



Domestic Violence Restraining Orders in Los Angeles



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Cover art by WomenShelter of Long Beach community members and survivors for Domestic Violence Awareness Month event, "Love is..."

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Introduction

This pamphlet summarizes how to request a Domestic Violence Restraining Order (DVRO) in Los Angeles County. It describes general practices, including those introduced during the pandemic. But Los Angeles has the nation's largest trial court system and many courthouses, and local practices do vary. This pamphlet is up to date as of publication. But changes may occur afterward. Please check the court's website (www.lacourt.org) for updates. Resources listed at the end of this booklet may also provide support and information.



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The Legal Aid Foundation of Los Angeles (LAFLA) has been a frontline legal services provider in the community for over 90 years. We are committed to fighting for justice, ensuring equal and fair access to the courts, and protecting the rights and safety of all our clients and their children.



Family Court Domestic Violence Restraining Orders

Temporary Restraining Orders (TROs) and Domestic Violence Restraining Orders (DVROs) are requested through the Family Court, a civil court.

A **TRO** is available when filing for a **DVRO**, and the court usually decides whether to grant the **TRO** (in whole or in part) or deny it on the day of filing. If granted, a **TRO** would usually provide protection until the hearing on the **DVRO**. **TROs** may set child custody and visitation, forbid contact, limit the other party's personal conduct, or require the other over party to move out of a shared residence.

A **DVRO** hearing is scheduled for *three weeks* after filing, though that date is sometimes continued to a later date. At the hearing, the court can grant a **DVRO** (also



Learn more: <https://www.courts.ca.gov/documents/dv500info.pdf>

called a Restraining Order After Hearing) for up to five years.

Other Domestic Violence Restraining Orders

Though not this pamphlet's focus, the following restraining orders issued for domestic violence and available outside of Family Court may also help survivors:

Emergency Protective Order (EPO)

EPOs are issued through the police when there is an immediate and present danger of abuse, child abuse or child abduction. They provide protection until a survivor is able to make a court filing for a DVRO. During the pandemic, the length of EPOs has risen from 5-7 days to up to 30 days.

Criminal Protective Order (CPO)

CPOs may be issued for up to ten years pending a criminal trial on domestic violence charges or as a condition of probation. If no expiration date is listed, a CPO expires 3 years after it issues, though it will expire immediately if the criminal case ends with dismissal or acquittal or if probation is terminated.

Juvenile Restraining Order

Issued by the Dependency Court (aka Children's Court), these restraining orders are very similar to family court DVROs.

What kind of relationships are required for a DVRO?

To seek a Family Court DVRO, your relationship to the other party must be:

Married or Former Spouse

Registered Domestic Partner or Former Registered Domestic Partner

Cohabitant or Former Cohabitant (Not Merely a Roommate)

Past or Present Dating Relationship

Parties With Children in Common

Family Members to “the second degree” (by blood, marriage or adoption): grandparents, parents, children, grandchildren and siblings

What is abuse?

The Family Court will only grant a DVRO where abuse is present, including:

Acts that cause physical injury (strangulation, hitting, kicking, slapping, pushing, pulling hair, etc.)

Sexual Assault

Threats

- **Verbal:** “I will kill you”; “I will beat you up”
- **Physical:** Raising a fist and pretending to strike, getting close in your face
- **Property Violence:** punching a hole in a wall or door, throwing a heavy object at you
- Brandishing a gun or other weapon to intimidate

Harassment or Stalking (also known as coercive control behavior or disturbing the peace)

- Harassing phone calls and messages
- Giving false/sensitive personal information about you to employers, friends, relatives, etc.
- Isolating you from friends, family, and support
- Depriving you of basic necessities
- **Control:** monitoring your movement, communications, daily behavior, finances, and access to services
- **Compulsion:** using force, threat of force, intimidation, threats based on immigration status, etc. to force you to do something

Abuse is not just physical abuse. It can be verbal, emotional or psychological. Learn more: <https://www.thehotline.org/is-this-abuse/abuse-defined>

What Kind of orders are available in a DVRO?

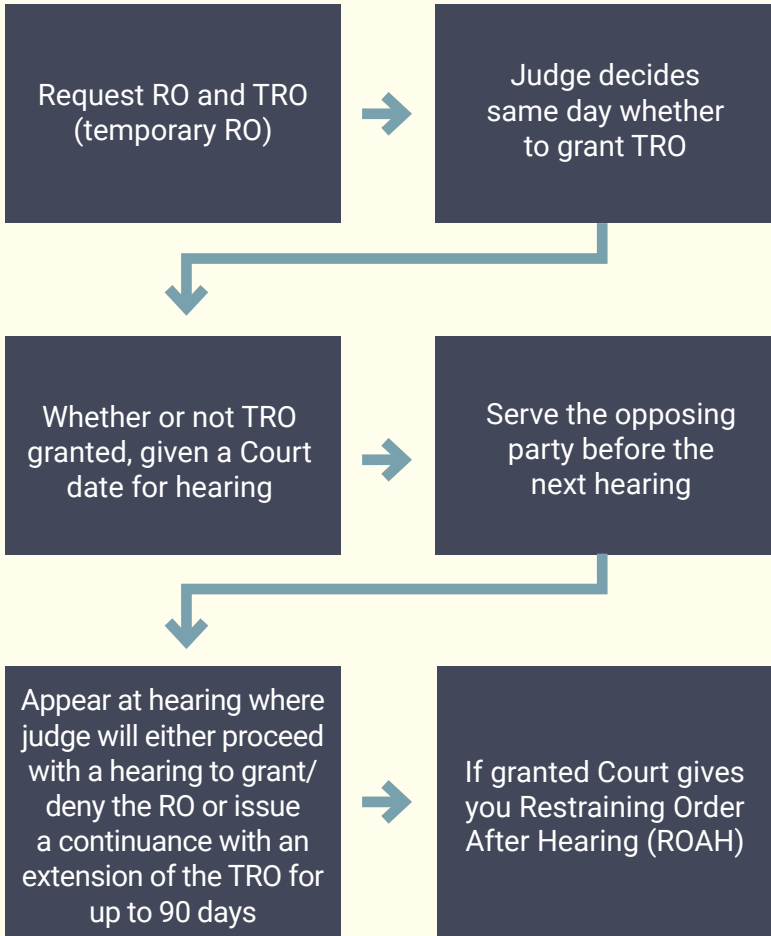
As part of the DVRO, the Court can order:

- No Contact
- Stay-Away
- Child Custody and Visitation*
- Child Support*, **
- Move-Out (the other party must move out of a shared residence)
- Firearm Restrictions
- Authority to Record Unlawful Communications
- Orders re: Pets
- Property Control and Debt Payment
- Spousal Support**
- Attorney's Fees**
- Batterer's Treatment Program
- Additional people (children, family, household members) can also be protected

**These orders do not expire even after the expiration of the DVRO*

***Additional income forms are required when requesting these orders*

Overall DVRO process



Tips for completing DVRO forms

No pamphlet can provide a complete guide to DVRO paperwork. But these tips should get you started. For further assistance, check out the self-help and legal aid resources on pages 56-59.

Privacy: DVRO documents are not confidential

When they are served, the other party will see all the information in them, including addresses and phone numbers. If you don't want the other party to know it, don't include it. For instance, if you don't want to use your personal address, use a PO Box or the address of a willing friend or family member.

Be Specific

The Declaration is crucial. Carefully describe the abuse that you suffered.

When

Describe the **most recent incident of abuse** first. Include the date, or the approximate month and year, of the abuse.

Impact

Describe **how the abuse it made you feel** physically and emotionally. For example, in pain, scared, hurt, intimidated.

Evidence

Attach helpful documents to your declaration: photos of injuries, screenshots of text messages, etc.

Find the several forms required to complete a DVRO application here:
<https://www.courts.ca.gov/1271.htm>

List of forms

- **FAM-020: Family Law Case Cover Sheet**
- **CLETS-001: Confidential CLETS Information**
- **FAM-018: Declaration Re Notice of Ex Parte Request (No Notice Given) (Temporary Restraining Order)**
- **DV-100: Request for Domestic Violence Restraining Order**
- DV-101: Description of Abuse
- DV-105: Request for Child Custody and Visitation Orders
- DV-108: Request for Order: No Travel With Children
- DV-109: Notice of Court Hearing
- DV-110: Temporary Restraining Order
- FL-150: Income and Expense Declaration
- **DV-200: Proof of Personal Service (file after service has been completed)**
- **DV-130: Restraining Order After Hearing (Order of Protection)**
- DV-140: Child Custody and Visitation Order
- DV-145: Order: No Travel With Children
- DV-150: Supervised Visitation and Exchange Order
- FL-191: Child Support Case Registry Form
- FL-343: Spousal, Partner or Family Support Order Attachment
- MC-030/MC-031: Declaration/Attached Declaration

The forms that are bolded are always required. Other forms may be required, depending on the situation. Learn more: <https://www.courts.ca.gov/partners/documents/dv505info.pdf>

4 WAYS TO FILE FOR A DVRO

Once complete, the DVRO application must be “filed,” or turned in. You may file with the Central Stanley Mosk Courthouse or with the local courthouse serving the address that you use on the DVRO application. (The courthouses and their contact information is on page 53-55) There are four ways to file.



IN-PERSON APPOINTMENTS AT THE COURT

During the pandemic, in-person filing at the court requires having an appointment to file and speak with a clerk. To make an appointment call ahead (the day before). You will also need a second appointment later the same day to pick up the processed paperwork. (See page 53 for courthouse phone numbers.)



DROP BOX (OUTSIDE THE COURT)

Completed DVRO applications can be filed using the drop box outside the courthouse, near its entrance. Once processed, the paperwork will be available for pickup from the Pick-up box located close to the drop box. Processing usually takes a few hours.



EMAIL THE COURT'S RESOURCE ACCOUNT

Each courthouse has a Resource Account, which is an email address, for filing DVRO applications.

(See page 54 for a list). To file this way:

- a. Complete the court's fax cover sheet (Form MC-005, Facsimile Transmission Cover Sheet) and add it as page 1 to your completed DVRO application.
- b. Attach the DVRO application to an email to the Resource Account
- c. Use the case name and case number (if there is one) as the subject line

Resource accounts are only for DVRO applications, Responses to DVROs (for the other party), and Requests to Renew DVROs. All other documents (e.g., proof of service, fee waiver request) must be filed in person at court, through the dropbox, or by fax.



FAX FILING

Each courthouse has a family law fax number for receiving family law filings, including DVRO applications. (See page 55 for a list.) To file in this way, complete the court's fax cover sheet (Form MC-005, Facsimile Transmission Cover Sheet), add it as as page 1 of your DVRO application, then fax the application to the courthouse.

However you file:



Fee

There is no fee to file a DVRO application.



Signature

An electronic signature can be used for a DVRO application.



Same-Day Processing

File by 3:00 p.m. for same-day processing of your DVRO application and request for a TRO. Filings after 3:00 p.m. are treated as received on the next business day.



Collection

The court returns the documents that it processes by the same method by which they were filed. If you file a DVRO by email, you will get back your processed or “conformed” documents by email.

Learn more: http://publichealth.lacounty.gov/dvcouncil/resources/RO_HANDOUT.pdf

Personal service on the other party

Once the court processes the DVRO application paperwork, you must serve those documents, including a TRO, on the other party. This is called personal service, and it is how the court knows that the other side was properly informed of the case.

Service is **essential**. The TRO can only be enforced after being served on the other party. The court can only proceed with the DVRO hearing if the other party has been served. Service is required at least **5 days before the hearing**.

The person who starts the DVRO case cannot serve the other party. It must be by someone not a party to the case who is 18 years or older. That person doesn't need to sign anything beforehand, nor review the paperwork beforehand, nor convince the other party to accept service.

If the other party won't accept service, it is enough for the server to leave the paperwork at the other party's feet and leave.

Whoever serves the other party must complete and sign the **Proof of Personal Service form (DV-200)**, which then must be filed with the court. Always bring a copy of this form to the hearing even if it's been filed with the court. If not filed before the hearing, the completed form should be brought to the hearing.

The Los Angeles Sheriff's Department (LASD) provides assistance with personal service of DVRO paperwork at no fee. Requests for such service must include an address for the other party and must be made **in-person** at the LASD office at the courthouse where the DVRO application was filed.

Private process servers are also available for a fee.

Learn more: <https://www.courts.ca.gov/documents/dv200info.pdf>

What if Personal Service is Hard or Impossible?

When personal service is hard or impossible, a DVRO case can sometimes move forward with alternative service, such as mailing the paperwork to the other party's home or workplace address or posting the paperwork at the courthouse.

To qualify for alternative service, you must convince the court: (1) that all safe options have been tried to locate and personally serve the other party; and (2) that there is reason to think that the other party is avoiding service.

Learn more: <https://store.ceb.com/Content/Images/uploaded/jcforms/dv205info.pdf>

Attending Your DVRO Hearing

The Court sets a hearing date when it processes a DVRO application. It is important to always appear for court hearings; otherwise, the court may end your case. Here's are two ways to attend:

| In Person

Child Care: The Court's childcare centers are closed during the pandemic

Support: You may have a support person with you at court

| Remote via LA Court Connect

Options: Connect by phone/audio or by video



Attending virtually at your DVRO Hearing: LA Court Connect

Parties and witnesses can appear for hearings by phone (audio) or by video. The Court's system for remote appearances is called LA Court Connect (LACC) and uses the Microsoft Teams App/program.

To use LACC, you must register online with an email address up to 14 days in advance and at least 2 hours before the hearing time. It is recommended to register at least several days before the hearing to make sure everything works. Here's how¹:



¹Please check the court's website for the latest updates as the court is still developing its remote services on LA Court Connect.

Step 1: Go to LA Court Connect

<https://my.lacourt.org/laccwelcome>



Step 2: Select "Family Law" and answer the following questions



Step 3: Make an Account

An email address is required



The screenshot shows a web browser window displaying the "Sign up with a new account" page for the County of Los Angeles. The page has a blue header with the County of Los Angeles seal and logo. Below the header is a white registration form with the following fields: "Email Address - for Step 4" (with a "Get verification code" button), "New Password", "Confirm New Password", "Display Name", "Last Name", and "First Name". At the bottom of the form are "Create" and "Cancel" buttons. The browser's address bar shows the URL: https://californiacourtinfo.sagepub.com/californiacourtinfo/secure/vcort/step3/registration.html.

Step 4: Enter the case number

This connects your account to your case



The screenshot shows a web browser window displaying the "VCourt™ Remote Appearances" page for the Superior Court of California, County of Los Angeles. The page has a white background with a blue header containing the court's seal and name. Below the header is a section titled "VCourt™ Remote Appearances" with a user ID [REDACTED]@sca.ca.gov. A paragraph of text explains the process: "To schedule one or more remote appearances for an upcoming event, first enter the case number below. You will then select the party and enter attendee information, choose one or more events, and then finalize and pay (if applicable)." Below this is a section titled "Step 1. Search For A Case" with the instruction "Enter your full case number, letters and numbers." and a field for "Enter Case Number:" with a "Proceed to Step 2" button. At the bottom right is a "VCourt Home" link. The browser's address bar shows the URL: https://vccourt.psefederalcourts.ca.gov/VCourt/Step1.aspx. The Windows taskbar is visible at the bottom of the screen.

Step 5: Select “A Party to the Case” and fill in the fields that appear

Select the party names from the drop-down box, then fill in the fields that appear (e.g., phone number). Check the box to receive an email reminder and add other emails to have the registration information sent to a family member or advocate.

Step 6: Choose your hearing

LACC may list several hearings or appointments for a case. Select the one for which you want to schedule for a remote appearance. (Note: hearings won't appear on LACC yet if they are more than 14 days away.) Then Select video or audio under “appearance type” and click “proceed to next step.”

Step 7: Pay or mark approved fee waiver

Click “make a payment to finalize.” If you have an approved fee waiver on file, check the fee waiver box to waive the audio or video fee. (For more on fee waivers, see page 28.) Otherwise, enter payment information. (Only credit card payment is available for now.)

Step 8: Save the Confirmation Information

The confirmation page shows important information that you should save and have easily accessible for the hearing. This includes the link to join the hearing, a phone number and meeting ID, and link to download Microsoft Teams onto your computer, tablet or smartphone. The court will also send you a confirmation email with this information.

Step 9: Download the Microsoft Teams App to your Computer or Smartphone

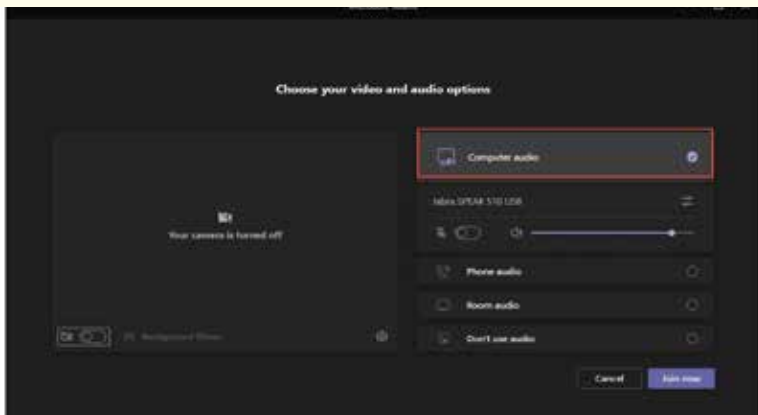
Whether you're appearing by phone/audio or by video, the court strongly recommends that you use the Teams App instead of appearing through a web browser.

To use the App on your computer or phone, download and install the free Microsoft Teams App from the Microsoft Teams page: <https://www.microsoft.com/en-us/microsoft-365/microsoft-teams/download-app>



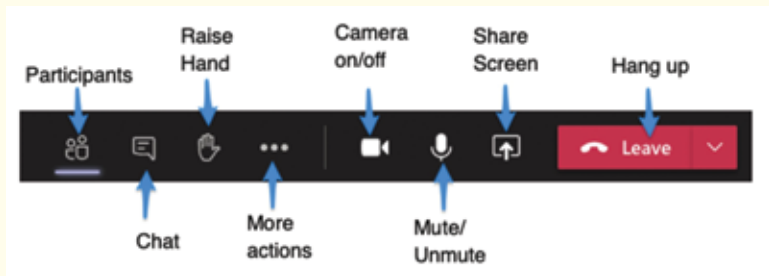
Step 10: Appear for your hearing using LACC

For both audio and video appearances, you will click on the **Meeting Join Link** that's in your confirmation email. **The link is the same for audio and video.** If you are appearing via audio, select "Computer Audio" after you join Teams and turn off your camera.



There is a back-up phone number you can use if you have video or audio problems: 323-488-2201. Dial this number and enter your Phone Meeting ID when prompted. If you have to use this option and are also using video, you should stay on Teams for your video but mute your sound to use the phone line for audio.

Before your hearing, test your audio and camera and familiarize yourself with the main features on Teams:



Tips for Using Microsoft Teams:

- Many Teams features are not available on a landline. Appear using a computer or smartphone
- Keep your camera off until your case is called
- Stay muted unless you're talking
- If you have a question or need to get the court's attention, click on the "Raise Hand" icon
- The court does not monitor the chat box and discourages use of the chat feature on Teams. Everything in the chat can be viewed by everyone present on LACC
- The court does not allow any special backgrounds for video appearances except for "blur"

For updates and additional instructions about LACC and Teams:
<https://my.lacourt.org/laccwelcome/#teamsinfo>

Waiving Fees for Remote Hearings

If you have an approved fee waiver on file with the Court, the fees for using LA Court Connect can be waived when registering. LA Court Connect charges \$15 for each audio/phone or video appearance. If your case has more than one hearing, each hearing has its own fee. To be sure that your fee waiver will be on file, it is best to file your fee waiver request at least a week before your hearing. Here's what to do:

Step 1: Complete the “Request to Waive Court Fees” form (FW-001) and the “Order on Court Fee Waiver” form (FW-003)

In filling out the form, keep in mind that the court will grant you a fee waiver if you receive government benefits such as Social Security, Medi-Cal, IHSS, CalWORKS, Tribal TANF, CAPI, and Food Stamps. The court may also grant you a fee waiver if you can show that you have limited household income and/or an inability to pay for basic needs and court fees.

Step 2: File the Fee Waiver with the court

Write your DVRO case number on the fee waiver request forms. You may file it via fax file, the court's drop box, or an appointment in person, but not via a Resource Account.

Learn more: <https://www.courts.ca.gov/documents/fw001instruct.pdf>.

Prepare for your Restraining Order Hearing

Collect evidence

It is helpful to have copies of documents, such as those below, ready to attach to the DVRO application and for the hearing:



- Photos of injuries or other damage
- Medical records of treatment received for injuries
- Emails, text messages, and voice messages from the other party or others



- Police report (Note: Victims of domestic violence, sexual assault, stalking, human trafficking, and elder abuse are entitled to free copies of all incident reports under Family Code 6228)

Be on time



It may sound obvious, but it is very important to be on time for a court hearing. As a result, it is best to plan to be at least 30 minutes early. If you have an in-person hearing, you may face delays at the court entrance and need time to locate the courtroom, to check-in with the courtroom clerk, to request an interpreter if needed, etc. If you have a remote hearing, you may need time to confirm that all of the technology is working properly and to find a private and quiet area.

Have your notes and evidence ready



Court can be very stressful. Being prepared and having the documents you need can help reduce that stress. Have ready a copy of your DVRO application, a copy of the Proof of Service form if you filed it and any evidence (such as copies of photographs, text messages, and police reports). If you are appearing in-person, have multiple copies of your evidence to give to the other party and to the court. Before a video hearing, provide the court and the other party with a copy of all the evidence that was not in your DVRO application that you plan to use. Prepare notes ahead of time with the important points that you want to make. During the hearing, you can ask the judge if you can review your notes to be sure you covered everything.

Know that your immigration status is protected



Nobody (not the other party, not witnesses) may reveal your or anyone's else's immigration status during a court hearing. Such information can only come out during a hearing if the judge agrees first, after a meeting in the judge's office.

Put your best foot forward



The judge both listens to your story and evaluates your demeanor. Make a good impression. Answer the judge's questions, and do not interrupt the judge or anyone else who is speaking. If you need to speak, raise your hand to let the judge know. It is ok to feel emotional. You can ask the court for a short break. If there is anything you don't understand, politely ask for clarification.

If your Restraining Order is granted, keep a copy with you at all times. If the other party violates your restraining order, you can call the police and show it to them to report the violation.

Child Custody

Custody has two pieces. Physical custody is where the child lives. Legal custody is the right to make important decisions about the child's medical care, education, religion, etc. In deciding custody, the court's main concern is the "best interest of the child."

California Family Code section 3044 creates a rebuttable presumption against custody for a parent found by a court to have committed domestic violence. Domestic violence in the home causes harm to children, so the law presumes that it is not in a child's best interest for an abusive parent to have joint or sole custody. A judge can only set aside the presumption if it considers numerous factors set out under the law and evidence from the abusive parent that convinces the judge that



partial or full custody for that parent would be in the child's best interest.

Note: Child custody, visitation, child support, and spousal support orders granted by a court in a domestic violence restraining order remain in effect after the restraining order ends.

Learn more: <https://www.courts.ca.gov/documents/3044sheetEN.pdf>

Mediation

Mediation, provided free through the court's Family Court Services, is a meeting conducted by a mental health professional to help parties reach an agreement on a parenting plan regarding child custody and visitation. Mediation is required when child custody is an issue in a restraining order case.

Mediation Tips

- If your case involves domestic violence, you may request that the mediator speak to you and the other party separately
- Mediation is confidential but the mediator can inform the court if a parent doesn't appear, if the parties could not reach an agreement, and or if an investigation by the Department of Children and Family Services (DCFS) is pending. Mediators can also recommend that the court seek a child custody evaluation or appoint an attorney (minor's counsel) to represent the child.
- Mediators are mandatory reporters of child abuse and neglect
- During the pandemic, all mediation is by phone or video.
- You are not required to reach an agreement in mediation. If you do make and sign an agreement, it will be forwarded to the court and entered as an order. So, it's important to be completely comfortable with an agreement before signing.

Requesting an interpreter for your hearing and for other court programs

Spanish

All Los Angeles courthouses provide Spanish interpreters. Tell the court when you check-in for your hearing that you need a Spanish interpreter. You do not have to request a Spanish interpreter before the day of your hearing.

Other Languages

You must request an interpreter in advance, ideally at least days before your hearing. Make the request here: <http://www.lacourt.org/lrud/UI/index.aspx?bypass=1&ct=FL&lang=1>. The process to request an interpreter is the same whether you appear for your hearing in-person or via LA Court Connect.

When Appearing In-Person

The interpreter will likely be in person too. Make sure that the interpreter uses equipment, such as a transponder, microphone, or headset. If your interpreter appears remotely, be sure you can hear clearly. If you have issues, tell the Court or your attorney immediately.

When Appearing By LA Court Connect

Understanding What Is Said: Make sure you can hear everyone, especially the interpreter. If not, tell the judge or your attorney. You have the right to have everything stated be interpreted to you.

Consecutive Interpreting

Consecutive interpreting is when each phrase is spoken and then interpreted, rather than having the speaking and interpreting going on at the same time. To understand the proceedings, you may need to ask the court for consecutive interpreting, especially if the interpreter appears in person.

Attorney or Support Person

If you have an attorney or support person who is not with you, you should arrange to have a way to contact them in case you need to discuss something in private.

Written Materials

Whenever written orders or documents are discussed in court or issued by the court, you can ask the interpreter to explain them to you or to provide you a “sight translation” of them.

Other Programs

The Court will provide language access through bilingual staff and remote interpreting services for all its programs and activities, including: mediation, self-help, the clerk’s office, Family Law Facilitator (FLF), etc. If you call to access programs or activities, you can request language services on the phone. If you submit documents online or by email, you may request language services in writing that way too.

Requesting a Continuance of a Hearing

A “continuance” is a re-scheduling of a hearing to a future date. Either party can request a continuance. Any TRO will usually then be extended to that date too. By law, the other party has a right to one continuance when responding to a DVRO application.

It is important to appear for a hearing even if it seems likely that the Court will continue the case to a later date. If you file a case and then don’t appear for a hearing, the Court will likely dismiss your case.

Common reasons to request a Continuance include:

Lack of Service

If the other party has not been served, a continuance can provide more time to get that done (or to pursue the alternate service described on page 19).

Illness or Emergency

Let the courtroom know about the problem as soon as possible. If the emergency comes up the day of the hearing, call the courtroom right away.

Need a Lawyer and/or Legal Assistance

A continuance can provide time to get a lawyer or legal advice and assistance in a DVRO case.

Be Aware: Courts do not often permit continuances because of traffic, inability to take time-off of work, or lack of childcare.

Depending on the situation, a request for a continuance can be made in writing in advance or by speaking in court.

If the other party has an attorney, it may be possible to come to an agreement (or stipulation) for a continuance that will be filed with the Court before the hearing date.

If you know a continuance is needed several days before the court date, it is helpful to file the Request to Continue Hearing form (DV-115). You still have to go to the hearing to see if the Court grants the continuance. Learn more: <https://www.courts.ca.gov/documents/dv115info.pdf>

If a conflict will prevent you from going to the hearing, the DV-115 form can be filed as an ex parte (emergency) filing along with the Request for Order form (FL-300). To get a response from the court the same day, you should file your ex parte request first thing in the morning. Learn more: <https://www.lalawlibrary.org/pdfs/LASC%20Continuances.pdf>

An oral or verbal request for a continuance can also be made at the court hearing.

What if the other party violates the Restraining Order?

It is a crime to violate the terms of a court-issued restraining order. Once served with a TRO or DVRO, the other party must follow its terms.

Violations can be reported to the police. A protected party can also file a motion for contempt, but because this could result in jail time for the other party, it is more complicated to pursue.

A violation does not require violence or physical harm. Depending on the terms of the restraining order, the following acts by the other party can be violations:



Phone call/text to the protected party



Contacting the protected party through relatives or friends



Driving by the protected party's home

Learn more: <https://www.courts.ca.gov/1266.htm?rdeLocaleAttr=en>

What if there are criminal charges against the other party?

If the police arrest the other party after a domestic violence incident, the District Attorney's office or the City Attorney's office could file charges against the other party. But arrests do not always lead to criminal cases. The police may ask if you want to press charges.

If there is a criminal case, hopefully the police (the investigating detective) will tell you. You can also call the **LA County District Attorney's Office at (213) 974-3512** and the **LA City Attorney's Office at (213) 978-8100** to ask. Usually, providing the other party's full name and date of birth is sufficient.

If there is a criminal case pending against the other

party when you file for a DVRO, the other party may request a continuance of the DVRO hearing until after the criminal case ends. That is because what the other party says in the DVRO case can be used against them in the criminal case. The court often grants continuances in these situations.

If there is a pending criminal case, you should ask for a copy of the Criminal Protective Order (CPO) from the prosecutor in that case. You can also ask to be connected to a family violence advocate to provide you with resources and updates about the criminal case.

Marsy's Law

Also known as the Victim's Bill of Rights, Marsy's Law lays out rights of crime victims in California. These include the right:

- To be treated with fairness and with respect for your privacy and dignity, and to be free from intimidation, harassment, and abuse, throughout the criminal or juvenile justice process;
- To be reasonably **protected** from the defendant and persons acting on behalf of the defendant;
- To have **your and your family's** safety be considered in decisions about bail amounts and release conditions for the defendant;
- To **prevent disclosures** to the defendant, to the defendant's attorney, or to anyone acting on the defendant's behalf of **confidential information** or records that could be used to locate or harass you or your family or that disclose confidential communications made in the course of medical or counseling treatment, or that are otherwise privileged or confidential by law;

- To have the prosecuting agency provide you notice, and confirmation if you ask for it, as to arrests of the defendant that the prosecutor knows about, as to charges filed against the defendant, and as to determinations whether to extradite the defendant. You may also request to be notified before any pretrial disposition of the case;

- Upon request, to receive notice of and attend public proceedings (including delinquency) at which the defendant and prosecutor are entitled to be present and post-conviction release proceedings such as parole;

- To be informed, upon request, of the conviction, sentence, place and time of incarceration, other disposition, scheduled release date, and release or escape from custody of the defendant;

- To have your, your family's, and the public's safety considered before any parole or other post-judgment release decision is made;

- To restitution.

- And others; for a full list visit: https://oag.ca.gov/victimservices/content/bill_of_rights



VINE[®]

Register for the victim notification network VINE to receive real-time updates on the status of an inmate in jail or prison. Updates are available in multiple languages by email, text or phone. For information & registration: <https://www.vinelink.com/#service-providers>

What if Child Protective Services or Children's Court is involved?

The Department of Children and Family Services (DCFS)

investigates allegations of abuse and neglect of children. An allegation of child abuse may come from a family member, neighbor or stranger. It can be made anonymously through the DCFS hotline. Police officers, teachers, counselors, and medical professionals are **mandatory reporters**, which means that they must report any potential child abuse that they learn of.

DCFS and restraining orders. Having a DCFS social worker involved in your life can be scary and stressful. Know that even in cases with reports of domestic violence, the social worker should never tell you that you must obtain a restraining order in family court to keep custody of your children. If that happens, you can contact the Los Angeles Dependency Lawyers (LADL) free Parent Hope-line at 323.790.5235 and the legal services providers listed on page 56-59.

Children's Court

Also known as Dependency or Juvenile Court, the Children's court hears cases in which DCFS seeks to remove children from their home. (Certain other cases are also heard there.) Parents in Children's Court have a right to an attorney, and one can be appointed for them. Children's Court also appoints an attorney called "minor's counsel" for the child.

DVROs and Children's Court

Open Children's Court cases take priority over family court proceedings. You can seek a DVRO in family court even when there's an open Children's Court case, but everything relating to the children will be handled in Children's Court. Once in Children's Court, you may also request a restraining order similar to a Family Court DVRO.

What if I, the victim, am accused of abuse?

If the police arrest you as the abuser or primary aggressor, seek out a lawyer as soon as possible. If it's possible that a criminal case will be filed against you, it's important to keep in mind that **anything you say in a DVRO case could potentially be used against you in a criminal case**. Consulting a lawyer can help you learn considerations and options as you proceed.

If the other party files a DVRO against you, consult with an attorney or with your appointed public defender before you file a Response (<https://www.courts.ca.gov/documents/dv120.pdf>). And consider whether you should file a DVRO against the other party.

If both you and the other party file DVRO applications against each other, the court usually sets both cases for the same courtroom and hearing date.

If both you and the other party have **Temporary Restraining Orders (TROs) with provisions that conflict with each other**, the most recent order takes priority. For example, the other party might file a DVRO first and win a TRO granting them temporary sole legal and physical custody of the children. If you then filed for a DVRO and received a TRO giving you sole custody, your TRO giving sole custody to you would be the controlling order.

The law discourages courts from issuing **mutual restraining orders** because it makes enforcement harder. The court may not issue mutual restraining orders unless:

- Both parties filed for DVROs; and
- The court decides that both parties acted as a **primary aggressor**; and
- The court decides that neither party acted mostly in self-defense.

The primary aggressor is the most significant or dominant aggressor, not necessarily the person who acted first.

Modifying a Restraining Order

If parts of your DVRO are not working well, you can request to change it. You do not need to end or terminate the DVRO.

To change something in your DVRO, file a Request for Order (Form FL-300) and include whatever form attachments relate to your request. It is important you inform the court if you know there is a prior and potentially conflicting restraining order in place. Find more information and the form attachments here: <https://www.courts.ca.gov/documents/dv400info.pdf>

Whenever your case is before a judge, the court can change your DVRO – for better or worse. If you have a DVRO with good orders, consider whether going to court to seek a change for the better is worth the risk that the judge may make changes for the worse.

Renewing a Restraining Order

A DV restraining order can be renewed without any showing of further abuse. Instead, you must show that the protected party (usually, you) has a reasonable fear of future harm.

Tips for Renewing a DVRO

Use the Request to Renew Restraining Order Form (DV-700)

DV-700 must be filed during the 3 months before the DVRO expires

DVROs can be renewed for 5 years or permanently

Learn more: <https://www.courts.ca.gov/documents/dv700info.pdf>

Safety Planning

Safety planning is a critical part of preparing for a restraining order case.

Support Person



As a survivor, you can have a support person with you to provide moral and emotional support during hearings and mediation. The support person cannot provide legal advice during the hearing. If you ever feel threatened by the other party in court, alert the courtroom bailiff immediately.

Safe At Home



A confidential address program run by the California Secretary of State's office. It provides victims of domestic violence, stalking, sexual assault, human trafficking, elder abuse and others with a substitute mailing address to receive first class, certified and registered mail. Survivors can keep their personal mailing address confidential.

Learn more: <https://www.sos.ca.gov/registries/safe-home> or call (877) 322-5227.

Enforcement & Registration of Out-of-State Restraining Orders



A restraining order is valid and enforceable throughout the United States, even if you do not register it. Registering an order enters it into California's computerized restraining order system, where it can be easily found by law enforcement.

To register an out-of-state order, complete Form DV-600 (<https://www.courts.ca.gov/documents/dv600.pdf>) and attach a certified copy of the out-of-state restraining order.

For more information about how to create a safety plan, see <https://www.thehotline.org/create-a-safety-plan/>



Court Phone Numbers, Resource Account Emails and Fax Filing Numbers

Court Phone Numbers

You can call the Court with questions about whether they received a filing or about an upcoming hearing. Direct calls to courtrooms or departments aren't available during the pandemic. Call the main number for each courthouse to speak with a clerk, to set an appointment for filing and to be connected to the courtroom clerk.

Antelope Valley Courthouse	(661) 483 5500
Chatsworth Courthouse	(818) 407 2200
Compton Courthouse	(310) 761 4300
Inglewood Courthouse	(310) 419 1300
Long Beach Courthouse	(562) 256 3100
Pasadena Courthouse	(626) 396 3300
Pomona Courthouse	(909) 802 1100
Santa Monica Courthouse	(310) 255 1840
Stanley Mosk Courthouse	(213) 830 0800
Torrance Courthouse	(310) 787 3700
Van Nuys - East Courthouse	(818) 901 4600
Whittier Courthouse	(562) 968 2699



Court DVRO Resource Account Emails

Resource Account emails can be used to file DVRO applications, Responses to DVROs and DVRO Renewal requests.

Antelope Valley Courthouse	ATP-ExParte@lacourt.org
Chatsworth Courthouse	CHA-ExParte@lacourt.org
Compton Courthouse	COM-ExParte@lacourt.org
Inglewood Courthouse	ING-ExParte@lacourt.org
Long Beach Courthouse	LBC-ExParte@lacourt.org
Pasadena Courthouse	PAS-ExParte@lacourt.org
Pomona Courthouse	POM-ExParte@lacourt.org
Santa Monica Courthouse	SAM-ExParte@lacourt.org
Stanley Mosk Courthouse	SMC-ExParte@lacourt.org
Torrance Courthouse	TOR-ExParte@lacourt.org
Van Nuys - East Courthouse	VNE-ExParte@lacourt.org
Whittier Courthouse	WHI-ExParte@lacourt.org



Fax Filing Numbers

The family law fax filing numbers can be used to file Domestic Violence Restraining Order documents and other Family Law forms.

Antelope Valley Courthouse	Fax: (562) 753-0441
Chatsworth Courthouse	Fax: (562) 753-0347
Compton Courthouse	Fax: (562) 753-0957
Inglewood Courthouse	Fax: (562) 753-0387
Long Beach Courthouse	Fax: (562) 753-0921
Pasadena Courthouse	Fax: (562) 753-0465
Pomona Courthouse	Fax: (562) 753-0655
Santa Monica Courthouse	Fax: (562) 753-0581
Stanley Mosk Courthouse	Fax: (213) 633-1955
Torrance Courthouse	Fax: (562) 637-0731
Van Nuys - East Courthouse	Fax: (562) 753-0315
Whittier Courthouse	Fax: (562) 753-0560

LA Domestic Violence Legal Services Resources

Asian Americans Advancing Justice

Helplines are open, live hours between 10AM and 3PM.
Limited staffing for representation.

Chinese (Mandarin and Cantonese): 800.520.2356

Korean: 800.867.3640

Thai: 800.914.9583

Tagalog: 855.300.2552

English: 888.349.9695 (warmline, leave a message and an advocate will call back within 24 hours)

Community Legal Aid SoCal

Hotline is open 9AM - 6PM Monday - Thursday, 9AM - 12PM Friday

Phone: 800.834.5001

DV Clinics at Compton and Whittier Courthouses call hotline or send emails to:

DVComptonMail@clsocal.org

DVWhittierMail@clsocal.org

Harriet Buhai Center for Family Law

Call 213.388.7515 (new callers) for domestic violence and family law assistance. The number will be staffed Mondays - Thursdays from 10:30AM - 2:30PM.

Jenesse Center

Hotline open 24/7 Phone: 800.479.7328

Legal Services: Monday - Friday 9:00AM - 4:00PM.

After hours please leave a message at x157. Calls will be returned within 48 hours. Phone: 323.299.9496 x157

LA LGBT Center

Walk-in hours cancelled until further notice. General telephonic intake at 323.993.7670. Legal Advocacy Project for Survivors' warm line: 323.993.7649.

Legal Aid Foundation of Los Angeles

DV hotline: 1.800.399.4529 x8097 (Monday, Wednesday, Friday 9AM - 3PM)

General hotline (including DV): 1.800.399.4529 Monday - Friday. Online intake: <https://lafla.org/get-help>

Levitt & Quinn Family Law Center

Application can be found at www.levittquinn.org/services. Submit application via email or fax. Staff will follow up via phone. Email: intake@levittquinn.org

LGBTQ Center Long Beach Legal Services

Intake by phone. Phone: 562.433.8595.

Los Angeles Center for Law and Justice

E-mail services@lajl.org or call 323.980.3500 to apply for legal services related to restraining orders or urgent family law or immigration legal matters.

Neighborhood Legal Services of Los Angeles County

Hotline, callers can leave messages for a return call.
Phone: 800.433.6251

Peace Over Violence

Office contact information for legal services:
Pasadena Phone: 626.584.6191
Downtown LA Phone: 213.955.9090

Pepperdine Legal Clinic (serving DV victims only)

Available for intakes (information, brief advice & counsel only), Fridays 10AM - 1PM
New callers can leave messages at 310.506.6344

Rainbow Services

Hotline intakes for legal, case management, housing, and shelter services. Phone: 310.547.934

Sojourn

All services accessed through the 24-hour hotline.
Phone: 310.264.6644

YWCA Glendale

Call the office number 818.242.4155 and ask for legal or ext. 233 or e-mail: karengreenrose@glendaleywca.org

Other Legal & Hotline Resources

Self-help Center

Los Angeles Superior Court Self-Help: 213.830.0845
http://www.lacourt.org/selfhelp/abuseandharassment/SH_AH002.aspx

Legal Aid Foundation of Los Angeles
Self-Help: 213.235.0060, 8:30AM - 12PM Monday - Friday,
and 1:00PM– 4:30PM Monday - Thursday.

Family Violence Appellate Project (FVAP)

Legal Resource Library has many helpful information and tools for survivors and advocates. Access is free but password protected.

<https://fvaplaw.org/legal-resource-library>

LA Law Library

How to Get a Domestic Violence Restraining Order: <http://www.lalawlibrary.org/hidden-classes/1580-restraining-order-pbw2020>

LA County Domestic Violence Hotline

Confidential 24/7 hotline to connect survivors with free resources and supportive services. 800.978.3600

<http://publichealth.lacounty.gov/dvcouncil>

National Domestic Violence Hotline

Confidential 24/7 hotline to help anyone experiencing domestic violence, looking for information or resources on domestic violence, or questioning the unhealthy aspects of their relationship.

Call or visit their website at:

800.799.7233

800.787.3224 (TTY)

<https://www.thehotline.org>