SV-109 Notice of Court Hearing

Clerk stamps date here when form is filed.

1 Petitioner (Educational Institution Officer or Employee)

a. Name:

_____

Lawyer for Petitioner *(if any for this case):*

Name: _____ State Bar No.: _____

Firm Name: _____

b. Address *(If you have a lawyer, give your lawyer's information.):*

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

Fill in court name and street address:

Superior Court of California, County of

2 Student in Need of Protection

Full Name: _____

Fill in case number:

Case Number:

3 Respondent (Person From Whom Protection Is Sought)

Full Name: _____

The court will complete the rest of this form.

4 Notice of Hearing

A court hearing is scheduled on the request for restraining orders against the respondent:

Hearing Date →

Date: _____ Time: _____

Dept.: _____ Room: _____

Name and address of court if different from above:

_____

_____

_____

_____

To the person in 3:

- If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order.
- If you do not attend the hearing, the judge may still grant the restraining order that could last up to three years. After you receive a copy of the order, you could be arrested if you violate the order.

5 Temporary Restraining Orders *(Any orders granted are on form SV-110, served with this notice.)*

a. Temporary restraining orders for personal conduct and stay-away orders as requested in form SV-100, *Request for Postsecondary School Violence Restraining Orders,* are *(check only one box below)*:

(1) ☐ All **GRANTED** until the court hearing.

(2) ☐ All **DENIED** until the court hearing. *(Specify reasons for denial in b, below.)*

(3) ☐ Partly **GRANTED** and partly **DENIED** until the court hearing. *(Specify reasons for denial in b, below.)*

b. Reasons that temporary restraining orders as requested in form SV-100, *Petition for Postsecondary School Violence Restraining Orders*, for personal conduct or stay-away are denied are:

(1) ☐ The facts as stated in form SV-100 do not sufficiently show reasonable proof that the student has suffered assault, battery, or stalking, or a credible threat of violence, and that great or irreparable harm would result to the student if a temporary restraining order is not issued.

(2) ☐ Other *(specify):* ☐ As stated on Attachment 5b.

6 Service of Documents by the Petitioner

At least ☐ **five** ☐ _____ **days before the hearing**, someone age 18 or older—**not you or anyone to be protected—**must personally give (serve) a court file-stamped copy of this form SV-109, *Notice of Court Hearing*, to the respondent along with a copy of all the forms indicated below:

a. SV-100, *Petition for Postsecondary School Violence Restraining Orders (file-stamped)*

b. ☐ SV-110, *Temporary Restraining Order* (file-stamped) **IF GRANTED**

c. SV-120, *Response to Petition for Postsecondary School Violence Restraining Orders* (blank form)

d. SV-120-INFO, *How Can I Respond to a Petition for Postsecondary School Violence Restraining Orders?*

e. ☐ Other *(specify):* _____

Date: _____ _____

Judicial Officer

To the Petitioner:

- The court cannot make the restraining orders after the court hearing unless the respondent has been personally given (served) a copy of your request and any temporary orders. To show that the respondent has been served, the person who served the forms must fill out a proof of service form. Form SV-200, *Proof of Personal Service*, may be used.
- For information about service, read form SV-200-INFO, *What Is "Proof of Personal Service"?*
- You may ask to reschedule the hearing if you are unable to find the respondent and need more time to serve the documents, or for other good reasons. Read form SV-115-INFO, *How to Ask for a New Hearing Date*.
- You must attend the hearing if you want the judge to make any of the orders you requested on form SV-100, *Petition for Postsecondary School Violence Restraining Orders*. Bring any evidence or witnesses you have. For more information, read form SV-100-INFO, *How Do I Get an Order to Prohibit Postsecondary School Violence?*

Case Number:

To the Respondent:

- If you want to respond to the request for orders in writing, file form SV-120, *Response to Petition for Postsecondary School Violence Restraining Orders,* and have someone age 18 or older—**not you or anyone to be protected—**mail it to the petitioner.
- The person who mailed the form must fill out a proof of service form. Form SV-250, *Proof of Service of Response by Mail,* may be used. File the completed form with the court before the hearing and bring a copy with you to the court hearing.
- Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the orders requested.
- You may bring witnesses and other evidence.
- **At the hearing, the judge may make restraining orders against you that could last up to three years and may order you to turn in to law enforcement, or sell to or store with a licensed gun dealer, any firearms (guns), firearm parts, and ammunition that you own or possess. 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).** If an order is granted, you will also be prohibited from owning, possessing, or buying body armor and will have to relinquish any body armor you have.
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask to reschedule your court date. Read form SV-115-INFO, *How to Ask for a New Hearing Date*.

Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to courts.ca.gov/forms for *Disability Accommodation Request* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

Clerk's Certificate
[seal]

Date: _____

Clerk, by _____ , Deputy

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

Print Save Clear