금지 대상자를 위한 정보

금지 명령은 어떤 효력이 있을까요?

귀하에게 다음과 같은 명령을 할 수 있습니다.

- 보호 대상자에게 연락 또는 접근 금지
- 명령이 유효한 동안 총기 소유 금지
- 주택에서 퇴거
- 자녀 양육권 및 방문 명령 준수
- 자녀 부양비 지불, 그리고
- 배우자 부양비 지불

이 명령을 주의해서 읽으십시오. 이 명령을 준수하지 않으면 수감되거나 벌금이 부과되거나, 수감 또는 벌금이 병과될 수 있습니다.

총기가 있으면 어떻게 해야 할까요?

귀하는 이 명령이 유효한 동안 총기나 화기를 소유, 소지 또는 휴대할 수 없습니다. 귀하가 현재 총기를 가지고 있으면 유면허 총기상에게 매각하거나 경찰에 제출해야 합니다. DV-810 양식을 읽으십시오.

청문에 출석해야 할까요?

예. DV-109 양식의 1 페이지에 기재되어 있는 청문일에 법원에 출두하십시오. 법원에 출두하지 않으면 판사가 귀하의 진술을 듣지 않고 명령을 발부할 수도 있습니다. __

어떻게 본인의 입장을 밝힐 수 있을까요?

청문일 전에 DV-120 양식(임시 금지 명령에 대한 답변)을 제출하십시오. 또한, 다른 사람을 시켜서 이 양식을 금지 명령을 신청한 사람, 또는 그 사람의 변호사에게 우송하십시오. 이것을 "송달"이라고 합니다. 이 양식을 우송한 사람은 우편 송달 증명서(DV-250 양식)를 작성하고 서명해야 합니다. 송달 증명서를 법원 서기에게 제출하십시오. 사본을 보관하십시오. 청문에 출석할 때 모든 문서의 사본을 지참하십시오.

증인이 있는 경우에는 어떻게 해야 할까요?

Jud New Fan 관련 사실을 개인적으로 알고 있는 사람이 위증죄로 처벌 받을 것을 감수하고 서명한 증인 진술서(또는 선언문이라고도 함)를 제출할 수 있습니다. 귀하의 입장을 뒷받침하는 증인 진술서나 다른 문서들은 청문이 열리기 최소 2일 전 또는 답변 (DV-120 양식)을 보호 대상자에게 우송할 때 제출하거나 우송해야 합니다. 증인 진술서가 참작되려면 증인은 반드시 청문일에 판사 앞에 출석해야 합니다.

변호사를 고용해야 할까요?

고용하지 않아도 됩니다. 그러나 특히 자녀가 있는 경우에는 변호사를 고용하는 것도 좋은 방법입니다. 서기에게 무료 또는 저가 법률 서비스를 찾는 방법을 문의하거나, 또는 www.courtinfo. ca.gov/selfhelp/lowcost를 방문하십시오.

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DV-540-INFO K 금지 대상자를 위한 정보

본인이 다른 형사 범죄 혐의로 기소 중인 경우에는 어떻게 해야 할까요?

변호사와 상의하십시오. 귀하가 구두 또는 서면으로 진술한 모든 내용은 형사 사건에서 귀하에게 불리하게 사용될 수 있습니다.

본인이 가정 폭력의 피해자인 경우에는 어떻게 해야 할까요?

또는 전국 가정 폭력 핫라인으로 전화하십시오.

1-800-799-7233

TDD: 1-800-787-3224

금지 명령 신청서를 제출하는 데 누가 도움을 줄 수 있는지 문의하십시오.

법원 청문에서 보호 대상자를 만나게 될까요?

보호 대상자가 청문에 출석하면 만나게 됩니다. 판사가 허락할 때까지 보호 대상자에게 말을 걸지 마십시오.

금지 명령은 얼마나 오래 유효할까요?

첫 번째(임시) 명령은 만료일까지 유효합니다. 그 때, 판사는 장기 명령을 승인할 것인지 또는 기각할 것인지를 결정합니다. 이 명령은 최대 5년까지 유효할 수 있습니다. 배우자 부양비 명령은 5년 이상 유효할 수 있습니다. 자녀 양육권, 방문 및 자녀 부양비 명령은 자녀가 18세가 될 때까지 유효할 수 있습니다.

보호 대상자가 본인에게 연락을 하면 어떻게 해야 할까요?

귀하는 어떠한 경우에는 법원의 명령을 따라야 합니다. 법원 명령은 보호 대상자의 행동에는 적용되지 않습니다. 단지 금지 대상자의 행동에만 적용됩니다.

보호 대상자와 합의하여 금지 명령을 취소할 수 있을까요?

아니요. 판사만이 명령을 변경하거나 취소할 수 있습니다.

금지 명령을 따르지 않으면 어떻게 될까요?

경찰이 체포할 수 있습니다. 체포되면 수감되거나 벌금이 부과되거나, 수감 또는 벌금이 병과될 수 있습니다.

영주권이 없으면 어떻게 될까요?

법원 명령은 영주권 소유 여부에 상관없이 유효합니다. 추방을 당할 것이 걱정 되면 이민 변호사와 상의하십시오.

영어를 못하면 어떻게 해야 할까요?

영어를 할 줄 아는 사람에게 청문일 전에 법원 서기에게 전화하여 법정통역사를 요청해 달라고 부탁하십시오. 통역사를 구하지 못하면 귀하를 대신해서 통역할 사람을 대동하십시오. 자녀, 증인 또는 보호 대상자에게 통역을 부탁하지 마십시오.

청각 장애인인 경우에는 어떻게 해야 할까요?



편의 제공 신청

청문을 열기 최소한 5일 전에 신청하면 보조 청력 시스템, 컴퓨터 지원 실시간 자막, 수화 통역사 서비스를 제공합니다. 장애인의 편의 신청 및 답변(MC-410 양식)이 필요하면 법원 서기에게 연락하거나 www.courtinfo.ca.gov/forms를 방문하십시오. (민법 § 54.8.)