

This document provides **supplemental resources and information**, including relevant citations, for the training module entitled “Making the DVRO Request.” All undesignated statutory references are to the **Family Code**; all rules references are to the **California Rules of Court**.

- California **statutes**: <https://leginfo.legislature.ca.gov/faces/codes.xhtml>
- California **Rules of Court**: <http://www.courts.ca.gov/rules.htm>
- Judicial Council **court forms**: <http://www.courts.ca.gov/forms.htm>

Slide #	Additional Information and Citations
7	§§ 6205-6211 & 6301; see <i>O’Kane v. Irvine</i> (1996) 47 Cal.App.4th 207; <i>Phillips v. Campbell</i> (2016) 2 Cal.App.5th 844
8	Venue: Code Civ. Proc., § 395, subd. (a); see also §§ 397-398 & 402 Jurisdiction: Code Civ. Proc., § 410.10; see, e.g., <i>Hogue v. Hogue</i> (2017) 16 Cal.App.5th 833 UCCJEA: § 3400 et seq. Hague Convention <ul style="list-style-type: none"> <li>• Treaty: T.I.A.S. No. 11670, S. Treaty Doc. No. 99-11</li> <li>• Text: <a href="https://www.hcch.net/en/instruments/conventions/full-text/?cid=24">https://www.hcch.net/en/instruments/conventions/full-text/?cid=24</a></li> <li>• Int’l Child Abduction Remedies: 102 Stat. 437, 42 U.S.C. §§ 11601-11610</li> <li>• CA Child Abduction Unit: <a href="https://oag.ca.gov/ca-mexico/child-abduction">https://oag.ca.gov/ca-mexico/child-abduction</a></li> <li>• More info: <a href="https://gspp.berkeley.edu/global/the-hague-domestic-violence-project/hague-dv/hague-convention-and-domestic-violence">https://gspp.berkeley.edu/global/the-hague-domestic-violence-project/hague-dv/hague-convention-and-domestic-violence</a></li> </ul>
9	Physical abuse: § 6203, subds. (a)(1)-(a)(3) Non-physical abuse: §§ 6203, subds. (a)(4) & (b) & 6320, subd. (a)
10	Affidavit or testimony: §§ 6300 & 6340, subd. (a) Burden: Evid. Code, § 115; <i>Nakamura v. Parker</i> (2007) 156 Cal.App.4th 327, 334
12	See §§ 6211, subd. (b) & 6209; <i>O’Kane</i> , supra; <i>Phillips</i> , supra <ul style="list-style-type: none"> <li>• Emergency protective order (EPO): §§ 6240-6275 <ul style="list-style-type: none"> <li>○ Requested by police, given to victim, usually at scene of crime</li> <li>○ Short duration (5-7 days), meant to allow time for obtaining a DVRO or for DA to file charges and the court to issue a CPO</li> </ul> </li> <li>• Criminal protective order (CPO): Pen. Code, §§ 136.1, 136.2 &amp; 1203.097 <ul style="list-style-type: none"> <li>○ If part of sentence, burden of proof is “beyond a reasonable doubt”</li> <li>○ Can be issued during and/or after trial, and ended without notice</li> </ul> </li> <li>• Elder abuse restraining order: Welf. &amp; Inst. Code, § 15600 et seq.</li> </ul>

	<ul style="list-style-type: none"> <li>○ Preponderance of the evidence (50% + 1): <i>Bookout v. Nielsen</i> (2007) 155 Cal.App.4th 1131</li> <li>● Requiring “clear and convincing evidence” (~70-80%)             <ul style="list-style-type: none"> <li>○ Gun violence restraining order: Pen. Code, §§ 18100-18205</li> <li>○ Civil harassment order (CHO): Code Civ. Proc., §§ 527 &amp; 527.6</li> <li>○ Workplace restraining order: Code Civ. Proc., § 527.8</li> <li>○ Post-secondary educational institution restraining order: Code Civ. Proc., § 527.85</li> </ul> </li> <li>● Tribal court protective order: see § 6404; rule 5.386</li> </ul>
13	See generally §§ 6300-6372 & 6383-6385
14	<p>Notice not required: § 6300</p> <p>Address confidentiality: § 6225</p> <p>No filing fees: § 6222</p> <p>Judicial Council forms: § 6221, subd. (c)</p>
15	<p>Service and Hearing: §§ 6320.5, 6340-6361; see C.C.P., §§ 414.10, 1010-1011; <i>Caldwell v. Coppola</i> (1990) 219 Cal.App.3d 859</p> <p>Right to an interpreter: Evid. Code, § 756</p> <ul style="list-style-type: none"> <li>● To request, use form INT-300</li> </ul> <p>Support person: § 6303; rule 5.215(h)</p> <p>Disability accommodations: Civ. Code, § 54.8</p> <ul style="list-style-type: none"> <li>● To request, use form MC-410</li> </ul> <p>One continuance as a matter of right: § 245</p>
16	<p>Enforcing the DVRO: §§ 6380-6389</p> <p>Renewals: § 6345</p> <p>Renewal standard: <i>Renewal standard: Rybolt v. Riley</i> (2018) 20 Cal.App.5th 864; <i>De la Luz Perez v. Torres-Hernandez</i> (2016) 1 Cal.App.5th 389; <i>Cueto v. Dozier</i> (2015) 241 Cal.App.4th 550; <i>Eneaji v. Ubboe</i> (2014) 229 Cal.App.4th 1457; <i>Lister v. Bowen</i> (2013) 215 Cal.App.4th 319; <i>Ritchie v. Konrad</i> (2004) 115 Cal.App.4th 1275.</p>
18	<p>Notice not required: § 6300</p> <p>Local rules of court: <a href="http://www.courts.ca.gov/3027.htm">http://www.courts.ca.gov/3027.htm</a></p>
20	<p>Personal conduct; animals: § 6320</p> <p>Residence exclusion: § 6321</p> <p>Prohibit seeking address: § 6322.7</p> <p>Custody and visitation: § 6323</p>

The contents of this presentation were developed with support from funding awarded by the United States Department of Justice, Victims of Crime Act, 2015-VA-GX-0058, through the California Governor’s Office of Emergency Services; and by Grant Number 2016-WL-AX-0055, awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions and recommendations expressed in this publication are those of the authors and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

21	Property: § 6324 Insurance and parentage: § 6325.5 Firearms: § 6389 Other injunctive relief: § 6322 Duration & continuances: §§ 242, 245 & 6320
23	Ex parte orders for after noticed hearing: § 6340, subd. (a) Restitution: § 6342 Torts: e.g., Civ. Code, §§ 52.4 & 1708.6 BIPs: § 6343 Wireless phone billing: § 6347
24	Custody and visitation: §§ 6223, 6340, 6347; rules 5.215, 5.230, 5.381 & 5.445 Rebuttable presumption and custody: § 3044; see also §§ 3011, 3020 & 3040 Non-exclusive list: § 6227
25	I&E declarations: Form FL-150 or FL-155 <ul style="list-style-type: none"> <li>• Attorney fees and costs: § 6344</li> <li>• Support: § 6341</li> </ul> Duration: §§ 6340 & 6345 Renewals: § 6345
27	§ 6323

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