

**ASSEMBLY BILL**

**No. 1787**

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**Introduced by Assembly Member Cohn**

January 4, 2006

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An act to amend Section 6273 of, and to add Section 6250.3 to, the Family Code, relating to protective orders.

LEGISLATIVE COUNSEL'S DIGEST

AB 1787, as introduced, Cohn. Emergency protective orders.

Existing law authorizes a judicial officer to issue an emergency protective order if a law enforcement officer has reasonable grounds to believe any one of specified circumstances, including the danger of domestic violence, abuse, or abduction, exist. Existing law requires a law enforcement officer who requests an emergency protective order to carry copies of the order while on duty.

This bill would prohibit a judicial officer from authorizing the issuance of an emergency protective order pursuant to a standing order. The bill would also clarify that a law enforcement officer must make a separate request of a judicial officer to obtain an emergency protective order for each specific case in which the law enforcement officer asserts reasonable grounds for the issuance of the order.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 6250.3 is added to the Family Code, to
- 2 read:
- 3 6250.3. A judicial officer may not authorize the issuance of
- 4 an emergency protective order pursuant to a standing order.

1 SEC. 2. Section 6273 of the Family Code is amended to read:  
2 6273. (a) A law enforcement officer who requests an  
3 emergency protective order shall carry copies of the order while  
4 on duty.

5 (b) *A law enforcement officer shall make a separate request*  
6 *of a judicial officer to obtain an emergency protective order for*  
7 *each specific case in which the law enforcement officer asserts*  
8 *reasonable grounds for the issuance of the order, as set forth in*  
9 *Section 6250. Each emergency protective order shall be issued*  
10 *by a judicial officer consistent with the requirements of this part.*  
11 *A law enforcement officer may not serve an emergency protective*  
12 *order pursuant to a standing order.*