



Judicial Council of California

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INVITATION TO COMMENT

SPR26-36

Title

Protective Orders: Gun Violence Restraining Order Forms to Implement AB 2917

Action Requested

Review and submit comments by May 18, 2026, to invitations@jud.ca.gov

Proposed Rules, Forms, Standards, or Statutes

Revise forms GV-100 and GV-100-INFO

Proposed Effective Date

January 1, 2027

Proposed by

Civil and Small Claims Advisory Committee
Hon. Samantha P. Jessner, Chair

Contact

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Executive Summary and Origin

The Civil and Small Claims Advisory Committee proposes the revision of two forms to implement Assembly Bill 2917 (Stats. 2024, ch. 539), which revised the types of evidence courts must consider in determining whether grounds for a gun violence restraining order exist. Additionally, the committee proposes making various changes to improve these forms and to address related issues raised during the public comment period for a recent proposal to implement Senate Bill 899 (Stats. 2024, ch. 544).

The Proposal

Revisions to *Petition for Gun Violence Restraining Order* (form GV-100) and *Can a Gun Violence Restraining Order Help Me?* (form GV-100-INFO) are needed to respond to recent changes to the law, improve the forms, and respond to feedback from the California Department of Justice (DOJ).

Item 6 of form GV-100: lead-in phrasing

Currently, the first paragraph of item 6 of form GV-100 asks the petitioner to explain (1) how the respondent poses a danger to themselves or others by “having” a firearm, firearm part, ammunition, or magazine; and (2) whether less restrictive alternatives are ineffective or inappropriate.

This proposal has not been approved by the Judicial Council and is not intended to represent the views of the council, its Rules Committee, or its Legislation Committee. It is circulated for comment purposes only.

The committee proposes separating these two prongs into separate subitems, 6a and 6b, to ensure that petitioners specifically address both prongs.

Additionally, the DOJ noted in its comments on the SB 899 proposal¹ that the current form’s use of the phrase “having a firearm,” does not match the relevant statutory language, which uses the phrase “having in [their] custody or control, owning, purchasing, possessing, or receiving a firearm.”² The DOJ also noted that the current employment of “having a firearm” has led to considerable confusion among form users as to whether courts may issue a gun violence restraining order (GVRO) to proactively block future firearm acquisition. Therefore, the committee proposes replacing the phrase “having a firearm” with the statutory language. Additionally, to eliminate this confusion, the committee further proposes revising form GV-100-INFO to include information indicating that the court may still prevent legal access to firearms even if the respondent does not own firearms, ammunition, or other deadly weapons.³

Item 6 of form GV-100: bullet point list

Item 6 of form GV-100 currently contains a bullet point list outlining examples of the types of evidence that a petitioner can offer in support of a request for a GVRO. The existing list tracks the language of Penal Code section 18155, which was amended by AB 2917 (see Link A). Accordingly, the committee recommends revising the types of evidence listed in item 6.

Physical force and violence

The first type of evidence described in existing item 6 combines the concepts of “threats or acts of violence” and “physical force.”

AB 2917 added “toward another individual, group, or location,” to the language governing (1) recent threats of violence or acts of violence, defined as occurring within the past 6 months;⁴ and (2) a pattern of violent acts or violent threats within the past 12 months.⁵ However, this language was not added to the existing statutory language describing physical force.⁶

Therefore, to implement AB 2917, the committee proposes separating out the concepts of “physical force” and “threats or acts of violence” into three distinct bullet points, to read:

- Threats or use of physical force by the respondent against another person.⁷

¹ Judicial Council of Cal., Advisory Com. Rep., *Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899* (Oct. 15, 2025), pp. 205–11, <https://jcc.legistar.com/View.ashx?M=F&ID=14865130&GUID=CCCB3986-BB03-436B-AE10-15D71EE2593D>.

² Pen. Code, §§ 18150(b)(1), 18175(b)(1).

³ *Ibid.*, § 18155(b)(2)(G).

⁴ *Ibid.*, § 18155(b)(1)(A). Additionally, Penal Code section 18155(b)(1)(B) contemplates recent threats or acts of violence that are self-directed.

⁵ *Ibid.*, § 18155(b)(1)(F).

⁶ *Ibid.*, § 18155(b)(2)(B).

⁷ *Ibid.*

- Threats or acts of violence within the past six months by the respondent directed towards themselves or another individual, group, or location.⁸
- A pattern of violent acts or violent threats within the past 12 months, including, but not limited to, threats of violence or acts of violence by respondent directed toward themselves or another individual, group, or location.⁹

To assist form users, the committee proposes replacing the term “recent” with the phrase “within the past six months” throughout item 6 given the definition of that term in Penal Code section 18155(b)(3).

Illegal possession

Currently, the third type of evidence listed in item 6 reads: “The respondent being convicted of illegally possessing a firearm (gun).” The DOJ suggested deleting the third factor and replacing it with factors that are “broader” and “more frequently relevant.”¹⁰

Form GV-100 has never listed every type of evidence mentioned in Penal Code section 18155, as the types of evidence described in statute are extensive. Because only some of the factors are included on the form, it is prudent to only include factors that are particularly salient. Therefore, the committee recommends deleting the existing illegal possession factor.

Using, displaying, or brandishing a firearm

Currently, the fifth type of evidence listed in item 6 reads: “The unlawful and reckless use, display, or brandishing of a firearm (gun) by the respondent.” As amended by AB 2917, Penal Code section 18155(b)(2)(A) additionally provides that such use, display, or brandishing must indicate “an increased risk for violence or actual threat of violence.”¹¹ The amendments also specify that this includes, but is not limited to, acts using electronic means of communication, including social media postings or messages, text messages, or email.

To implement AB 2917, the committee proposes revising this factor to read as follows:

The unlawful and reckless use, display, or brandishing of a firearm (gun) by the respondent indicating an increased risk for violence or actual threat of violence. This can include acts using electronic technologies like social media, text messages, or email.¹²

⁸ *Ibid.*, § 18155(b)(1)(A)–(B).

⁹ *Ibid.*, § 18155(b)(1)(F).

¹⁰ Judicial Council of Cal., Advisory Com. Rep., Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899 (Oct. 15, 2025), p. 214, <https://jcc.legistar.com/View.ashx?M=F&ID=14865130&GUID=CCCB3986-BB03-436B-AE10-15D71EE2593D>.

¹¹ Pen. Code, § 18155(b)(2)(A).

¹² *Ibid.*, § 18155(b)(2)(A).

Illegal drugs or alcohol

Currently, the sixth factor in item 6 reads: “Recent criminal offenses by the respondent that involve illegal drugs or alcohol.” The DOJ suggested replacing this language with broader statutory language at Penal Code section 18155(b)(2)(F) describing “evidence of ongoing abuse of controlled substances or alcohol” as opposed to criminal offenses.¹³

The committee notes that the related statutory language contemplates documentary evidence of these acts, including, but not limited to, police reports and conviction records. Therefore, the committee proposes revising this factor as follows:

The respondent’s ongoing abuse of illegal drugs or alcohol, or criminal offenses within the past 6 months that involves illegal drugs or alcohol. (This should be shown using documentary evidence like a police report or conviction record.)¹⁴

Attempted acquisition and body armor

Currently, the seventh type of evidence in item 6 reads: “Recent acquisition of firearms (guns), ammunition, other deadly weapons, or body armor by the respondent.” AB 2917 adds “attempted acquisition” for firearms, ammunition, and other deadly weapons,¹⁵ but not body armor.¹⁶

Therefore, the committee proposes separating the types of evidence listed above as follows:

- The respondent’s acquisition or attempted acquisition within the past 6 months of firearms (guns), ammunition, or other deadly weapons.¹⁷
- The respondent’s acquisition of body armor.¹⁸

New types of evidence

AB 2917 also added several new types of evidence to Penal Code section 18155, including evidence of stalking,¹⁹ cruelty to animals,²⁰ and threats of violence or property damage due to personal characteristics.²¹ The committee proposes revisions to reflect these additional types of evidence.

¹³ Judicial Council of Cal., Advisory Com. Rep., Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899 (Oct. 15, 2025), p. 213, <https://jcc.legistar.com/View.ashx?M=F&ID=14865130&GUID=CCCB3986-BB03-436B-AE10-15D71EE2593D>.

¹⁴ Pen. Code, § 18155(b)(2)(F).

¹⁵ *Ibid.*, § 18155(b)(2)(G).

¹⁶ *Ibid.*, § 18155(b)(2)(H).

¹⁷ *Ibid.*, § 18155(b)(2)(G).

¹⁸ *Ibid.*, § 18155(b)(2)(H).

¹⁹ *Ibid.*, § 18155(b)(2)(I).

²⁰ *Ibid.*, § 18155(b)(2)(J).

²¹ *Ibid.*, § 18155(b)(2)(K)–(L).

Moreover, the committee proposes adding a bullet point to reflect Penal Code section 18155(b)(1)(E), which involves a conviction for any offense listed in Penal Code section 29805. Although the related statutory language at Penal Code section 18155(b)(1)(E) predates AB 2817, the committee believes that this type of evidence is important to include, as section 29805 cross-references various important and potentially salient offenses, including, among others, domestic battery, abuse of a child or elder or dependent adult, and hate crimes.

Other proposed revisions to form GV-100

While the statutory language governing temporary GVROs requires a finding that the respondent poses a significant danger “in the near future” of causing personal injury to themselves or another person,²² there is no temporal proximity requirement for orders after hearing.²³

The DOJ suggested revising the item where petitioners can request a temporary GVRO (item 11) to include the “in the near future” requirement.²⁴ To resolve this issue, the committee proposes adding a question to item 11 asking why the respondent poses a significant danger “in the near future” of causing personal injury to themselves or another person.²⁵

Form GV-100-INFO

Currently, the text appearing under the heading reading “What do I have to prove to get the order?” on form GV-100-INFO states, in pertinent part, as follows:

You should tell the judge everything that you know about the firearms, firearm parts, ammunition, body armor, or magazines that the person to be restrained currently owns, including how many the person owns, the types, and where they are kept.

The DOJ suggested revisions to indicate that the petitioner should tell the judge about any firearms, firearm parts, ammunition, or magazines that the respondent “owns, possesses, controls.”²⁶ Both Penal Code section 18107, which gives rise to this form language, and item 5 of form GV-100, which solicits this information from petitioners, use “possesses or controls,” but not owns. Therefore, the committee proposes revising the language on the form to conform to the statutory language.

²² *Ibid.*, § 18150(b)(1).

²³ *Ibid.*, § 18175(b)(1).

²⁴ Judicial Council of Cal., Advisory Com. Rep., Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899 (Oct. 15, 2025), pp. 216–17, <https://jcc.legistar.com/View.ashx?M=F&ID=14865130&GUID=CCCB3986-BB03-436B-AE10-15D71EE2593D>.

²⁵ The committee further proposes bolding “in the near future” for emphasis.

²⁶ Judicial Council of Cal., Advisory Com. Rep., Protective Orders: Civil Restraining Order Forms to Implement Senate Bill 899 (Oct. 15, 2025), pp. 219–20, <https://jcc.legistar.com/View.ashx?M=F&ID=14865130&GUID=CCCB3986-BB03-436B-AE10-15D71EE2593D>.

The committee also proposes making various revisions to the information sheet to mirror the phrasing of revised item 6 of form GV-100, including deleting current form language describing “evidence that the person to be restrained has been identified by a mental health provider as someone prohibited from purchasing, possessing, or controlling any firearms,” which is not explicitly described in the Penal Code section 18155 factors. The committee also proposes deleting a screenshot to the first page of *Notice of Court Hearing* (form GV-109) because it is not clear that including this screenshot adds value. Moreover, it is difficult and time-consuming for staff to update these screenshots over time, as the first page of form GV-109 may be updated in proposals that do not also include form GV-100-INFO. The committee also proposes revisions throughout the attached forms to improve accuracy, readability, and clarity.

Alternatives Considered

As described above, the committee proposes adding a bullet point to item 6 of form GV-100 to reflect Penal Code section 18155(b)(1)(E), which involves a conviction for any offense listed in Penal Code section 29805. Given that the violations listed in Penal Code section 29805 are numerous, the committee considered whether it was best to describe some of the offenses listed in section 29805 using plain language, such as domestic battery or child abuse, or if it was preferable to instead refer to the totality of section 29805. Given the broad scope of the offenses listed in section 29805 and the fact that consideration of these offenses by the court is mandatory,²⁷ the committee concluded that it was more appropriate to reference the code section as a whole.

Fiscal and Operational Impacts

The committee anticipates that this proposal will result in costs incurred by courts to train court staff and incorporate new forms into their paper or electronic processes. Most of the impacts arising from this new law—including education of judicial officers, staff, and justice partners as to the new provisions—are a result of the changes in statute, not the forms proposal.

²⁷ Pen. Code, § 18155(b)(1).

Request for Specific Comments

In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:

- Does the proposal appropriately address the stated purpose?

The advisory committee also seeks comments from *courts* on the following cost and implementation matters:

- Would the proposal provide cost savings? If so, please quantify.
- What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems?
- Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?
- How well would this proposal work in courts of different sizes?

Attachments and Links

1. Forms GV-100 and GV-100-INFO, pages 8–15
2. Link A: Assem. Bill 2917 (Stats. 2024, ch. 539),
leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=202320240AB2917

Clerk stamps date here when form is filed.

DRAFT

2026-04-03

Not approved by the Judicial Council

Read *Can a Gun Violence Restraining Order Help Me?* (form [GV-100-INFO](#)) before completing this form.

1 Petitioner

a. Your Full Name or Name of Law Enforcement Agency:

I am:

- A family member of the respondent.
- An officer of a law enforcement agency (*A petition may be filed in the name of the law enforcement agency in which the officer is employed. If you wrote your full name above, write the name of the law enforcement agency that employs you:*)

An employer of the respondent (*your position and name of company*):

A coworker of the respondent. I have had substantial and regular interactions with the respondent for at least one year and I have obtained the approval of my employer to file this petition (*name of company*):

An employee or teacher of a secondary or postsecondary school that the respondent has attended in the last 6 months. I have obtained the approval of a school administrator to file this petition (*name of the school*):

A roommate of the respondent. I currently live with the respondent or lived with the respondent within the past six months and have had substantial and regular interactions with the respondent for at least one year.

A person who has a dating relationship with the respondent.

A person who has a child in common with the respondent. I have had substantial and regular interactions with the respondent for at least one year.

b. Your Lawyer (*if you have one for this case*): Name: _____

Firm Name: _____ State Bar No.: _____

c. Your Address (*If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email. Law enforcement officer, give agency information.*)

Address: _____ Telephone: _____

City: _____ State: _____ Zip: _____ Fax: _____

Email Address: _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

2 Respondent

Full Name: _____ Age: _____

Address (*if known*): _____

City: _____ State: _____ Zip: _____

This is not a Court Order.



3 Venue

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

- a. The respondent lives in this county.
- b. Other (specify): _____

4 Other Court Cases

a. Are you aware of any other court cases, civil or criminal, involving the respondent?

- Yes No *If yes, check each kind of case and give as much information as you know as to where and when each was filed:*

	<u>Kind of Case</u>	<u>Filed in (County/State)</u>	<u>Year Filed</u>	<u>Case Number (if known)</u>
(1)	<input type="checkbox"/> Civil Harassment	_____	_____	_____
(2)	<input type="checkbox"/> Domestic Violence	_____	_____	_____
(3)	<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
(4)	<input type="checkbox"/> Paternity, Parentage, Child Custody	_____	_____	_____
(5)	<input type="checkbox"/> Elder or Dependent Adult Abuse	_____	_____	_____
(6)	<input type="checkbox"/> Eviction	_____	_____	_____
(7)	<input type="checkbox"/> Workplace Violence	_____	_____	_____
(8)	<input type="checkbox"/> Criminal	_____	_____	_____
(9)	<input type="checkbox"/> Other (specify): _____	_____	_____	_____

b. Are there now any protective or restraining orders in effect relating to the respondent?

- Yes No I don't know *If yes, attach a copy if you have one.*

5 Description of Respondent's Firearms (Guns), Firearm Parts, Ammunition, or Magazines

Answer 5a or check 5b if you have reason to believe that the respondent is in possession of firearms (guns), firearm parts, ammunition, or magazines. 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 am informed, and on that basis believe, that the respondent currently possesses or controls the following firearms, firearm parts, ammunition, or magazines (describe the number, types, and locations of any of those items that you believe that the respondent currently possesses or controls):

	<u>Types of firearms (guns), firearm parts, ammunition or magazines</u>	<u>How many or what amount?</u>	<u>Location, if known</u>
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____
(6)	_____	_____	_____

b. I am informed, and on that basis believe, that the respondent currently possesses or controls firearms, firearm parts, ammunition, or magazines, but I have no further specific information as to the number, types, and locations of those items.



6 Reasons a Gun Violence Restraining Order is Needed

a. Explain how the respondent poses a danger to themselves or others by having in their custody or control, owning, purchasing, possessing, or receiving a firearm (gun), firearm, part (any receiver, frame, or unfinished receiver or frame as defined by Penal Code section 16531), ammunition, or magazine.

If your request is based on any of the following, please include information about them (the court may also consider other types of information described in Penal Code section 18155):

- Threats or use of physical force by the respondent against another person.
• Threats or acts of violence within the past six months by the respondent directed towards themselves or another individual, group, or location.
• A pattern of violent acts or violent threats within the past 12 months, including, but not limited to, threats of violence or acts of violence by respondent directed toward themselves or another individual, group, or location.
• Violation of a protective order by the respondent.
• Stalking by the respondent.
• Cruelty to animals by the respondent.
• Threats of violence or property damage by the respondent due to personal characteristics like race or ethnicity, nationality, religion, disability, gender, or sexual orientation.
• The respondent being arrested for a felony offense.
• The unlawful and reckless use, display, or brandishing of a firearm (gun) by the respondent indicating an increased risk for violence or actual threat of violence. This can include acts using electronic technologies like social media, text messages, or email.
• The respondent's ongoing abuse of illegal drugs or alcohol, or criminal offenses within the past 6 months that involve illegal drugs or alcohol. (This should be shown using documentary evidence like a police report or conviction record.)
• The respondent's acquisition or attempted acquisition within the past 6 months of firearms (guns), ammunition, or other deadly weapons.
• The respondent's acquisition of body armor.
• A conviction for any offense listed in Penal Code section 29805.

The facts above are set forth:

[] Below [] On Attached Declaration (form MC-031).

Multiple horizontal lines for providing details.

This is not a Court Order.



6 b. Explain whether any less restrictive alternatives to a gun violence restraining order have been tried and found to be ineffective, or why other less restrictive alternatives have been determined to be inadequate or inappropriate for the current circumstances.

The facts above are set forth:

- Below
On Attached Declaration (form MC-031).

Blank lines for providing facts.

7 Request for Gun Violence Restraining Order

I request that the court issue an order prohibiting the respondent from having in their custody or control, owning, purchasing, possessing or receiving, or attempting to purchase or receive, any firearms (guns), firearm parts, ammunition, or magazines. 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). I further request that the respondent be ordered to immediately surrender (turn in, sell, or store) all firearms, firearm parts, ammunition, and magazines currently in their possession to a law enforcement officer or to sell those items to or store them with a licensed gun dealer.

- a. I request the order above for _____ years. (Please include a number of years between one and five years.)
b. I am asking for this amount of time because:

Blank lines for providing reasons for time requested.

8 No Body Armor

If an order is granted, the respondent will be prohibited from owning, possessing, or buying body armor and would have to relinquish any they have.

9 No Fee to Serve (Notify) Restrained Person

If you want the sheriff or marshal to serve (notify) the restrained person about the orders, they will do it for free.

10 Request for Hearing

I request that the court set a hearing in this matter for the purpose of issuing a gun violence restraining order that will last between one and five years.

This is not a Court Order.



11 **Temporary Gun Violence Restraining Order**

I request that a temporary gun violence restraining order be issued against the respondent to last until the hearing. I am presenting *Temporary Gun Violence Restraining Order* (form [GV-110](#)) for the court’s signature together with this Petition.

a. Why does the respondent pose a significant danger **in the near future** of causing personal injury to themselves or another person?

Reasons stated in Attachment 11a.

b. Has the respondent been told that you were going to court to seek a temporary gun violence restraining order?

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

Reasons stated in Attachment 11b.

12 **Request to Give Less Than Five Days' Notice of Hearing**

You must have your papers personally served on the respondent at least five calendar days before the hearing, unless the court orders a shorter time for service. (See What Is “Proof of Personal Service”? (form [GV-200-INFO](#))). Proof of Personal Service (form [GV-200](#)) 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 below:

Reasons stated in Attachment 12.

13 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 and on all attachments is true and correct.

Date: _____

Type or print your name



Sign your name

These instructions cannot cover all of the questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see a lawyer or a self-help center.

What is a gun violence restraining order?

It is a court order that temporarily prohibits someone from having any of the following items:

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, meaning receivers, frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531) (these may also be called “ghost guns”);
- Ammunition; and
- Magazines (any ammunition feeding device).

The person must turn in, sell, or store any prohibited items listed above that that person currently owns. The police will come and remove the items or the person can store them with a licensed gun dealer while the restraining order is in effect. The restrained person also cannot buy any of the prohibited items during this time. The restrained person also may not own, possess, or buy body armor. If they have body armor, they must relinquish it.

For more information about prohibited items, please see selfhelp.courts.ca.gov/restraining-orders/prohibited-items.

Can I get a gun violence restraining order against someone?

You can ask for one if you are connected to the person you think is dangerous as:

- An immediate family member;
- An employer;
- A coworker who has substantial and regular interactions with the person and has worked with them for at least a year. You must have permission from your employer to ask for the restraining order;
- An employee or teacher at a school that the person has attended in the last six months, where you have permission from a school administrator or staff member who has a supervisory role;
- A law enforcement officer or agency;
- A roommate who resided in the household in the past six months and has had substantial and regular interactions with the person for at least a year;
- Somebody in a dating relationship; or
- Somebody who shares a child with the person and has had substantial and regular interactions with the person for at least a year.

Immediate family members include:

- Your spouse or domestic partner;
- You or your spouse’s parents, children, siblings, grandparents, and grandchildren and their spouses, including any stepparents or stepgrandparents; and
- You or your spouse’s aunts, uncles, nieces, nephews, first and second cousins, great-grandparents, and great-grandchildren if you have had substantial and regular interactions for at least a year.

If you do not have the necessary relationship, advise a law enforcement officer of the situation. The officer may investigate and file the petition if grounds exist.

Will I have to pay a filing fee to request the order?

No.

Will the order protect me in other ways, such as keeping the person from coming near me?

No, the only order the court can make is to force the person to not have the prohibited items listed above. If you need personal protection from a family member, you should proceed under the Domestic Violence Prevention Act. See *Can a Domestic Violence Restraining Order Help Me?* (form [DV-500-INFO](#)) for information on how to proceed. For information on other civil restraining orders, please see selfhelp.courts.ca.gov/types-restraining-orders.

What forms do I need to get the order?

You must fill out the following forms:

- *Petition for Gun Violence Restraining Order* (form [GV-100](#));
- *Confidential Information for Law Enforcement* (form [CLETS-001](#));
- *Notice of Court Hearing* (form [GV-109](#)), items 1 and 2 only; and
- *Temporary Gun Violence Restraining Order* (form [GV-110](#)), items 1 and 2 only.

You may need other local forms. Ask your self-help center or visit your court’s website.



Where can I get these forms?

You can get the forms from legal publishers or the internet at courts.ca.gov/forms. You also may be able to find them at your local courthouse or county law library.

What do I need to do to get the order?

You must file your papers with the superior court in the county where the person to be restrained lives. Check online or ask the court how to file your request for a gun violence restraining order. (A self-help center or legal aid association may be able to assist you in filing your request.) File your forms electronically or give your forms to the clerk of the court. The court will give you a hearing date on the *Notice of Court Hearing*.

How soon can I get the order?

You can ask for a temporary gun violence restraining order, which will be effective right away if granted. The court may decide whether or not to grant the temporary order based only on the facts that you have stated in your petition. If so, the court will decide within 24 hours whether or not to make the temporary order. Sometimes the court will want to examine you personally under oath. If you file in person, the clerk will tell you whether you should wait to talk to the judge or come back later to find out if the court has signed a temporary order.

If you don't ask for a temporary restraining order, you will have to wait until the hearing, at which the court will decide whether to make an order that will last for a period of time between 1–5 years.

How will the person to be restrained know about the order?



If the court issues a temporary restraining order, someone age 18 or older—**not you**—must personally “serve” (give) the person to be restrained a copy of the order. The server must then fill out *Proof of Personal Service* (form [GV-200](#)) and give it to you to file with the court. If the person to be restrained attends the hearing, no further proof of service is required. But if they do not attend the hearing, then any order issued at the hearing must also be personally served. For help with service, ask the court clerk for *What Is “Proof of Personal Service”?* (form [GV-200-INFO](#)). Note: A sheriff or marshal can serve the order for free.

Do I need a lawyer?

Having a lawyer is always a good idea, but it is not required and you are not entitled to a free, court-appointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

What do I have to prove to get the order?

You will have to convince the judge that the person to be restrained poses a significant danger of causing personal injury to themselves or another person by having in their custody or control, owning, purchasing, possessing, or receiving any of the prohibited items listed on page 1.

You will also have to convince the judge that a gun violence restraining order is needed to prevent personal injury to the person to be restrained or to another person because less restrictive alternatives either have been tried and haven't worked, or are inadequate or inappropriate for the current circumstances.

You will need to give the judge specific information. **Tell** the judge everything that you know about the firearms, firearm parts, ammunition, body armor, or magazines that the person to be restrained currently **possesses or controls**, including how many the person has, the types, and where they are kept, if you know.

Then you will need to present facts to show that the person to be restrained is dangerous to themselves or others. This could be information about **a threat of violence** that the person to be restrained has made, or **a violent incident** in which **they have** been involved. **It could be** any crime of violence the person has committed **or criminal offenses by them within the past six months involving illegal drugs or alcohol**. It could be evidence that the person to be restrained has violated a protective order. It could also be evidence of the unlawful and reckless use, display, or brandishing of a firearm. **It could also be evidence of the acquisition of body armor. Or it could be evidence that the person to be restrained acquired or attempted to acquire within the past six months firearms, ammunition, or other deadly weapons. However, the court may still issue an order to prevent legal access to firearms even if the person to be restrained does not own firearms, ammunition, or other deadly weapons.** Include all of this information in your petition and also be prepared to present it to the judge at the hearing.



Do I have to attend a court hearing?

Yes. Attend the hearing on the date listed on *Notice of Court Hearing* (form GV-109).

You can attend the hearing remotely, such as by telephone or videoconference, or go to court in person. Check with your local court for instructions on how to appear remotely. Information is also available on the court's website, which you can find here: courts.ca.gov/find-my-court.

Can someone attend the hearing with me?

Yes. Someone can sit with you during the hearing, but that person cannot speak for you to the court. Only you or your lawyer (if you have one) can speak for you.

Do I need to bring a witness to the hearing?

Witnesses are not required, but it helps to have more proof than just your word. For example, consider bringing:

- Witnesses
- Written statements from witnesses made under oath
- Photos
- Medical or police reports
- Damaged property
- Threatening letters, emails, or telephone messages

The court may or may not let witnesses speak at the hearing. So, if possible, bring their written statements under oath to the hearing. (You can use *Declaration* (form [MC-030](#)) for this purpose.)

Will I see the restrained person at the court hearing?

If the person attends the hearing, yes. If you are afraid, tell the court.

How long does the order last?

If the court makes a temporary order, it will last until your hearing date, which must be within 21 days of the date of the temporary order. If at the hearing the court issues a more permanent order, it will last for one to five years. It may be renewed for an additional one to five years.

What if the restrained person does not obey the order?

Call the police. The restrained person can be arrested and charged with a crime.

Can I agree with the restrained person to terminate the order?

No. Once the order is issued, only the judge can change or terminate it. The restrained person would have to file a request with the court to terminate the order.

**What if I need help to understand English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300, Request for Interpreter \(Civil\)](#), or a local court form or website to request an interpreter. For more information about court interpreters, go to selfhelp.courts.ca.gov/request-interpreter.

What if I have a disability?

If you have a disability and need an accommodation while you are at court, you can use form [MC-410, Disability Accommodation Request](#), to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO, How to Request a Disability Accommodation for Court](#).

Information about the process is also available online.

See selfhelp.courts.ca.gov/GV-restraining-order.

For help in your area, contact:

[Local information may be inserted.]