



MONTEREY COUNTY SUPERIOR COURT
1200 Aguajito Road
Monterey, CA 93940
(831) 647-5800
www.monterey.courts.ca.gov

REQUEST TO CHANGE OR END RESTRAINING ORDER

The purpose of these instructions is to provide information about how to complete the forms and a link to the forms you can use to ask the Court to change or end a Domestic Violence Restraining Order. This packet contains instructions and blank forms you can use to file with the court.

STEP 1: Complete the forms.

Please see the instructions on the attached Form **DV-300-INFO** regarding filling out these forms.

You **must** fill out the following attached forms:

- **Request to Change or End Restraining Order: DV-300**
- **Notice of Court Hearing and Temporary Order to Change or End Restraining Order: DV-310** (complete items 1 and 2 only)

You **may** fill out the following attached forms:

- **Request to Change Child Custody and Visitation Orders: DV-305**
- All forms must be completed in a clear and legible manner and either typed (completed online) or neatly written in **black or blue ink**.
- **Do not use white-out liquid or correction tape on your forms!** If you make a mistake, simply mark a single line through the mistake, initial it and then enter the correct information.
- Complete the caption on **every** page of the form. Make sure the information is **exactly** the same on all of the forms.
- If you have any questions regarding completing these forms or would like someone to review your forms before you file them, please schedule a document check with the Self-Help Center. You can do this online at www.monterey.courts.ca.gov/SelfHelp/.

If you need assistance in completing the forms, contact the Self-Help Center by phone or email for a telephonic appointment.

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STEP 2: File the forms with the court.

You must include a copy of your current Restraining Order After Hearing with form DV-300.

Bring the original forms to the first floor Restraining Order filing window at the Monterey Courthouse, located at 1200 Aguajito Road, Monterey. The clerk will tell you when to return to the court to pick up your documents.

Filing fee: There is no court fee.

STEP 3: Return to the court to pick up your documents and serve the other party.

Once you get your papers back from the court, you will have a court date (see form DV-310). If you have asked for any temporary orders, look at form DV-310 to see if the judge granted or denied that request.

Follow the instructions on page 2 of the DV-310 for serving the other party. If you are the restrained party, you must have the protected party personally served. If you are the protected party, you can serve the restrained party by mail.

For additional assistance: Information about the locations and hours of the Self-Help Center can be found at <https://www.monterey.courts.ca.gov/self-help>

You must read and/or complete the following forms:

- **DV-300-INFO (How Do I Ask to Change or End a Domestic Violence Restraining Order?)**
- **DV-300 (Request to Change or End Restraining Order)**
- **DV-310 (Notice of Court Hearing and Temporary Order to Change or End Restraining Order)**

You may complete the following forms:

- **DV-305 (Request to Change Child Custody and Visitation Orders)**

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 by a judge. For information on how to ask to change these orders, read form [FL-300-INFO](#), *Information Sheet for Request for Order*.

Is there a court fee?

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 use this process to change these orders. Follow 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 www.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 www.selfhelp.courts.ca.gov/find. Self-help center staff will not act as your lawyer but may be able to give you information to help you decide what to do in your case and help you with the forms. Staff may also refer you to other agencies who may be able to help you.

What if I need an interpreter?

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

What if I have a disability and need an accommodation?

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

Where can I find other help?

The National Domestic Violence Hotline provides free and private safety tips. Help is available every day, 24 hours a day, and in over 100 languages. Visit online at www.thehotline.org or call 1-800-799-7233 or 1-800-787-3224 (TTY).

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 www.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 the court's website, go to www.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 4c) to the protected person. It cannot be you or anyone listed on the restraining order. Your server must then complete a proof of service (**form DV-200**). Make a copy of the completed form DV-200 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 4c) to the restrained party. It cannot be you or anyone listed on the restraining order. Your server must then complete a proof of service (**form DV-250**). 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.

Request to Change or End Restraining Order

Clerk stamps date here when form is filed.

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>
			☐ Yes ☐ No	☐ Add ☐ Remove
			☐ Yes ☐ No	☐ Add ☐ Remove
			☐ Yes ☐ No	☐ Add ☐ Remove
			☐ Yes ☐ No	☐ Add ☐ 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.

DV-310**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

MONTEREY
1200 AGUAJITO RD
MONTEREY, CA 93940
MONTEREY BRANCH

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 Orders**a. ☐ **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.

(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		☐	☐	☐ _____
	☐ Check here if this address is private (confidential). List the state only.			
From: _____ Until: _____		☐	☐	☐ _____
From: _____ Until: _____		☐	☐	☐ _____
From: _____ Until: _____		☐	☐	☐ _____
From: _____ Until: _____		☐	☐	☐ _____
From: _____ Until: _____		☐	☐	☐ _____

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.

6 c. ☐ Order to Prevent Child Abduction (any order made on form DV-145)(1) ☐ End this order(2) ☐ Change this order (*explain how you want it changed*):

d. ☐ Child Custody

(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.)

I ask the judge to change custody orders to (*check the orders that you want the judge to make*):

Legal custody (*check one*):☐ Sole to person in ①☐ Sole to person in ②☐ Jointly (shared) by persons in ① and ②☐ Other (*describe*):Physical custody (*check one*):☐ Sole to person in ①☐ Sole to person in ②☐ Jointly (shared) by persons in ① and ②☐ Other (*describe*):

e. ☐ Visitation (Parenting Time) Order

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

This is not a Court Order.

Case Number:

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:

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.

☐ 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.

⊘ STOP ⊘

DO NOT

FILL OUT

THE NEXT

FORMS

Response to Request to Change or End Restraining Order

Clerk stamps date here when form is filed.

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.

Fill in court name and street address:

Superior Court of California, County of

MONTEREY
1200 AGUAJITO RD
MONTEREY, CA 93940
MONTEREY BRANCH

Fill in case number:

Case Number:

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: _____

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.

4 Your Response

(Look at form DV-300, completed by the other party. Go to item **3** (pages 2–3) to see which orders the other party wants the judge to change or end.)

(Check one)

- a. ☐ I agree to the request to change or end the restraining order.
- b. ☐ I do not agree to the request to change or end the restraining order. *(Complete section below)*

- (1) Explain which items you do not agree with. If there is another change to the restraining order that you would agree to, describe the change that you would agree to.

- (2) If the other party asked to change **child custody or visitation orders** (see form DV-305), answer the question below.

Do you agree with the other party's request to change child custody or visitation orders?

- ☐ Yes, I agree to all the orders requested.
- ☐ No, I do not agree to the orders requested. *(Complete form DV-325, Response to Request to Change Child Custody and Visitation Orders, and attach it to this form.)*

5 ☐ Reasons For Your Response *(optional)*

(In the section below, explain why you agree or disagree with the 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):

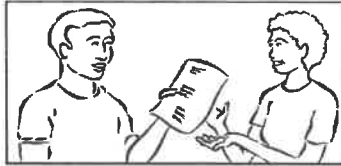
12 The statements made on this form are made under penalty of perjury as declared on form DV-320.**This is not a Court Order.**

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

MONTEREY
1200 AGUAJITO RD
MONTEREY, CA 93940
MONTEREY BRANCH

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

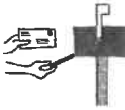
Server to sign here

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**MONTEREY
1200 AGUAJITO RD
MONTEREY, CA 93940
MONTEREY BRANCH**

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