DV-100 Request for Domestic Violence Restraining Order

Clerk stamps date here when form is filed.

Instructions

To ask for a domestic violence restraining order, you will need to complete this form and other forms (see page 13 for list of forms). If this case includes sensitive information about a minor child (under 18 years old), see form DV-160-INFO, *Privacy Protection For a Minor (Person Under 18 Years Old)* for more information on how to protect the child's information.

Fill in court name and street address:

Superior Court of California, County of
Round Valley Indian Tribes
Tribal Court
77826 Covelo Road
Covelo, CA 95428

Court fills in case number when form is filed.

Case Number:

1 Person Asking for Protection

a. **Your name:** _____

b. **Your age:** _____

c. **Address where you can receive court papers**

(This address will be used by the court and by the person in 2 to sena 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: _____

d. **Your contact information** *(optional)*

(The court could use this information to contact you. If you don't want the person in 2 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: _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

2 Person You Want Protection From

a. **Full Name:** _____

b. **Age** *(give estimate if you do not know exact age):* _____

c. **Date of birth** *(if known):* _____

d. **Gender:** ☐ M ☐ F ☐ Nonbinary

e. **Race:** _____

This is not a Court Order.

Case Number:

3 Your Relationship to the Person in 2

(If you do not have one of these relationships with the person in 2, do not complete the rest of this form. You may be eligible for another type of restraining order. Learn more at https://selfhelp.courts.ca.gov/restraining-orders.)

(Check all that apply)

a. ☐ We have a child or children together *(names of children):* _____

b. ☐ We are married or registered domestic partners.

c. ☐ We used to be married or registered domestic partners.

d. ☐ We are dating or used to date.

e. ☐ We are or used to be engaged to be married.

f. ☐ We are related. The person in 2 is my *(check all that apply):*

- ☐ Parent, stepparent, or parent-in-law
- ☐ Child, stepchild, or legally adopted child
- ☐ Child's spouse
- ☐ Brother, sister, sibling, step-sibling, or sibling in-law
- ☐ Grandparent, step-grandparent, or grandparent-in-law
- ☐ Grandchild, step-grandchild, or grandchild-in-law

g. ☐ We live together or used to live together. *(If checked, answer question below):*

Have you lived together with the person in 2 as a family or household (more than just roommates)?

☐ Yes ☐ No (If no, you do not qualify for this kind of restraining order unless you checked one of the other relationships listed above.)

4 Other Restraining Orders and Court Cases

a. Are there any restraining orders currently in place **or** that have expired in the last six months (examples: Did the police give you a restraining order that lasts a few days? Do you have one from the criminal court?)

☐ No

☐ Yes *(If yes, give information below and attach a copy if you have one.)*

(1) *(date of order):* _____ *(date it expires):* _____

(2) *(date of order):* _____ *(date it expires):* _____

b. Are you involved in any other court case with the person in 2?

☐ No

☐ Yes *(If you know, list where the case was filed (city, state, or tribe), the year it was filed, and case number.)*

- ☐ Custody _____
- ☐ Divorce _____
- ☐ Juvenile *(child welfare or juvenile justice):* _____
- ☐ Criminal _____
- ☐ Guardianship _____
- ☐ Other *(what kind of case?):* _____

This is not a Court Order.

Case Number:

Describe Abuse

In this section, explain how the person in (2) has been abusive. The judge will use this information to decide your request. Listed below are some examples of what "abuse" means under the law. **It is not a complete list** of all examples of abuse. Give information on any incident that you believe was abusive.

- made repeated unwanted contact with you
- tracked, controlled, or blocked your movements
- kept you from getting food or basic needs
- isolated you from friends, family, or other support
- made threats based on actual or suspected immigration status
- made you do something by force, threat, or intimidation
- stopped you from accessing or earning money
- tried to control/interfere with your contraception, birth control, pregnancy, or access to health information
- harassed you
- hit, kicked, pushed, or bit you
- injured you or tried to
- threatened to hurt or kill you
- sexually abused you
- abused a pet or animal
- destroyed your property
- choked or strangled you
- abused your children

5 Most recent abuse

a. Date of abuse *(give an estimate if you don't know the exact date):* _____

b. Did anyone else hear or see what happened on this day?

☐ I don't know ☐ No ☐ Yes *(If yes, give names):* _____

c. Did the person in (2) use or threaten to use a gun or other weapon?

☐ No ☐ Yes *(If yes, describe gun or weapon):* _____

d. Did the person in (2) cause you any emotional or physical harm?

☐ No ☐ Yes *(If yes, describe harm):*

_____

_____

e. Did the police come? ☐ I don't know ☐ No ☐ Yes *(If the police gave you a restraining order, list it in (4).)*

f. Give more details about how the person in (2) was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.

_____

_____

_____

_____

_____

_____

_____

_____

g. How often has the person in (2) abused you like this?

☐ Just this once ☐ 2–5 times ☐ Weekly ☐ Other: _____

Give dates or estimates of when it happened, if known:

_____

_____

This is not a Court Order.

6 Has the person in (2) abused you in a different way from the abuse you described in (5)? If yes, describe below.

a. Date of abuse *(give an estimate if you don't know the exact date):* _____

b. Did anyone else hear or see what happened on this day?

☐ I don't know ☐ No ☐ Yes *(If yes, give names):* _____

c. Did the person in (2) use or threaten to use a gun or other weapon?

☐ No ☐ Yes *(If yes, describe gun or weapon):* _____

d. Did the person in (2) cause you any emotional or physical harm?

☐ No ☐ Yes *(If yes, describe harm):*

_____

_____

e. Did the police come? ☐ I don't know ☐ No ☐ Yes *(If the police gave you a restraining order, list it in (4).)*

f. Give more details about how the person in (2) was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.

_____

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g. How often has the person in (2) abused you like this?

☐ Just this once ☐ 2–5 times ☐ Weekly ☐ Other: _____

Give dates or estimates of when it happened, if known:

_____

_____

This is not a Court Order.

Case Number:

7 Is there other abuse by the person in 2 that you want the judge to know about? If yes, describe below.

a. Date of abuse *(give an estimate if you don't know the exact date):* _____

b. Did anyone else hear or see what happened on this day?

☐ I don't know ☐ No ☐ Yes *(If yes, give names):* _____

c. Did the person in 2 use or threaten to use a gun or other weapon?

☐ No ☐ Yes *(If yes, describe gun or weapon):* _____

d. Did the person in 2 cause you any emotional or physical harm?

☐ No ☐ Yes *(If yes, describe harm):*

_____

_____

e. Did the police come? ☐ I don't know ☐ No ☐ Yes *(If the police gave you a restraining order, list it in 4.)*

f. Give more details about how the person in 2 was abusive on this day. Details can include what was said, done, or sent to you (examples: text messages, emails, or pictures), how often something happened, etc.

_____

_____

_____

_____

_____

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_____

_____

_____

_____

_____

_____

g. How often has the person in 2 abused you like this?

☐ Just this once ☐ 2–5 times ☐ Weekly ☐ Other: _____

Give dates or estimates of when it happened, if known:

_____

_____

☐ **Check this box if you need more space to describe the abuse.** You can use form **DV-101**, *Description of Abuse,* and turn it in with this form. You can also use a separate sheet of paper, write "Describe Abuse" abuse at the top, and turn it in with this form.

This is not a Court Order.

8 Other Protected People

Do you want the restraining order to protect your children, family, or someone you live with?

a. ☐ No

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

(1)

Full name	Age	Relationship to you	Lives with you?
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No
			☐ Yes ☐ No

☐ Check this box if you need to list more people. Use a separate piece of paper and write "DV-100, Other Protected People" at the top. Turn it in with this form.

(2) Why do these people need protection?

9 Does person in ② have firearms (guns), firearm parts, or ammunition?

(A firearm includes a handgun, rifle, shotgun, and assault weapon. A firearm part means a receiver or frame or any item that may be used as or easily turned into a receiver or frame. Ammunition includes bullets, shells, cartridges, and clips.)

a. ☐ I don't know

b. ☐ No

c. ☐ Yes *(If you have information, complete the section below.)*

Describe Firearms (Guns), Firearm Parts, or Ammunition	Number or Amount	Location, if known
(1)		
(2)		
(3)		
(4)		
(5)		
(6)		

This is not a Court Order.

Case Number:

Choose the Orders That You Want a Judge to Make

In this section, you will choose the orders you want a judge to make now. Every situation is different. Choose the orders that fit your situation.

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

10 ☐ Order to Not Abuse

I ask the judge to order the person in (2) to not do the following things to me or anyone listed in (8):

Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, molest, destroy personal property, keep under surveillance, impersonate (on the internet, electronically, or otherwise), block movements, annoy by phone or other electronic means (including repeatedly contact), or disturb the peace. (For more information on what "disturbing the peace" means, read form DV-500-INFO, *Can A Domestic Violence Restraining Order Help Me?*)

11 ☐ No-Contact Order

I ask the judge to order the person in (2) to not contact me or anyone listed in (8).

12 ☐ Stay-Away Order

a. I ask the judge to order the person in (2) to stay away from: *(Check all that apply)*

- ☐ Me.
- ☐ My home.
- ☐ My job or workplace.
- ☐ My vehicle.
- ☐ My school.
- ☐ Each person in (8).
- ☐ My children's school or childcare.
- ☐ Other *(please explain):* _____

b. How far do you want the person to stay away from all the places you checked above?

- ☐ 100 yards (300 feet)
- ☐ Other *(give distance in yards):* _____

c. Do you and the person in (2) live together or live close to each other?

- ☐ No
- ☐ Yes *(If yes, check one):*
  - ☐ Live together *(If you live together, you can ask that the person in (2) move out in (13).)*
  - ☐ Live in the same building, but not in the same home
  - ☐ Live in the same neighborhood
  - ☐ Other *(please explain):* _____

d. Do you and the person in (2) have the same workplace or go to the same school?

- ☐ No
- ☐ Yes *(If yes, check all that apply):*
  - ☐ Work together at *(name of company):* _____
  - ☐ Go to the same school *(name of school):* _____
  - ☐ Other *(please explain):* _____

This is not a Court Order.

13 ☐ Order to Move Out

a. I ask the judge to order the person in (2) to move out of the home, located at:

(Give address): _____

b. I have a right to live at this address because:

(Check all that apply)

- ☐ I own the home.
- ☐ My name is on the lease.
- ☐ I live at this address with my child(ren).
- ☐ I have lived at this address for years, months.
- ☐ I pay for some or all the rent or mortgage.
- ☐ Other *(please explain):* _____

14 ☐ Other Orders

(Describe any additional orders you want the judge to make to keep you, your children, or the people in (8) safe.):

15 ☐ Child Custody and Visitation

Check this box if you have a child with the person in (2) and want the judge to make or change a child custody or visitation order. **You must fill out form** DV-105**,** ***Request for Child Custody and Visitation Orders*****, and attach it to this form.**)

Orders that you can request on form DV-105 include:

- Child custody
- Stop person in (2) from accessing your child's school or medical information
- No visits with your children
- Virtual visits with your children
- Supervised (monitored) visits with your children
- Unsupervised (unmonitored) visits with your children

This is not a Court Order.

16 ☐ Protect Animals

a. (You may ask the court to protect your animals, your children's animals, or the person in (2)'s animals.)

	Name *(or other way to ID animal)*	Type of animal	Breed *(if known)*	Color
(1)				
(2)				
(3)				
(4)				

b. I ask the judge to protect the animals listed above by ordering the person in (2) to:

(Check all that apply)

(1) ☐ Stay away from the animals by at least: ☐ 100 yards (300 feet) ☐ Other *(number of yards):* _____

(2) ☐ **Not** take, sell, hide, molest, attack, strike, threaten, harm, get rid of, transfer, or borrow against the animals.

(3) ☐ Give me sole possession, care, and control of the animals because *(check all that apply):*

☐ Person in (2) abuses the animals. ☐ I take care of these animals.

☐ I purchased these animals. ☐ Other *(please explain):* _____

17 ☐ Control of Property

a. I ask the judge to give **only me** temporary use, possession, and control of the property listed here *(describe):*

b. Explain why you want control of the property you listed:

18 ☐ Health and Other Insurance

I ask the judge to order the person in (2) to **not** make any changes to any insurance or other coverage for me, the person in (2), or our children, including not being allowed to cancel, cash, borrow against, transfer, dispose of, or change the beneficiaries for the insurance.

19 ☐ Record Communications

I ask the judge to allow me to record calls or communications the person in (2) makes to me, when those calls or communications violate this restraining order.

This is not a Court Order.

20 ☐ Property Restraint *(only if you are married or a registered domestic partner with the person in 2.)*

I ask the judge to order the person in 2 **not to** borrow against, sell, hide, or get rid of or destroy any possessions or property, except in the usual course of business or for necessities of life. I also ask the judge to order the person in 2 to notify me of any new or big expenses and to explain them to the court.

21 ☐ Extend My Deadline to Give Notice to Person in 2

(Usually, the judge will give you about two weeks to give notice, or to "serve" the person in 2 of your request. If you need more time to serve, the judge may be able to give you a few extra days.)

I ask the judge to give me more time to serve the person in 2 because *(explain why you need more time):*

_____

_____

22 ☐ Pay Debts (Bills) Owed for Property

(If you want the person in 2 to pay any debts owed for property, list them and explain why. The amount can be for the entire bill or only a portion. Some examples include rent, mortgage, car payment, etc.)

a. I ask the judge to order the person in 2 to make these payments while the restraining order is in effect:

(1) Pay to: _____ For: _____ Amount: $ _____ Due date: _____

(2) Pay to: _____ For: _____ Amount: $ _____ Due date: _____

(3) Pay to: _____ For: _____ Amount: $ _____ Due date: _____

Explain why you want the person in 2 to pay the debts listed above:

_____

_____

_____

_____

b. **Special decision (finding) by the judge if you did not agree to the debt** *(optional)*
(If you did not agree to the debt or debts listed above, you can ask the judge to decide (find) that one or more debts was made without your permission and resulted from the person in 2's abuse. This may help you defend against the debt if you are sued in another case.)

Do you want the judge to make this special decision (finding)?

☐ No ☐ Yes *(If yes, answer the questions below.)*

(1) Which of the debts listed above resulted from the abuse? *(check all that apply):*

☐ a(1) ☐ a(2) ☐ a(3)

(2) Do you know how the person in 2 made the debt or debts?

☐ No ☐ Yes

(If yes, explain how the person in 2 made the debt or debts):

_____

_____

_____

This is not a Court Order.

Case Number:

Orders That You Want a Judge to Make at Your Court Date

Below is a list of orders that a judge cannot make right away but can make at your court date in a few weeks. The person in (2) must be notified of your court date before the judge can consider making any of the orders listed below. Check all the orders that you want the judge to make at your court date.

23 ☐ Pay Expenses Caused by the Abuse

I ask the judge to order the person in (2) to pay for things **caused directly** by the person in (2) (damaged property, medical care, counseling, temporary housing, etc.). Bring proof of these amounts to your court date.

Pay to: _____ For: _____ Amount: $ _____

Pay to: _____ For: _____ Amount: $ _____

Pay to: _____ For: _____ Amount: $ _____

Pay to: _____ For: _____ Amount: $ _____

24 ☐ Child Support *(this applies only if you have a minor child with the person in (2))*

(Check all that apply)

a. ☐ I do not have a child support order and I want one.

b. ☐ I have a child support order and I want it changed *(attach a copy if you have one).*

c. ☐ I now receive or have applied for TANF, Welfare, or CalWORKS.

25 ☐ Spousal Support

(You must be married or a registered domestic partner with person in (2))

I ask the judge to order the person in (2) to give me financial assistance.

26 ☐ Lawyer's Fees and Costs

I ask that the person in (2) pay for some or all of my lawyer's fees and costs. (If you ask for fees and costs and the court grants your restraining order, the court must award you fees and costs if the respondent can afford to pay.)

This is not a Court Order.

Case Number:

27 ☐ Batterer Intervention Program

I ask the judge to order the person listed in (2) to go to a 52-week batterer intervention program.
(The goal of this program is to stop abuse. There are weekly classes on accountability, abuse effects, and gender roles. If ordered, the person in (2) has to show the judge that they enrolled and completed the program.

28 ☐ Transfer of Wireless Phone Account

(If the person in (2) holds the rights to your cell phone account, you can ask the judge to transfer your number or your child's number to you. This means you will be financially responsible for these accounts. If you want to have control over a mobile device, like a cell phone, make this request at (17).)

I ask the judge to order the wireless service provider to transfer the billing responsibility and rights to the wireless phone numbers listed below to me because the account currently belongs to the person in (2):

a. ☐ My number ☐ Number of child in my care (including area code): _____
b. ☐ My number ☐ Number of child in my care (including area code): _____
c. ☐ My number ☐ Number of child in my care (including area code): _____
d. ☐ My number ☐ Number of child in my care (including area code): _____

Automatic Orders if the Judge Grants Restraining Order

In this section are orders that the person in (2) would have to follow if the judge grants a restraining order.

29 No Firearms (Guns), Firearm Parts, or Ammunition

- Cannot own, possess, or buy firearms (guns), firearm parts, and ammunition.
- Must turn in, sell, or store any firearms (guns), firearm parts, or ammunition that they have or control.

30 No Body Armor

- Cannot own, possess, or buy body armor.
- Must relinquish any body armor in their possession.

31 Cannot Look for Protected People

Cannot look for the address or location of any person protected by the restraining order, unless the court finds good cause not to make this order.

This is not a Court Order.

Case Number:

32 Additional pages

If you used additional paper or forms, enter the number of extra pages attached to this form: _____

33 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*

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

Date: _____

_____ ▶ _____

Lawyer's name *Lawyer's signature*

Your Next Steps

1. **You must complete at least three additional forms:**
   - Form DV-110, *Temporary Restraining Order (only items 1, 2 and 3)*
   - Form DV-109, *Notice of Court Hearing (only items 1 and 2)*
   - Form CLETS-001, *Confidential Information for Law Enforcement*
   - **If you are asking for child custody and visitation orders**, you must complete **form DV-105**, *Request for Child Custody and Visitation Orders,* and **form DV-140,** *Child Custody and Visitation Order*.
2. Turn in your completed forms to the court. Find out when your forms will be ready for you.
3. Once you get your forms back from the court, have someone "serve" a copy of all forms on the person in (2). The sheriff or marshal can do this for free. See form SER-001, *Request for Sheriff to Serve Court Papers*. Learn more about service at https://selfhelp.courts.ca.gov/sheriff-serves-your-request-restraining-order.
4. If you are asking for 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. Read form DV-570 to see if you are eligible. Turn in your completed form to the court before your court date. You must also have someone mail or personally deliver a copy to the person in (2).

This is not a Court Order.