! Address where you can receive court papers

(This address will be used by the court and by the other party 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 other party to have this information, leave it blank or provide a safe phone number or email address. If you have a lawyer, give their information.)

Email Address: _____ Telephone: _____ Fax: _____

Your lawyer's information (if you have one)

Name: _____ State Bar No.: _____

Firm Name: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

2 Name of Other Party: _____

3 Your Hearing Date (Court Date)



Your hearing date is listed on form DV-310, *Notice of Court Hearing and Temporary Order to Change or End Restraining Order*. If you do not agree with the request, attend your hearing date. If you do not attend your hearing, the judge could grant the other party's request to change or end the restraining order.

This is not a Court Order.

6 ☐ **Lawyer's Fees and Costs**

(Complete this item if the other party asked for lawyer's fees and costs or if you are asking for these fees.)

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: _____

c. ☐ Check here if you want the other party to pay for some or all of your lawyer's fees and costs.

7 **Additional Pages**

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

8 **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

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

Date: _____

Lawyer's name



Lawyer's signature

Your Next Steps

- Turn in your completed form to the court.
- If the other party asked to change or end child support or spousal support orders, or asked for lawyer's fees, you must complete form [FL-150, Income and Expense Declaration](#).
- 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 your forms must be at least 18 years old and cannot be you or someone protected on the restraining order.)
- Prepare for your court date by gathering evidence or witnesses, if you have any. Learn more at www.selfhelp.courts.ca.gov/DV-restraining-order/change-end/court.

This is not a Court Order.



How to complete this form: To answer the questions below, look at the form DV-305 filled out by the other party. If you need more space to complete your answer, you can use a separate piece of paper and attach it to this form. Include a title at the top of the paper (example: "DV-325, Custody of Children").

This form is attached to form DV-320, *Response to Request to Change or End Restraining Order*.

1 Protected Party

- a. Name: _____
- b. Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (*describe*): _____

2 Restrained Party

- a. Name: _____
- b. Relationship to children: ☐ Parent ☐ Legal Guardian ☐ Other (*describe*): _____

3 Children (*see 3 on form DV-305*)

- a. ☐ I am the parent of the child or children listed on form DV-305.
- b. ☐ I am **not** the parent of all the children listed on form DV-305.
- c. ☐ I am **not** the parent of the following children (*list names*): _____
- d. ☐ Other (*describe*): _____

4 City and State Where Children Lived (*see 4 on form DV-305*)

- a. ☐ I agree with the information given by the other party.
- b. ☐ I do not agree. (*Use form DV-105(A) to list where the children have lived.*)

5 History of Court Cases Involving Children (*see 5 on form DV-305*)

The other party may have listed other court cases involving your children. If information is incorrect or missing, use the space below to give information.

(Check all that apply. List where it was filed (city, state, or tribe), year it was filed, and case number, if known.)

- ☐ Custody or Divorce _____
- ☐ Criminal _____
- ☐ Juvenile Court (*child welfare, juvenile justice*) _____
- ☐ Guardianship _____
- ☐ Other (*example: child support case*) _____

(If a judge has already made a custody or visitation order for children in this case, attach a copy of the order if you have one.)

This is not a Court Order.

6 ☐ **No Travel With Children Without Permission** (see 6a on form DV-305)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested because: _____
- c. ☐ I would agree to a different order (describe the order you would agree to): _____

7 ☐ **Stop Access to Children's School, Health, and Other Information** (see 6b on form DV-305)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested because: _____
- c. ☐ I would agree to a different order (describe the order you would agree to): _____

8 ☐ **Request for Orders to Prevent Child Abduction** (see 4–10 on form DV-108)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested because: _____
- c. ☐ I would agree to a different order (describe the order you would agree to): _____

9 ☐ **Custody of Children** (see 6d on form DV-305)

- a. ☐ I agree to the order requested.
- b. ☐ I do not agree to the order requested because: _____
- c. ☐ I would agree to a different order:

Legal Custody (the person who makes decisions about the child's health, education, and welfare.)
(check one):

- ☐ Sole to person in ①
- ☐ Sole to person in ②
- ☐ Jointly (shared) by persons in ① and ②.
- ☐ Other (describe): _____

Physical Custody (the person who the child regularly lives with.)
(check one):

- ☐ Sole to person in ①
- ☐ Sole to person in ②
- ☐ Jointly (shared) by persons in ① and ②.
- ☐ Other (describe): _____

This is not a Court Order.



10 ☐ **Visitation (Parenting Time) with Children** (see 6e on form DV-305)a. ☐ I agree to the order requested.b. ☐ I do not agree to the order requested because: _____
_____c. ☐ I would agree to a different order (complete section below):Visitation for the (check one): ☐ person in 1 ☐ person in 2
should be (describe a schedule and give as much detail as you can):

_____**11** ☐ **Other Orders** (see 6f on form DV-305)a. ☐ I agree to the order requested.b. ☐ I do not agree to the order requested because: _____
_____c. ☐ I would agree to a different order (describe the order you would agree to):
_____**12** The statements made on this form are made under penalty of perjury as declared on form DV-320.**This is not a Court Order.**

The next set of forms
is used to let the judge
know that you have
served the other party.

Clerk stamps date here when form is filed.

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

The server must:

- Be 18 years of age or older.
- Not be listed in items **1** or **8** of form DV-100, *Request for Domestic Violence Restraining Order*.
- Give a copy of all documents checked in **4** to the restrained party in **2** (you cannot send them by mail). Then complete and sign this form, and give or mail it to the party in **1**.



Fill in court name and street address:

Superior Court of California, County of

Court clerk fills in case number when form is filed.

Case Number:**4 I gave the party in 2 a copy of all the documents checked:**

- a. ☐ DV-109 with DV-100 and a blank [DV-120](#) (*Notice of Court Hearing; Request for Domestic Violence Restraining Order; blank Response to Request for Domestic Violence Restraining Order*)
- b. ☐ DV-110 (*Temporary Restraining Order*)
- c. ☐ DV-105 and DV-140 (*Request for Child Custody and Visitation Orders, Child Custody and Visitation Order*)
- d. ☐ FL-150 with a blank [FL-150](#) (*Income and Expense Declaration*)
- e. ☐ FL-155 with a blank [FL-155](#) (*Financial Statement (Simplified)*)
- f. ☐ DV-115 (*Request to Continue Hearing*)
- g. ☐ DV-116 (*Order on Request to Continue Hearing*)
- h. ☐ DV-130 (*Restraining Order After Hearing*)
- i. ☐ Other (*specify*):

5 I personally gave copies of the documents checked above to the party in 2 on:

- a. Date: _____ Time: _____ ☐ a.m. ☐ p.m.
- b. At this address: _____
City: _____ State: _____ Zip: _____

6 Server's Information

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____

(If you are a registered process server):


County of registration: _____ Registration number: _____

7 Server's 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 server's name



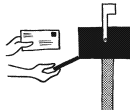
Server to sign here

Clerk stamps date here when form is filed.

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

The server must:

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



Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

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

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

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

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

6 Server's Information

Name: _____
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____

If you are a registered process server:

County of registration: _____ Registration number: _____

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

Date: _____

Type or print server's name



Server to sign here

The next set of forms can be used to request to reschedule a hearing to change or end a restraining order.

**Request to Reschedule Hearing to
Change or End Restraining Order**

Clerk stamps date here when form is filed.

Instructions

Either party may use this form to ask the court to reschedule the hearing (court date) listed on form DV-310, *Notice of Court Hearing and Temporary Order to Change or End Restraining Order*.

1 Your Information

a. Name: _____

b. Who are you in this case?

☐ Protected party (*skip to 2*).☐ Restrained party (*give your contact information below*).**!** Address where you can receive court papers

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

Address: _____

City: _____ State: _____ Zip: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

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

(The court could use this information to contact you. If you don't want the other party to have this information, leave it blank or provide a safe phone number or email address. If you have a lawyer, give their information.)

Telephone: _____ Fax: _____

Email Address: _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

2 Information About Your Casea. The other party in this case is (*full name*): _____b. The court date is currently scheduled for (*date*): _____**This is not a Court Order.**

3 Why does your court date need to be rescheduled?

- a. ☐ I need more time to have the other party served.
- b. ☐ Other reason:

4 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

5 Your Lawyer's Signature (if you have one)

Date: _____

Lawyer's name

▶ _____
Lawyer's signature

Your Next Steps

- Complete form [DV-316](#), *Order to Reschedule Hearing to Change or End Restraining Order* (only items 1 and 2).
- File this form and form DV-316 with the court. A judge will review your forms and decide whether to reschedule your court date.
- If the judge grants your request to reschedule your court date, you must have someone serve a copy of this form, and any other form that the judge ordered you to serve (see form DV-316, item ⑤). Any adult who is not involved in the case can serve your papers. You can also ask the sheriff or marshal to serve your papers and they will do so for free. See form [SER-001](#), *Request for Sheriff to Serve Court Papers*. For more information, go to selfhelp.courts.ca.gov/DV-restraining-order/change-end/serve-request.
- If the judge denies your request to reschedule, you must attend your court hearing (listed on form DV-310). For information on how to prepare for your court date, go to selfhelp.courts.ca.gov/DV-restraining-order/change-end/court.

This is not a Court Order.

**Order to Reschedule Hearing
to Change or End Restraining Order**

Clerk stamps date here when form is filed.

Instructions: Complete ① and ② only. The court will complete the rest of this form.

① **Protected Party:** _____

② **Restrained Party:** _____

③ **Next Court Date**

a. ☐ **Denied.** The request to reschedule the court date is denied.

(1) Your court date is: _____

(2) The Restraining Order After Hearing and any temporary orders made on form DV-310, *Notice of Court Hearing and Temporary Order to Change or End Restraining Order*, remain in full force and effect.

(3) Your court date is not rescheduled because:

b. ☐ **Granted.** The request to reschedule the court date is granted. Your court date is rescheduled for the date and time listed below.

The Restraining Order After Hearing and any temporary orders (form DV-310) stay in effect until the hearing date below or the original expiration date, whichever is later. See ④–⑦ for more information.



Date: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court, if different from above:

This is a Court Order.



4 Reason Court Date Is Rescheduleda. ☐ The party asking to change or end the restraining order has not served the other party.b. ☐ Other reason:**5 Serving (Giving) Order to Other Party**

The request to reschedule was made by the:

a. ☐ **Protected party**b. ☐ **Restrained party**c. ☐ **Court**(1) ☐ You do not have to serve the restrained party because they were or their lawyer was at the court date or agreed to reschedule the court date.(1) ☐ You do not have to serve the protected party because they were or their lawyer was at the court date or agreed to reschedule the court date.(1) ☐ Further notice is not required.(2) ☐ You must have the restrained party personally served with a copy of this order and all forms listed on form DV-310, item ⑤ by (date): _____(2) ☐ You must have the protected party personally served with a copy of this order and all forms listed on form DV-310, item ⑤ by (date): _____(2) ☐ The court will mail a copy of this order to all parties by (date): _____(3) ☐ You must have the restrained party served with a copy of this order. This can be done by mail. You must serve by (date): _____(3) ☐ The court has found good cause to allow you to serve the protected party by: *(describe service method that is reasonably designed to give protected party actual notice):*

_____(3) ☐ Other: _____

_____(4) ☐ Other: _____

You must serve a copy this order and all forms listed on form DV-310, item ⑤ by (date): _____

This is a Court Order.

6 No Fee to Serve

The sheriff or marshal will serve this order for free. If you want the sheriff to serve your papers, (1) complete form [SER-001](#), *Request for Sheriff to Serve Court Papers*, and (2) give form SER-001 and a copy of this order to the sheriff.

7 ☐ Other Orders

8 ☐ Attached Pages (*All of the attached pages are part of this order.*)

a. Number of pages attached to this three-page form: _____

b. Attachments include forms (*check all that apply*):

☐ DV-310 ☐ DV-820 ☐ Other: _____

Judge's Signature

Date: _____

Judge or Judicial Officer

**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.)

(Clerk will fill out this part.)

Instructions to Clerk: If the court rescheduled the court date and granted temporary orders on item ④ on form DV-310, the court must enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made. You must give up to three free (certified, stamped, and endorsed) copies of this order to the protected party.

—Clerk's Certificate—

Clerk's Certificate

[seal]

I certify that this *Order to Reschedule Hearing to Change or End 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.