SV-100 Petition for Postsecondary School Violence Restraining Orders

Clerk stamps date here when form is filed.

Read *How Do I Get an Order to Prohibit Postsecondary School Violence?* (form SV-100-INFO) before completing this form. Also fill out *Confidential Information for Law Enforcement* (form CLETS-001) with as much information as you know.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

1 Petitioner (Educational Institution Officer or Employee)

a. Name: _____ is
- ☐ the chief administrative officer
- ☐ an officer or employee designated by the chief administrative officer to maintain order on the campus or facility of *(name of postsecondary educational institution):*

  _____

  and is filing this petition on behalf of the student in 2.

b. Lawyer for Petitioner *(if any for this case)*
Name: _____ State Bar No.: _____
Firm Name: _____

c. Petitioner's Address *(If the petitioner has a lawyer, give the lawyer's information.)*
Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
Email Address: _____

2 Student in Need of Protection

Full Name: _____
Gender: ☐ M ☐ F ☐ Nonbinary Age: _____
Address of student's school campus or facility: _____
_____

3 Respondent (Person From Whom Protection Is Sought)

Full Name: _____ Age: _____
Address *(if known):* _____
City: _____ State: _____ Zip: _____

4 Additional Protected Persons

a. Are you asking for protection for any family or household members or any other students at the campus or facility who are similarly in need of protection? ☐ Yes ☐ No *(If yes, list them):*

Full Name	Gender	Age	Household Member?	Relationship to Student
			☐ Yes ☐ No	
			☐ Yes ☐ No	
			☐ Yes ☐ No	

☐ *Additional protected persons are listed in Attachment 4a.*

This is not a Court Order.

4 b. Why do these people need protection? *(Explain):* ☐ Response is stated in Attachment 4b.

5 Relationship of Student and Respondent

a. How does the student know the respondent? *(Describe):* ☐ Response is stated in Attachment 5a.

b. Respondent ☐ is ☐ is not a current student of petitioner's institution. *(Explain any decision to retain, expel, or otherwise discipline the respondent):* ☐ Response is stated in Attachment 5b.

6 Venue

Why are you filing in this county? *(Check all that apply):*

a. ☐ The respondent lives in this county.
b. ☐ The respondent has caused physical or emotional injury to the student in this county.
c. ☐ Other *(specify):*

7 Other Court Cases

a. Has the student or any of the persons named in **4** been involved in another court case with the respondent?

☐ No ☐ Yes *(If yes, check each kind of case and indicate where and when each was filed):*

Kind of Case	Filed in *(County/State)*	Year Filed	Case Number *(if known)*
(1) ☐ Postsecondary School Violence			
(2) ☐ Civil Harassment			
(3) ☐ Domestic Violence			
(4) ☐ Divorce, Nullity, Legal Separation			
(5) ☐ Paternity, Parentage, Child Support			
(6) ☐ Elder or Dependent Adult Abuse			
(7) ☐ Eviction			
(8) ☐ Guardianship			
(9) ☐ Workplace Violence			
(10) ☐ Small Claims			
(11) ☐ Criminal			
(12) ☐ Other *(specify):*			

b. Are any restraining orders or criminal protective orders now in effect relating to the student or any of the persons in **4** and the respondent? ☐ No ☐ Yes *(If yes, attach a copy if you have one.)*

This is not a Court Order.

Case Number:

8 Description of Respondent's Conduct

a. Respondent has *(check one or more):*

(1) ☐ Assaulted, battered, or stalked the student.

(2) ☐ Made a credible threat of violence against the student by making knowing or willful statements or engaging in a course of conduct that served no legitimate purpose and that would place a reasonable person in fear for their safety or the safety of their immediate family.

b. Describe what happened. *(Provide details; include the dates of all incidents beginning with the most recent; tell who did what to whom; identify any witnesses):*

☐ Response is stated in Attachment 8b.

c. Was the student harmed or injured? ☐ Yes ☐ No *(If yes, describe harm or injuries):*

☐ Response is stated in Attachment 8c.

d. Did the respondent use or threaten to use a gun or any other weapon? ☐ Yes ☐ No *(If yes, describe):*

☐ Response is stated in Attachment 8d.

e. For any of the incidents described above, did the police come? ☐ Yes ☐ No ☐ I don't know

If yes, did the student or the respondent receive an Emergency Protective Order?

☐ Yes ☐ No ☐ I don't know

If yes, the order protects *(check all that apply):*

☐ the student. ☐ the respondent. ☐ one or more of the persons in (4).

(Attach a copy of the order if you have one.)

This is not a Court Order.

Check the orders you want. þ

9 Personal Conduct Orders

I ask the court to order the respondent **not** to do any of the following things to the student or to any person to be protected listed in 4:

a. ☐ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.

b. ☐ Make threats of violence against the person.

c. ☐ Follow or stalk the person during school hours or to or from the school campus or facility.

d. ☐ Contact the person, either directly or indirectly, by **any** means, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by email, by text message, by fax, or by other electronic means.

e. ☐ Enter the person's school campus or facility.

f. ☐ Other *(specify):*
☐ As stated in Attachment 9f.

_____

_____

_____

_____

The respondent will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.

10 ☐ Stay-Away Order

a. I ask the court to order the respondent to stay at least _____ yards away from *(check all that apply):*

(1) ☐ The student.
(2) ☐ The other persons listed in 4.
(3) ☐ The school.
(4) ☐ The student's home.
(5) ☐ The student's job or workplace.
(6) ☐ The school of the student's children.
(7) ☐ The place of child care of the student's children.
(8) ☐ The student's vehicle.
(9) ☐ Other *(specify):*

_____

_____

_____

_____

b. If the court orders the respondent to stay away from all the places listed above, will the respondent still be able to get to their home, school, or job? ☐ Yes ☐ No *(If no, explain):*
☐ Response is stated on Attachment 10b.

_____

_____

This is not a Court Order.

11 Firearms (Guns), Firearm Parts, and Ammunition

Does the respondent have firearms (guns), firearm parts, or ammunition? (This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531).)

a. ☐ I don't know

b. ☐ No

c. ☐ Yes *(If you have information, complete the section below.)*

	Describe Firearms (Guns), Firearm Parts, or Ammunition	Number or Amount	Location, if known
(1)			
(2)			
(3)			
(4)			
(5)			
(6)			

If the judge grants a protective order, the respondent will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive firearms (guns), firearm parts, and ammunition while the protective order is in effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any firearms (guns), firearm parts, and ammunition within their immediate possession or control. If an order is granted, the respondent will also be prohibited from owning, possessing, or buying body armor and would have to relinquish any they have.

12 ☐ Temporary Restraining Order

I request that a Temporary Restraining Order (TRO) be issued against the respondent to last until the hearing. I am presenting form SV-110, *Temporary Restraining Order,* for the court's signature together with this Petition.

Has the respondent been told that you were going to go to court to seek a TRO against them?

☐ Yes ☐ No *(If you answered no, explain why below):*

☐ Reasons are stated in Attachment 12.

This is not a Court Order.

Case Number:

13 ☐ Request for Less Than Five Days' Notice of Hearing

You must have your papers personally served on the respondent at least five days before the hearing, unless the court orders a shorter time for service. (Form SV-200-INFO explains what is proof of personal service. Form SV-200, Proof of Personal Service, *may be used to show the court that the papers have been served.)*

If you want there to be fewer than five days between service and the hearing, explain why:

☐ Reasons are stated in Attachment 13.

14 No Fee for Filing

There is no filing fee for a petition alleging that the respondent made a credible threat against or assaulted, battered, or stalked a student of the petitioner.

15 ☐ Request for No Fee to Serve Orders

I ask the court to order the sheriff or marshal to serve the respondent. There is no fee for service of process by a sheriff or marshal if the order is based upon a credible threat of violence or assault, battery, or stalking.

16 ☐ Court Costs

I ask the court to order the respondent to pay my court costs.

17 ☐ Additional Orders Requested

I ask the court to make the following additional orders *(specify)*:

☐ Additional orders requested are stated in Attachment 17.

18 Number of pages attached to this form, if any: _____

This is not a Court Order.

Date: _____

_____ ▶ _____

Lawyer's name (if any) *Lawyer's signature*

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct, except as to those matters stated on information and belief, and as to those matters, I am informed and believe them to be true.

Date: _____

_____ ▶ _____

Name of petitioner *Signature*

_____

Title

I consent to the filing of the Petition.

Date: _____

_____ ▶ _____

Name of student *Signature*

For your protection and privacy, please press the Clear button after you have printed the form.

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