

2025 Cal. Fam. L. First Alert 2205

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First Alert

HART: In reversal, CA-2 holds T/CT may not renew a DVRO for a duration of less than five years pursuant to Fam C § 6345(a); T/CT erred by granting W's request to renew a DVRO against H for a duration of nine months

Hart v. Hart <https://www.courts.ca.gov/opinions/documents/B338817.PDF> (10/27/25) 2 Civ B338817, Div 2 (Lui) 2025 WL 3001823. W and H married in 2010 and had two children. In 10/17, W filed a disso petition and a request for a DVRO against H. T/CT granted a TRO and set the matter for hearing. H then filed his own request for a DVRO against W. T/CT granted a TRO in favor of H and set both matters to be heard together.

In 2/18, T/CT denied H's request for a DVRO and granted W's request, issuing a permanent DVRO for a period of one year. Prior to the expiration of the DVRO, W filed a request to renew the DVRO. However, she dismissed the request with prejudice pursuant to a settlement agreement she reached with H as part of the resolution of the disso action.

In 7/23, W again filed a request for a DVRO against H. On 9/28/23, T/CT issued a nine-month DVRO. Prior to the expiration of the DVRO, W filed a request to renew the DVRO. On 5/9/24, T/CT granted W's request to renew the DVRO. However, T/CT stated it was “not inclined to have a long duration. I think that another nine-month renewal would be sufficient.” W's counsel objected to the duration, arguing that Fam C § 6345 did not permit a court to renew a DVRO for a period of less than five years. T/CT rejected W's argument after finding it had discretion to renew a DVRO for a period of less than five years. T/CT (LA County's Gonong) then ordered that the DVRO be renewed for a period of nine months. W appealed, and CA-2 REVERSES.

CA-2 finds that (1) per Fam C § 6345(a), a DVRO “may be renewed, upon the request of a party, either for five or more years, or permanently, at the discretion of the court, without a showing of further abuse since the issuance of the original order”; (2) the purpose of 2005 amendments to Fam C § 6345 “was to protect victims of domestic violence from retraumatization caused by frequent court visits to renew DVROs”; (3) per the express language of the statute, courts have discretion to renew DVROs for five years or longer but not for a shorter period of time; and (4) T/CT erred in granting a renewal of only nine months. Accordingly, CA-2 reverses T/CT's order to the extent

that it provides for a nine-month renewal and remands the matter to T/CT with instructions to modify the order to provide for a five-year renewal. For W (Appellant): Melissa B. Buchman. For H (Respondent): Pro Per. CFLP § C.13.5.

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