QUESTIONNAIRE – WITH CHILDREN

#1) Person to be protected:

Name:_____ Age:_____ DOB:_____ Race:_____

Sex: Male_____ Female_____ Height:_____ Weight:_____ Hair color:_____ Eye color:_____

Vehicle (type, model, year, color)_____ License # (state)_____

Mailing address:_____ City:_____ State:_____ Zip:_____

Telephone: (optional)_____ Cell phone: (optional)_____

#2) Person to be restrained:

Name:_____ Age:_____ DOB:_____ Race:_____

Sex: Male_____ Female_____ Height:_____ Weight:_____ Hair color:_____ Eye color:_____

Vehicle (type, model, year, color)_____ License # (state)_____

Residence address:_____ City:_____ State:_____ Zip:_____

Telephone:_____ Cell phone:_____

Business address:_____

City:_____ State:_____ Zip:_____ Telephone:_____

Employer:_____ Occupation:_____ Work hours?:_____

Driver's license number and state:_____ Social Security number:_____

Describe any marks or tattoos:_____

Other names used by the restrained person:_____

Describe any guns or firearms that you believe the person to be restrained owns or has access to (number, type, location):_____

_____

Is the person to be restrained on probation or parole? Yes_____ No_____

#3) What other family or household members do you want to include in this order?

Full name:_____ Sex:_____ Age:_____ Lives with you? Yes_____ No_____

Relationship to you:_____ DOB:_____

Full name:_____ Sex:_____ Age:_____ Lives with you? Yes_____ No_____

Relationship to you:_____ DOB:_____

Full name:_____ Sex:_____ Age:_____ Lives with you? Yes_____ No_____

Relationship to you:_____ DOB:_____

Full name:_____ Sex:_____ Age:_____ Lives with you? Yes_____ No_____

Relationship to you:_____ DOB:_____

Full name:_____ Sex:_____ Age:_____ Lives with you? Yes_____ No_____

Relationship to you:_____ DOB:_____

What is your relationship with the person to be restrained? (*check all that apply*)

- ☐ Married or registered domestic partners
- ☐ Used to be married or registered partners
- ☐ Live together
- ☐ Used to live together
- ☐ Dating or used to date, or we are or used to be engaged to be married
- ☐ We are parents together of a child or children under 18:

Child's name:_____ DOB:_____

Child's name:_____ DOB:_____

Child's name:_____ DOB:_____

Child's name:_____ DOB:_____

Child's name:_____ DOB:_____

- ☐ We have signed a Voluntary Declaration of Paternity for our child or children (*Attach a copy if you have one*)

Have you or any other person named in **#3** been involved in another court case with the person in **#2**? Yes____ No_____

If yes, check each kind of case and indicate where and when each was filed:

- ☐ Divorce, Nullity, Legal Separation:_____
- ☐ Civil Harassment:_____
- ☐ Domestic Violence:_____
- ☐ Criminal:_____
- ☐ Juvenile, Dependency, Guardianship:_____
- ☐ Child Support:_____
- ☐ Parentage, Paternity:_____
- ☐ Other (specify):_____

Are there any domestic violence restraining/protective orders now (criminal, juvenile, family)? Yes_____ No_____
(if yes, attach a copy if you have one.)

I would like the person in **#2** to stay 100 yards away from:

- ☐ Me
- ☐ My home
- ☐ My job or workplace
- ☐ My school
- ☐ My vehicle
- ☐ The children's school or child care
- ☐ Each person listed in #3
- ☐ Other
  (specify):_____

If the person listed in **#2** is ordered to stay away from all the places listed above, will he or she still be able to get to his or her home, school, job, workplace, school, or vehicle? Yes_____ No_____ (*If no, explain*)_____

_____

If you want the person in **#2** to move out and not return to the home explain why you have the right to live there:_____

_____

Do you want to be able to record any communications made to you by the person in **#2** that violate the judge's orders?

Yes_____ No_____

Are there any *animals* that you want the person in **#2** to stay away from, not take, sell, transfer, conceal, harm, etc. *If so describe the animals:*_____

_____

You are asking for these *animals* to be with you because:_____

_____

I ask the court to give only me temporary use, possession, and control of the *property* listed here:_____

_____

_____

I ask the court to order the person in **#2** to make these payments while the order is in effect:

Pay to:_____ For:_____ Amount:_____ Due:_____

Pay to:_____ For:_____ Amount:_____ Due:_____

Pay to:_____ For:_____ Amount:_____ Due:_____

I do not have an order for spousal support and I want one. Yes_____ No_____ (*If yes you must fill out and file an Income and Expense Declaration before your hearing (form FL-150)*

I ask that the person in **#2** pay some or all of my lawyer's fees and costs. Yes_____ No_____ (*If yes you must fill out and file an Income and Expense Declaration before your hearing (form FL-150)*

I ask the court to order the person in **#2** to pay the following: (*You can ask for lost earnings or your costs for services caused directly by the person in **#2**, damaged property, medical care, counseling, temporary housing, etc. You must bring proof of these expenses to your hearing.)*

Pay to:_____ For:_____ Amount:_____ Due:_____

Pay to:_____ For:_____ Amount:_____ Due:_____

Pay to:_____ For:_____ Amount:_____ Due:_____

I ask the court to order the person listed in #2 to go to a 52-week batterer intervention program and show proof of completion to the court. Yes_____ No_____

Do you have any other orders you want to ask for?_____

_____

_____

Do you think that the person in #2 is going to be hard to find to serve the TRO on him? Yes_____ No_____ (*If yes please explain):*_____

_____

_____

Describe how the person in #2 abused you. Abuse means to intentionally or recklessly cause or attempt to cause bodily injury to you; or to place you or another person in reasonable fear of imminent serious bodily injury; or to molest, attack, hit, stalk, threaten, batter, harass, telephone, or contact you; or to disturb your peace; or to destroy your personal property. Abuse can be spoken, written, or physical.

The court is looking for a literal description of what took place. For example: "He/she was waiting for me to get home. I walked into the living room and he/she was yelling at me, (*say specifically what they were yelling or threatening*). Then he/she hit me in the face with a closed fist. I ran to the bedroom and tried to close the door. He/she kicked down the door and hit me in the stomach"…

Simply saying that "He/she was yelling at me and hitting me" would not be descriptive enough for the court. It may help you to imagine that you are watching the incident on film and describing actions and words.

Date of most recent abuse:_____ Who was there?_____

_____

Describe how the person in #2 abused you or your children:_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____(Use the back of this form if you need more space)

Did the person in **#2** use or threaten to use a gun or any other weapon? No_____ Yes_____ (if yes, describe):

_____

Describe any injuries:_____

_____

Did the police come: No_____ Yes_____

If yes, did they give you or the person in **#2** an Emergency Protective Order? No_____ Yes_____ I don't know_____
(If yes please attach a copy of the order if you have one.)

Date of 2nd most recent abuse:_____ Who was there?_____

_____

Describe the 2nd most recent incident of abuse:_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____(Use back of form if you need more space)

Did the person in **#2** use or threaten to use a gun or any other weapon? No_____ Yes_____ (if yes, describe):

_____

_____

_____

Describe any injuries:_____

_____

Did the police come: No_____ Yes_____

If yes, did they give you or the person in **#2** an Emergency Protective Order? No_____ Yes_____ I don't know_____
(If yes please attach a copy of the order if you have one.)

Date of 3rd most recent abuse:_____ Who was there?_____

_____

Describe the 3rd most recent incident of abuse:_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____(Use back of form if you need more space)

Did the person in **#2** use or threaten to use a gun or any other weapon? No_____ Yes_____ (if yes, describe):_____

_____

_____

Describe any injuries:_____

_____

Did the police come: No_____ Yes_____

If yes, did they give you or the person in **#2** an Emergency Protective Order? No_____ Yes_____ I don't know_____
(If yes please attach a copy of the order if you have one.)

Describe other abuse against you or your children:_____

_____

Please list name, age, DOB, and relationship to you for each child to be included in this order:

Full name_____ Age____ DOB_____ Relationship to me_____

Full name_____ Age____ DOB_____ Relationship to me_____

Full name_____ Age____ DOB_____ Relationship to me_____

Full name_____ Age____ DOB_____ Relationship to me_____

Full name_____ Age____ DOB_____ Relationship to me_____

I do not have a child custody or visitation order and I want one: Yes_____ No_____

I have a child custody order or visitation order and I want it changed: Yes_____ No_____ *If yes, explain your current order and why you want change:*_____

_____

_____

Case #:_____ County:_____ Year filed:_____

Until the hearing I want to have sole physical and legal custody. Yes_____ No_____

Where have the child(ren) lived for the last 5 years? Start with where child(ren) live now and work backward.

Address:_____

Child(ren) lived with: Mom___ Dad___ Other_____ Dates: From_____ To: present

Address:_____

Child(ren) lived with: Mom___ Dad___ Other_____ Dates: From_____ to_____

Address:_____

Child(ren) lived with: Mom___ Dad___ Other_____ Dates: From_____ to_____

Address:_____

Child(ren) lived with: Mom___ Dad___ Other_____ Dates: From_____ to_____

Address:_____

Child(ren) lived with: Mom___ Dad___ Other_____ Dates: From_____ to_____

Address:_____

Child(ren) lived with: Mom___ Dad___ Other_____ Dates: From_____ to_____

Is the information the same for all children? Yes_____ No_____ *(If no provide other addresses on back of this form)*

Were you involved in, or do you know of, any other custody case for any child listed above? No_____ Yes_____ (*If yes, fill out below and attach a copy of the order if you have them):*

Name of each child in other custody case:_____

_____(use the back of this form if you need more space)

Type of case: Parentage_____ Divorce_____ Child support_____ Guardianship_____ Juvenile/Dependency_____

Domestic Violence____ Other(*specify)*_____

I was a: Party_____ Witness_____ Other(*specify*)_____

Court name_____

Court address_____ County_____ State_____

Date of court order_____ Case number *(if you have it*)_____

Do you know of anyone who is not involved in this case who has or claims to have custody or visitation rights with any child listed on this form? No_____ Yes_____ (*if yes fill out below*):

Name and address of that person:_____

Has custody_____ Claims custody rights_____ Claims visitation rights_____ For these children *(name of each child*):

_____

I ask the court that the person in **#2** have the following temporary visitation rights:

No visitation until after the hearing: Yes_____ No_____ ***OR*** The following visitation schedule (*describe the schedule, remember the 1st weekend of the month is the 1st weekend with a Saturday):*_____

_____

_____

_____

I ask the court to order that:

Mom_____ Dad_____ Other (name):_____ **take** children to the visits.

Mom_____ Dad_____ Other (name):_____ **pick up** the children from the visits.

Drop-off/pick-up of children will be at (*address):*_____

I ask that the visitation be supervised. Yes_____ No_____

If yes, who would you have as supervisor? Professional____Non-professional_____ Who pays? Mom_____ Dad_____

Other supervisor *(name)*_____

I ask the court to order that Mom_____ Dad_____ Other (*name*)_____***must*** have written permission from the other parent, or a court order, to take the children outside of:

The state of California Yes_____ No_____ County of_____

Other:_____

I believe that there is a risk the other parent will take our child(ren) out of California and hide the child(ren) from me.

Yes_____ No_____ *(If yes you must fill out and attach form DV-108, request for order: No Travel with Children*