# SV-120

# Response to Petition for Postsecondary School Violence Restraining Orders

*Clerk stamps date here when form is filed.*

## Use this form to respond to the petition (form SV-100)

- Read *How Can I Respond to a Petition for Postsecondary School Violence Restraining Orders?* (form SV-120-INFO) to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—not you—serve the petitioner or the petitioner's lawyer by mail with a copy of this form and any attached pages. *(Use form SV-250, Proof of Service of Response by Mail.)*

*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in case number:*

**Case Number:**

## 1 Petitioner (Educational Institution Officer or Employee)

Name: _____

## 2 Student Seeking Protection

Full Name: _____

## 3 Respondent (Person From Whom Protection Is Sought)

a. Your Name: _____

Your Lawyer *(if you have one for this case)*

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address *(You may give a mailing address if you want to keep your street address private; skip 3 b if you have a lawyer.)*

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

The court will consider your response at the hearing. Write your hearing date, time, and place from form SV-109, item 4, here:

**Hearing Date** → Date: _____ Time: _____

Dept.: _____ Room: _____

**If you were served with a temporary restraining order, you must obey it until the hearing.** At the hearing, the court may make orders against you that last for up to three years.

## 4 ☐ Personal Conduct Orders

a. ☐ I agree to the orders requested.

b. ☐ I do not agree to the orders requested. *(Specify why you disagree in 12 on page 4.)*

c. ☐ I agree to the following orders *(specify below or in 12 on page 4):*

_____

_____

## 5 ☐ Stay-Away Orders

a. ☐ I agree to the orders requested.

b. ☐ I do not agree to the orders requested. *(Specify why you disagree in 12 on page 4.)*

c. ☐ I agree to the following orders *(specify below or in 12 on page 4):*

_____

_____

## 6 ☐ Additional Protected Persons

a. ☐ I agree that the persons listed in item 4 of the Petition may be protected by the order requested.

b. ☐ I do not agree that the persons listed in item 4 of the Petition may be protected by the order requested.

## 7 Firearms (Guns), Firearm Parts, and Ammunition

**If you were served with form SV-110, *Temporary Restraining Order*, you cannot own or possess any 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). (See item 8 of form SV-110.) You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns), firearms parts, and ammunition in your immediate possession or control within 24 hours of being served with form SV-110. You must file a receipt with the court. You may use *Receipt for Firearms, Firearm Parts, and Ammunition* (form SV-800) for the receipt.**

a. ☐ I do not own or control any firearms (guns), firearm parts, or ammunition.

b. ☐ I have turned in my firearms (guns), firearm parts, and ammunition to law enforcement or sold them to or stored them with a licensed gun dealer. A copy of the receipt

(1) ☐ is attached.

(2) ☐ has already been filed with the court.

c. ☐ I ask for an exception to carry a firearm or ammunition for work. *(Complete items (1)–(3) below):*

(1) Are you a sworn peace officer?

☐ No

☐ Yes

(2) Are there any orders or state or federal laws that prohibit you from having firearms or ammunition?

☐ No

☐ I don't know *(explain):*

_____

_____

_____

☐ Yes *(explain):*

_____

_____

_____

(3) *(Explain what your job is and why you need a firearm or ammunition):*

_____

_____

_____

(Note: You **must** follow any orders to turn in, sell, or store prohibited items until the judge decides whether to grant you an exception. Before an exception can be granted, you will be required to show the judge that (1) carrying a firearm or ammunition is required for your work, and (2) your employer is unable to reassign you to another position where carrying a firearm or ammunition is not necessary. There are other things you will need to prove. For more information on what you need to show the judge to qualify for this exception, go to selfhelp.courts.ca.gov/respond-to-SV-restraining-order/obey-firearms-orders/exception or see Code of Civil Procedure section 527.9(f).)

## 8 No Body Armor

If you were served with form SV-110, *Temporary Restraining Order*, you are prohibited from owning, possessing, or buying body armor. You must also relinquish any body armor you have in your possession.

*(Check all that apply):*

a. ☐ I do not own or have any body armor.

b. ☐ I have relinquished all body armor that I have in my possession.

c. ☐ I was granted an exception, or will ask for an exception, to have body armor. Note: This exception is granted by a chief of police or sheriff. See Penal Code section 31360(c). *(Attach a copy of the letter granting permission, if you have one.)*

## 9 ☐ Other Orders

a. ☐ I agree to the orders requested.

b. ☐ I do not agree to the orders requested. *(Specify why you disagree in 12 on page 4.)*

c. ☐ I agree to the following orders *(specify below or in 12 on page 4):*

## 10 ☐ Denial

I did not do anything described in item 8 of form SV-100. *(Skip to 12.)*

Case Number:

## 11 ☐ Justification or Excuse

If I did some or all of the things that the petitioner has accused me of, my actions were justified or excused for the following reasons *(explain):*

☐ *Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 11—Justification or Excuse" as a title. You may use form MC-025,* Attachment.

## 12 ☐ Reasons I Do Not Agree to the Orders Requested

*Explain your answers to each order requested that you do not agree with.*

☐ *Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 12—Reasons I Disagree" as a title. You may use form MC-025,* Attachment.

Case Number:

## 13 ☐ No Fee for Filing

a. ☐ I ask the court to waive the filing fee because the petitioner claims in form SV-100, item 14, to be entitled to free filing.

b. ☐ I request that I not be required to pay the filing fee because I am eligible for a fee waiver. *(Form FW-001 , Request to Waive Court Fees, must be filed separately.)*

## 14 ☐ Costs

a. ☐ I ask the court to order the petitioner to pay my court costs. The amounts requested are:

| Item | Amount | Item | Amount |
|---|---|---|---|
| _____ | $ _____ | _____ | $ _____ |
| _____ | $ _____ | _____ | $ _____ |
| _____ | $ _____ | _____ | $ _____ |

☐ *Check here if there are more items. Put the items and amounts on the attached sheet of paper and write "Attachment 14—Costs" for a title. You may use form MC-025,* Attachment.

b. ☐ I ask the court to deny the request of the person asking for protection that I pay their lawyer's fees and costs.

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

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 is true and correct.

Date: _____

_____ ▶ _____

*Type or print your name* *Sign your name*



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

Print Save Clear