

**CHAPTER 4**  
**DOMESTIC VIOLENCE RESTRAINING ORDERS (DVRO)**

**Rule 5.4.1**

**Domestic Violence Restraining Orders**

Temporary and permanent domestic violence restraining orders are governed by the applicable statutes and California Rules of Court rules 5.380 through 5.386.

(Adopted 1/1/2005; Renum. 1/1/2006; Rev. 1/1/2008; Rev. 1/1/2009; Rev. 1/1/2010; Rev. 1/1/2012; Rev. 1/1/2013; Rev. 1/1/2014)

**Rule 5.4.2**

**Residence Removal Orders**

If the court orders the restrained party removed from the residence, the protected party must prepare and submit for the court's signature, a separate order on local Form SDSC D-072, *Order for Removal from Residence*. The Sheriff requires two certified copies of the removal order.

(Adopted 1/1/2005; Renum. 1/1/2006; Rev. 1/1/2008; Rev. 1/1/2012; Rev. 1/1/2014)

**Rule 5.4.3**

**Modifying and Terminating a Restraining Order**

**A.** Modification or termination of a restraining order prior to its expiration date is governed by Family Code, section 6345.

**B.** Any party may request a modification of a restraining order prior to expiration by filing a noticed motion and must include a proposed order on Judicial Council Form DV-130 (Restraining Order After Hearing).

**C.** Requests to terminate a restraining order before its expiration date by the protected party may be made by filing local form SDSC D-001 (Ex Parte Request and Order to Terminate Restraining Order). If granted, the court will deliver a copy of the order to the Sheriff for removal from CLETS.

**D.** Requests to terminate a restraining order before its expiration date by a restrained person must be made by filing a noticed motion.

(Adopted 1/1/2012; Rev. 1/1/2013; Rev. 1/1/2014)