



Free

How to Change or Drop a DVPA Restraining Order

What is this for?	<p>This packet contains the forms to ask for a court hearing to change or drop/cancel a Domestic Violence Protection Act (DVPA) restraining order. This packet is not for other types of restraining orders such as Elder Abuse or Civil Harassment.</p>
Step 1: Fill out the forms	<p>Request for Order (FL-300)</p>
Step 2: Make copies	<p>Make 2 copies of the forms. Paperclip and two-hole punch the <u>originals</u> at the top. The copies may be stapled. Group the original plus copies of the same documents together for filing.</p>
Step 3: File the forms	<p>Get a number ticket for “Family Law” at the kiosk on the 1st floor of the courthouse. File the forms with the clerk when your number is called. The court will file-stamp all your forms and give you back 2 copies. You will keep a filed copy for your records and have the other copy served on the other party.</p>
Filing fee	<p>There is no filing fee if you are only asking for changes to the domestic violence restraining order. If you are asking for other orders, i.e. changes to custody/visitation, support, there is either a \$60 or \$85 filing fee.</p> <p>The court accepts cash, check, Visa, MasterCard, AMEX and Discover Card. If you cannot afford to pay the filing fee, you may apply for a fee waiver by filling out and filing these forms:</p> <p>Request to Waive Court Fees (FW-001) Order on Court Fee Waiver (FW-003)</p>
Step 4: Serve the other party	<p>You must have a copy of your forms handed (“personally served”) to the other party in person, along with a blank Responsive Declaration to Request for Order (FL-320).</p> <p>Someone 18 or older must serve the forms for you. You cannot serve the forms yourself. The person who serves the forms to the other party must <i>completely</i> fill out a Proof of Personal Service (FL-330) and give it to you to file.</p>



Deadline for Serving	The forms must be served at least sixteen court days before the hearing date. Weekends and court holidays do not count as court days.
Step 5: File the Proof of Service	Make 1 copy of the Proof of Personal Service (FL-330) and get a number ticket for “Family Law” at the kiosk on the 1 st floor of the courthouse to file the original and copy. Keep the filed copy for your records.
Next Steps:	<p>Come to your court hearing prepared to tell the Judge why they should make the court orders you’ve asked for in your forms. Know that you can only ask the Judge to make orders or use information you included in your filing.</p> <p>If the Judge changes or drops the Restraining Order, make sure to get a copy of the filed order that says so. For a dropped restraining order you should get Findings and Order to Terminate Restraining Order After Hearing (DV-400). If the other party wasn’t present at the court hearing, make sure to have them served with a copy of the new order.</p>

Important Things to Know

Where can I get the forms?

1. The blank forms listed in these instructions can be found **online** at www.courts.ca.gov/forms
2. You can get the form packets through the court’s **Self-Help Center** or buy them at the **Court Clerk’s counter**.

Where can I get help or more information?

- You can hire a private attorney for a free or low-cost consultation.
- If you do not have an attorney, you can get help from the court’s Self-Help Center located at the Gibson Courthouse, 10820 Justice Center Dr., Roseville. Online appointments and limited walk-ins are available Monday to Friday, 8:00 a.m. to 12:00 noon (Wednesday open until 3:00 p.m.). Schedule online appointments at www.placer.courts.ca.gov and search for **online appointments**.
- Visit www.courts.ca.gov
 - Click “Self-Help” on the tabs and select “Abuse & Harassment”
- Read this handout for more information:
 - [How Do I Ask to Change or End a Domestic Violence Restraining Order After Hearing?](#) (DV-400-INFO)



- Contact Stand Up Placer's 24-hour Crisis Line: 800-575-5352