Invitation to Comment

Title	Protective Orders: School Site and Workplace Violence Prevention Forms (adopt forms SV-100, SV-102, SV-109, SV-110, SV-120, WV-102, WV-109, and WV-220; approve forms SV-100-INFO, SV-120 INFO, SV-200, SV-200-INFO, SV-220, SV-250, SV-800, WV-120-INFO, and WV-200-INFO; revise form WV-100; revise and renumber forms WV-150-INFO, WV-120, WV-110, WV-140, WV-130, WV-131, and WV-145 as forms WV-100-INFO, WV-110, WV-120, WV-130,WV-200, WV-250, and WV-800; and revoke form WV-132)
Summary	A new set of protective order forms would be adopted for use in preventing school site violence under Code of Civil Procedure section 527.85. The protective order forms used for preventing workplace violence under Code of Civil Procedure section 527.8 would be revised to be in a more easily readable, plain-language format.
Source	Civil and Small Claims Advisory Committee Hon. Dennis M. Perluss, Chair
Staff	Patrick O'Donnell, Supervising Attorney patrick.o'donnell@jud.ca.gov, 415-865-7665 Bruce Greenlee, Attorney bruce.greenlee@jud.ca.gov, 415-865-7698

Proposal: Overview

This proposal would create a new set of protective order forms to be used in proceedings to prevent violence in private post-secondary schools under new Code of Civil Procedure section 527.85. The forms are required by Senate Bill 188 (Runner; stats. 2009, ch.566), which provides: "The Judicial Council shall develop forms, instructions, and rules for scheduling of hearings and other procedures established pursuant to this section. The forms for the petition and response shall be simple and concise, and their use by parties in actions brought pursuant to this section shall be mandatory." (Code Civ. Proc., § 527.85(*l*).)

The proposal would also revise the protective order forms used to prevent workplace violence under section 527.8. Those forms were developed before most of the protective order forms were revised to be in plain language. There are persuasive reasons for presenting the new school violence and revised workplace violence prevention forms together for public consideration and comment. The new school violence prevention statute was closely modeled after the workplace violence statute and many of the

provisions in the two statutes are identical. Accordingly, the proposed forms have many features in common. Comments on a form used in one type of proceeding often are applicable to the forms used in the other. To the extent possible, it makes sense for the two sets of forms to be similar.

Both sets of forms would be in plain language and consistent with the latest style and formatting used in protective order forms. The plain language used in these forms has been modified (for example, by sometimes referring to "petitioner" and "respondent" in the third person) to reflect that petitions in these types of proceedings will be brought by employers and school administrators rather than directly by self-represented individuals. Also, in these types of cases, the petitioners are often represented by counsel.

The captions in these forms also reflect that these proceedings are brought by employers or school administrators. In a departure from the previous formatting of captions, attorneys are asked in the captions to provide their e-mail addresses and fax numbers without these being described parenthetically as "optional." This change is similar to the change previously made to the rules on captions for papers filed with the court (see Cal. Rules of Court, rule 2.111(1)); however, in the proposed protective order forms, the parenthetical phrase "if available" would not be used before the space for an e-mail address. Comments are invited on whether the description of e-mail addresses *of attorneys* as "optional" should be eliminated not only in these forms, but on all protective order forms. In other protective order proceedings where persons are generally self-represented, the captions relating to the self-represented persons would continue to indicate that providing telephone numbers is optional.

Another general feature of these protective order forms is that, in the short title contained in headers after the first page of each form, the place for identifying the parties has been omitted. It is thought that providing the case number in the header should be sufficient. For those not using electronic document assembly programs to generate Judicial Council forms, it is unnecessarily burdensome for parties and the courts to be required to complete the party information at the top of every page of every form. Comments are invited on this formatting change.

Petitions, Responses, and Information Forms (forms SV-100, SV-100-INFO, SV-120, SV-120-INFO, WV-100, WV-100-INFO, WV-120, and WV-120-INFO)

As required by SB 188, this proposal would create new mandatory forms for petitions and responses to be used in school site violence prevention proceedings. It would also revise the workplace violence petitions and responses to be similar in format and style. Information forms would be adopted or revised to assist petitioners and respondents in these proceedings.

Confidential CLETS Information forms (forms SV-102 and WV-102)

Confidential *CLETS Information* forms would be adopted for each of these types of proceedings. The information about mailing addresses in the second paragraph of previous versions of this form has been omitted as redundant; that information is provided to the petitioner elsewhere. The extra space has been used to provide more space at the bottom of the page to list other persons to be protected.¹

Notices of Hearing and Temporary Restraining Orders (forms SV-109, SV-110, WV-109, and WV-110)

Similar to the recently revised domestic violence forms,² the school site violence and workplace violence forms would include separate forms for *Notice of Hearing* and *Temporary Restraining Order*.

The *Notice of Hearing* forms would have a place for the judicial officer to indicate if the requests for orders were (1) all granted, (2) all denied until the court hearing, or (3) partly granted and partly denied. The forms would also have a place where the court can explain its reasons for denying some or all of the orders requested.

If all the requests are denied, then no temporary restraining order would be issued or served on the respondent. Only the *Notice of Hearing* would be served. This feature of the forms is intended to be an improvement over the previous combined hearing and order forms used in protective order proceedings under which, even if all of a request for orders was denied, a copy of the order—generally with much crossed-out or overwritten text—was always served together with the notice of hearing.

Separating the hearing and order forms should reduce the confusion for law enforcement and respondents that has sometimes been created by the serving of combined hearing and order forms. However, some courts have expressed concerns about the separate forms—and more specifically about what should be done with unsigned proposed temporary restraining orders submitted by parties or their attorneys, but not used because the request for orders was denied in its entirety. Comments are invited on this issue and how to resolve it.

The *Temporary Restraining Order* forms are designed to be issued and served only if the court grants at least some part of the request for orders. These forms prominently state on the first page that the order expires on the date of the hearing. Each specific type of orders

¹ A proposed rule regarding the CLETS Information form is also being circulated at this time. The rule would expressly state that petitioners must submit this form to the court, that the information on the form is confidential, and that only certain specified persons are allowed access to that information.

² See Judicial Council report at <u>www.courtinfo.ca.gov/jc/documents/reports/102309itema42.pdf</u>.

within the temporary order (for example, personal conduct orders and stay-away orders) has a place where the court can indicate whether the orders are (1) granted, (2) not granted, (3) or not requested. This is intended to make the orders clearer and easier to understand for the parties and law enforcement. It is designed to prevent the need on some current protective orders forms to cross-out or write over the text of particular orders.

Unlike the current temporary orders for domestic violence cases, these temporary orders do not indicate that the petitioner should fill out only the caption and that the court will fill out the rest. Since these petitions will be brought by employers and school administrators, who may often be represented by attorneys, the forms have been designed to allow parties or their attorneys to prepare and submit proposed orders in these cases. Comments are invited on this feature of the forms.

Restraining Orders After Hearing (forms SV-130 and WV-130)

The orders after hearing prominently indicate on the first page the expiration date of the order. They also include a statement that, if there is no expiration date, the order expires three years from the date of issuance.

These orders provide a place for the court to indicate who was present at the hearing. They also include an item where the court indicates whether (1) both the respondent and the other employee or student were present at the hearing, so no other proof of service is required; or (2) the respondent did not attend the hearing and specified means of service of the order are required.

Like the temporary orders, the orders after hearing have places where the court ruling on each set of requests for orders can indicate whether that set of orders was (1) granted, (2) not granted, (3) or not requested.

Proofs of Service (forms SV-200, SV-200-INFO, SV-220, SV-250, WV-200, WV-200-INFO, WV-220, and WV-250)

Proof of service forms and accompanying instructions would be made available for both the school site violence and the workplace violence forms.

Proof of Firearms Turned in or Sold (forms SV-800 and WV-800)

Forms would be approved for use by restrained persons to show that they have turned in or sold their firearms.

SV-100

Petition for Orders To Stop School Site Violence

Read How Do I Get an Order to Prohibit School Violence? (Form SV-100-INFO) before completing this form. Also fill out Form SV-102, CLETS Information, with as much information as you know.

Not Approved by the Judicial Council Petitioner (Educational Institution Officer or Employee) Name: ☐ the chief administrative officer an officer or employee designated by the chief Fill in court name and street address: administrative officer to maintain order on the campus or Superior Court of California, County of of (name of private postsecondary educational institution): and is filing this petition on behalf of the student in (2). Address (*Skip this if you have a lawyer*.): Court fills in case number when form is filed. Case Number: City: _____ State: ____ Zip: ____ Telephone: _____ Fax No: _____ Attorney for Petitioner (*if any*): Name: ______ State Bar No.: _____ Firm Name: Street Address: City: _____ State: ____ Zip:____ Telephone: _____ Fax No: _____ E-Mail Address: **Student in Need of Protection** Full Name: Sex M F Age: _____ **Respondent (Person From Whom Protection Is Sought)** _____ Age: ____ Full Name: Residence Address (if known): _____ State: ____ Zip ____ Employment Address (if known):

This is not a Court Order.

City______ State: ____ Zip _____

Clerk stamps date here when form is filed.

DRAFT

March 24, 2010

			Case Number:	
4	Additional Protected Persons			
a	 Are you asking for protection for any family of facility who are similarly in need of protection 		any other stude	ents at the campus or
	☐ Yes ☐ No If yes, list those persons bel	low:		
	<u>Full Name</u>		old member? es □ No	Relation to student
-		Ye	es 🗆 No 🔃 es 🗆 No	
-	☐ Additional protected persons are listed in A		~ <u> </u>	
b	b. Why do these people need protection?	Response is set forth in	Attachment 4b).
-				
5) F	Relationship of Student and Responden	nt		
a			onse is set forth	in Attachment 5a.
-				
t t	 D. Respondent ☐ is ☐ is not a current stude ☐ Response is set forth in Attachment 5b. 	nt of petitioner (explain	if respondent i	is a student):
· ·	/onuo			
	/enue Why are you filing in this county? (<i>Check all that a</i>	apply):		
	The respondent lives in this county.	1 F - V / -		
b	<u> </u>	3 3	ent in this cour	nty.
C	C. Other (specify):			
7) C	Other Court Cases a. Has the student or any of the persons named in ☐ Yes ☐ No If yes, check each kind of c			-
	Kind of Case	County Where Filed	Year Filed	Case Number (if known)
	(1) Civil Harassment			
	(2) Domestic Violence			
	(3) ☐ Divorce, Nullity, Legal Separation(4) ☐ Paternity, Parentage, Child Support			
	(5) Elder or Dependent Adult Abuse	-	-	
	(6) ☐ Eviction			
			_	

				Case Number:
		(7) ☐ Guardianship (8) ☐ Workplace Violence (9) ☐ Criminal (10)☐ Other (specify):	County Where Filed	Year Filed Case Number (if known)
		Are there now any restraining order persons in (4) and the respondent?		ffect relating to the student or any of the a copy if you have one.
8	De a.	engaging in a course of c	re): (2) □ battered the student	
	b.	One or more of these acts were material (check either or both): (1) to have been carried out and	•	y and can reasonably be understood
	c.	Describe what happened. (Provide recent; tell who did what to whom Response is set forth in Attack		ncidents beginning with the most
	d.	Was the student harmed or injured ☐ Response is set forth in Attace		describe harm or injuries:
	e.	Did the respondent use or threate. ☐ Response is set forth in Attac	n to use a gun or any other weapon	? Yes □ □ No If yes, describe:

This is not a Court Order.

		Case Number:
	f.	For any of the incidents described above, did the police come?
		ck the orders you want. ☑
9)	⊔ F	Personal Conduct Orders
	a.	I ask the court to order the respondent not to make threats of violence to the student or any other protected person listed in (4) .
	b.	Specifically, I ask the court to order the respondent not to: (1)
10)	П	Stay-Away Orders
10)	a.	I ask the court to order the respondent to stay at least yards away from the student and each other protected person listed in 4 and (check all that apply):
		(1)
	b.	If the court orders the respondent to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? Yes No If no, explain: Answer is set forth in Attachment 10b.

		Case Number:	
ı	Firearms Prohibition and Relinquishment		
1	If the judge grants a protective order, the respondent will be prohibite receiving, or attempting to purchase or receive a gun or other firearn. The respondent will also be ordered to turn in to law enforcement or swithin his or her immediate possession or control.	while the protecti	ive order is in effect
	Does the respondent own or possess any guns or other firearms?	Yes	I don't know
I	mmediate Orders		
	Do you want the court to make any of these orders now that will last urespondent? Yes No	ntil the hearing wi	thout notice to the
	If you answered yes, explain why:		
Ε	Response is set forth in Attachment 12.		
	☐ Request for Less Than Five-Days' Notice	ast five days hefore	o the hearing unles
	☐ Request for Less Than Five-Days' Notice You must have your papers personally served on the respondent at lead court orders a shorter time for service. (Form SV-200-INFO explains Form SV-200, Proof of Personal Service, may be used to show the court of the shown the shown the court of the shown the sh	"What Is Proof of	f Personal Service?
	You must have your papers personally served on the respondent at leccourt orders a shorter time for service. (Form SV-200-INFO explains	"What Is Proof of urt that the papers	f Personal Service? have been served.)
,	You must have your papers personally served on the respondent at leactourt orders a shorter time for service. (Form SV-200-INFO explains Form SV-200, Proof of Personal Service, may be used to show the cou	"What Is Proof of urt that the papers	f Personal Service? have been served.)
- -	You must have your papers personally served on the respondent at leactourt orders a shorter time for service. (Form SV-200-INFO explains Form SV-200, Proof of Personal Service, may be used to show the could you want there to be fewer than five days between service and the harmonic Response is set forth in Attachment 13.	"What Is Proof of urt that the papers	f Personal Service? have been served.)
	You must have your papers personally served on the respondent at leactourt orders a shorter time for service. (Form SV-200-INFO explains Form SV-200, Proof of Personal Service, may be used to show the could you want there to be fewer than five days between service and the harmonic Response is set forth in Attachment 13. Delivery of Orders to Law Enforcement The following law enforcement agencies should receive copies of all or	"What Is Proof of urt that the papers earing, explain wh	f Personal Service? have been served.) ny:
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[You must have your papers personally served on the respondent at leactourt orders a shorter time for service. (Form SV-200-INFO explains Form SV-200, Proof of Personal Service, may be used to show the could go want there to be fewer than five days between service and the harmonic Response is set forth in Attachment 13. Delivery of Orders to Law Enforcement The following law enforcement agencies should receive copies of all on. Name of Agency: Address: City: City:	"What Is Proof of art that the papers earing, explain who bridges." State:	f Personal Service? have been served.) ny: Zip:

☐ No Fee for Filing I ask the court to waive the filing fee because the respondent stalked the student, or acted or spoken in a manner that has pl	
☐ No Fee to Serve Orders I ask the court to order the sheriff or marshal to serve the resp for orders is based on a credible threat of violence or stalking	
☐ Court Costs I ask the court to order the respondent to pay my court costs.	
Additional orders requested are set forth in Attachmer	nt 18.
Number of pages attached to this form, if any: Date:	
•	Signature of Attorney
Date:	
Date: Name of Attorney I declare under penalty of perjury under the laws of the State of	
Name of Attorney I declare under penalty of perjury under the laws of the State of attachments is true and correct.	
Name of Attorney I declare under penalty of perjury under the laws of the State of attachments is true and correct. Date:	of California that the information above and o
Name of Attorney I declare under penalty of perjury under the laws of the State of attachments is true and correct. Date: Name and title of person signing for petitioner	of California that the information above and o

Case Number:

Not approved for use by the Judicial Council

SV-100-INFO

How Do I Get an Order to Prohibit School Site Violence?

These instructions cannot cover all of the problems and questions that may arise in a particular case. If you do not know what to do to protect your student's rights, you should see an attorney.

What is a School Site Violence **Prevention Order?**

Under California law (Code of Civil Procedure, section 527.85), courts can make orders to protect a student from being subjected to credible threats of violence that could be carried out at the school site. The procedure is only available with regard to students at private postsecondary institutions.

The court can order a person to:

- Not harass or threaten the student;
- Not contact or go near the student; and
- Not have a gun.

These orders will be enforced by law enforcement agencies.

Who can get a School Site Violence **Protection Order?**

The chief administrative officer of a postsecondary educational institution, or an officer or employee designated by the chief administrative officer to maintain order on the school campus or facility, may request court What forms must be used to get the order? orders prohibiting credible threats of violence against their students. The statute differs from other California laws that allow victims of unlawful violence or credible threats of violence to ask the court for these orders themselves. These orders must be requested by an officer of the institution that the student attends.

- A "chief administrative officer" is the principal, president, or highest-ranking official of the postsecondary educational institution.
- A "postsecondary educational institution" is a private institution of vocational, professional, or postsecondary education.

If anyone other than a school officer wishes to apply to the court for an order prohibiting harassment, see Form CH-150, Can a Civil Harassment Restraining Order Help Me?.

Whom can be protected under this law?

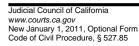
Under this statute, the school officer can obtain a court order that lasts up to 3 years on behalf of a student. The order can also protect family or household members of the student and other students at the campus or facility who are similarly situated.

• A "student" is an adult currently enrolled in or applying for admission to a postsecondary educational institution.

A school officer may seek protection under this law if:

- 1. A student has suffered a credible threat of violence from any individual;
- 2. The credible threat of violence, while made off of the campus or facility, can reasonably be construed to be carried out or have been carried out at the school campus or facility;
- 3. The respondent's conduct is not allowable as part of a legitimate labor dispute as permitted by Code of Civil Procedure section 527.3; and
- 4. The respondent is not engaged in constitutionally protected activity.

- 1. Petition for Orders to Stop School Site Violence [Petition] Form SV-100). This form tells the judge the facts of the petitioner's case and what orders the petitioner wants the court to make.
- 2. Notice of Court Hearing Form SV-109). This form tells the parties when the hearing on the petition will be held.
- 3. Temporary Restraining Order [TRO] (Form SV-110). A TRO can be issued to provide protection to the student until the hearing is held. It can be issued by the judge either with or without notice to the respondent.
- 4. Response to Petition for Orders to Stop School Site Violence [Response] (Form SV-120). The respondent files this form to state objections to the orders that the petitioner has asked the court to make and to give his or her side.
- 5. Restraining Order After Hearing to Stop School Site Violence [Order] (Form SV-130). This is the form signed by the court following the hearing. The order will stay in effect for up to three years depending on what the judge rules.



SV-100-INFO

How Do I Get an Order to Prohibit School Site Violence?

These forms are all **mandatory**—that is, they must be used in the school site violence prevention proceeding.

6. Proof of Personal Service (Form SV-200) and Proof of Service of Response By Mail (Form SV-250). These forms are used to show that the other party has been **served** with the legal documents as required by law.

Where can I get these forms?

School site violence forms are available from the court clerk's office or from legal publishers. The clerk of the court can tell you where to get the forms. You can also obtain them on the California courts Web site (www.courts.ca.gov/forms).

If a TRO is issued, how will the respondent know about it?

Someone over 18 years of age—not the student or anyone else to be protected by the order— must "serve" (give) the respondent a copy of the order. For help with service, ask the court clerk for Form SV-200-INFO, What Is "Proof of Personal Service?"

How long does the order last?

If the court issues a TRO, it will last until the hearing date. At the hearing, the court will decide whether to continue or cancel the order. If the order is continued, it will last for up to three years. The petitioner can apply for a renewal.

Should I have a lawyer?

The school official may be represented by an attorney, but an attorney is not required by law. Because the school official's attorney will generally be representing the interests of the student, the student usually does not need his or her own attorney. Whether or not the school official has an attorney, the respondent may have one.

What steps are needed to get the court orders?

1. You will need at least five copies of each school site violence form: one for a worksheet, the original to file with the court, a copy to be personally delivered to (served on) the respondent, one for the student, and one for yourself. In addition, you will need at least three extra copies of the *Notice of Court Hearing* (Form SV-109), the **Order** (Form SV-130), and the *Proof of Personal Service* (Form SV-200).

- 2. Fill in the **Petition** (Form SV-100) completely, and fill in items 1–3 of the *Notice of Court Hearing* (Form SV-109). If you are seeking a **TRO**, also fill out Form SV-110.
 - a. If you are not represented by an attorney, fill in your name, mailing address, and phone number at the top of each form. Include an e-mail address or a fax number where you may be contacted if you have either one.
 - b. Fill in the name of the county where the case will be filed and the address of the superior court.
 - c. Fill in the school name, the student's full name, and the respondent's full name. If you are seeking protection for persons other than the student, enter all of their names in item 4.
 - d. Check ("X") all boxes that apply to your case. Read each item carefully and fill in the necessary information. Be specific.
 - e. Remember to date and sign the **Petition**.
- 3. If you are applying for a **TRO**, you must give the details of the credible threats of violence and the problems they have caused your student.

To obtain a **TRO**, you must notify the respondent of the request for the order unless both of the following requirements are satisfied:

- a. It appears from facts shown on the petition that great or irreparable injury will result before the matter can be heard on notice; and
- b. You or your attorney certifies one of the following to the court under oath:
 - (1) That within a reasonable time before presenting the petition to the court to ask for a TRO, you informed the respondent or the respondent's attorney when and where the request for a TRO would be made.
 - (2) That you in good faith attempted but were unable to inform the respondent and the respondent's attorney, specifying the efforts made to contact them.
 - (3) That for reasons specified, you should not be required to inform the respondent or the respondent's attorney.

- 4. If you are seeking court orders on the basis of information given to you by other persons (e.g., the affected student or other students), and not on the basis of what you have personally observed, you **must** attach to the **Petition** declarations by the persons who have personal knowledge of the facts that support the granting of the order. You may use Form MC-031 for the declarations.
- 5. At the court, give your forms to the clerk of the court. The clerk will give you a hearing date on the *Notice of Court Hearing* (Form SV-109). If you are seeking a **TRO** (Form SV-110), the clerk will tell you where and how to present your proposed order to a judge for consideration and signature. The court will decide within 24 hours whether or not to make the order. Sometimes the court decides right away. Ask if the *Notice of Court Hearing* and **TRO** will be mailed to you or if you should wait or come back later. If your request for a **TRO** is granted while you are still at the court, take the signed original back to the clerk.
- 6. The clerk will file your papers and assign a case number. The copies will be stamped with an "endorsed-filed" stamp (showing the date of filing). The clerk will file the originals and give you the copies. Ask for at least three endorsed-filed copies. Keep at least one for yourself and give the others to the student and other persons, if any, who are to be protected. The copies may be needed if you have to call the police.
- 7. If the student does not speak English, when you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If the interpreter is not available for your court date, bring someone to interpret. You cannot ask a child under 18 or anyone else to be protected by the order to interpret.

- 8. If a **TRO** has been issued, ask the clerk whether you or your attorney will need to deliver an endorsed-filed copy of the **TRO** to each law enforcement agency (police, marshal, or sheriff's office) that you want to enforce the order. If so, do so immediately.
- 9. Have the respondent personally **served** with copies of the **Petition** (Form SV-100), the *Notice of Court Hearing* (Form SV-109), the **TRO** (form SV-110) (if issued), a blank **Response** (Form SV-120), and a blank *Proof of Service of Response By Mail* (form SV-250). You **cannot** serve the respondent yourself. Service may be made by a licensed process server, the sheriff's department, or any person 18 years of age or older, other than you. For help with service, ask the court clerk for Form SV-200-INFO, *What Is "Proof of Personal Service?"*

Service is essential. It tells the respondent about the order and the hearing. Without it there cannot be a court hearing, and your temporary orders will no longer be good unless they are extended by the court. The respondent should be personally **served** immediately after the orders are signed by the judge, unless the court specifies a different time for service.

10. After the respondent has been personally **served**, the person who served the respondent must complete and sign the original *Proof of Personal Service* (Form SV-200). Take the signed original and the copies back to the court clerk. The clerk will file the original and stamp "endorsed-filed" on the copies. Ask the clerk whether you should take one of the endorsed-filed copies to each of the law enforcement agencies where you filed your **TRO**. Keep three endorsed-filed copies for yourself.

SV-100-INFO

How Do I Get an Order to Prohibit School Site Violence?

- 11.Go to court on the date the clerk gives you. You do not need to bring any witnesses, but it helps to have more proof of the violence or threats than just one person's word. You can bring:
 - A written statement from witnesses made under oath
 - Witnesses
 - Photos
 - Medical or police reports
 - Damaged property
 - Threatening letters, e-mails, or telephone messages

The court may or may not let witnesses speak at the hearing. So, if possible, you should bring their written statements under oath to the hearing. (You can use Form MC-030 for this.)

The respondent has the right to attend the hearing, but he or she does not have the right to speak to the student. If the student is afraid, tell the court officer.

12. If the judge signs the **Order** (SV-130), file the original with the clerk and get copies stamped "endorsed-filed." Ask the clerk whether you or your attorney will need to deliver an endorsed-filed copy of the order to each law enforcement agency that you want to enforce the order. If so, do so immediately.

If the respondent was not present in court for the hearing, arrange to have him or her personally **served** with a copy of the order unless the order is the same as the **TRO** except for the termination date, in which case, you may serve the respondent by mail. File the completed *Proof of Personal Service* (Form SV-200 for personal service or Form SV-220 for service by mail) with the court. **Keep at least three copies for yourself.** Give one copy to your student, give one to each other protected person, and keep at least one for yourself.

- 13. If the respondent does not obey the order, call the police. The respondent can be arrested and charged with a crime.
- 14. Once the order is issued, the parties cannot agree to cancel the order. Only the judge can change or cancel it.
- 15. The order can be enforced anywhere in the United States and its possessions and territories. If the student moves out of California, have him or her contact the new local police so that they will know about the order.

1	SV-109 Petitione		Notice of Court Hearing ucational Institution Officer or Employee)	DRAFT 2 BG February 24, 2010
_	Name:			
			tioner (if any): State Bar #:	Not Approved by the Judicial Council
			#ATMEN'S CONTAIN	
	City:	501,4500	State: Zip:	FIN In court name and street address:
	Telephone	No.:	Fax No:	Superior Court of California, County
	1 3 2 3 3 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1			
(2)	Student	in Ne	ed of Protection	7/2
7	Full Name:			
1	- m . mile		111 111 111	Fill in case number: Case Number:
3	Respond Full Name:		Person From Whom Protection Is Sought)	Case Number:
4	Notice of		s scheduled on the request for orders against	
4	A court he	earing	To The Respondent ring be scheduled on the request for orders agains Name and add	ress of court if different from above:
4	A court h	earing → Dat	To The Respondent ring be scheduled on the request for orders agains Name and add	ress of court if different from above:
4	A court he	Dat Dep	To The Respondent ring The scheduled on the request for orders agains Name and add Time: Room: Room:	ress of court if different from above:
4	Hearing Date If you want Step School you agree o court may turn in any	Dep to res Site I r disag	To The Respondent Ting Scheduled on the request for orders agains Name and add Time: Room: Room: Product Whether or not you respond in writing, file Form SV- riclence. Whether or not you respond in writing, go to the could be a supported to the request the forms or ammunition that you own or possess.	ress of court if different from above: 120, Response to Petition for Order to the hearing, You may tell the court why and other evidence. At the hearing, th five years and may order you to sell o
45	Hearing Date If you want Stop School you agree o court may turn in any Tempora	Dep to res Site I r disagmake firea	To The Respondent ring secheduled on the request for orders agains Name and add Time: t: Room: Room: Produce. Whether or not you respond in writing, file Form SV- rolence. Whether or not you respond in writing, go to ti role with the order requested. You may bring writing to terms or ammunition that you own or possesses. Sestraining Orders (Any orders granted are on Forn	ress of court if different from above: 120, Response to Petition for Order to the hearing. You may tell the court why and other evidence. At the hearing, th five years and may order you to sell o in SV-110, served with this Notice.)
45	Hearing Date If you want Step School you agree o court may turn in any Tempora a. Ter	Dep to res Site I r disagunake firea rry Re	To The Respondent ing a scheduled on the request for orders agains Name and add to the request for orders in writing, file Form SV- folence. Whether or not you respond in writing, go to to pree with the order requested. You may bring witnesses restraining orders against you that could last up to I runs or ammunition that you own or possess. Settraining Orders (Any orders granted are on Form y Restraining Orders as requested in Form SV-100, Pet y Restraining Orders as requested in Form SV-100, Pet	ress of court if different from above: 120, Response to Petition for Order to the hearing. You may tell the court why and other evidence. At the hearing, th five years and may order you to sell o in SV-110, served with this Notice.)
45	Hearing Date If you want Stop School you agree o court may turn in any Tempora a. Tempora	Date Dept to respond t	To The Respondent ring It is scheduled on the request for orders agains Name and add Time: Room: Room: Proposed to the request for orders in writing, file Form SV- riolence. Whether or not you respond in writing, go to ti ree with the order requested. You may bring witnesses restraining orders against you that could last up to truns or ammunition that you own or possess. Settraining Orders (Any orders granted are on Forn y Restraining Orders as requested in Form SV-100, Pet are (check only one box below):	ress of court if different from above: 120, Response to Petition for Order to the hearing. You may tell the court why and other evidence. At the hearing, th five years and may order you to sell o in SV-110, served with this Notice.)
45	A court he Hearing Date If you want Stop School you agree o court may turn in any Tempora a. Ter Vio (1)	Date Dept to rest Site I r disagnake firea	To The Respondent ring scheduled on the request for orders agains Name and add Time: t: Room: Room: Topond to the request for orders in writing, file Form SV- Tolence. Whether or not you respond in writing, go to to tree with the order requested. You may bring witnesses restraining orders against you that could hast up to tree restraining Orders (Any orders granted are on Form y Restraining Orders (Any orders granted are on Form y Restraining Orders as requested in Form SV-100, Pet are (check only one box below): All GRANTED until the court hearing.	ness of court if different from above: 120, Response to Petition for Order to the hearing. You may tell the court why and other evidence. At the hearing, th five years and may order you to sell o in SV-110, served with this Notice.) tition for Orders to Stop School Site
45	Hearing Date If you want Stop School you agree o court may turn in any Tempora a. Ter Vio (1) (2)	Dep to res Site I r disagmake firea rry Ro nporan lence,	To The Respondent ring See a scheduled on the request for orders agains Name and add the scheduled on the request for orders agains the scheduled on the request for orders in writing, file Form SV-70 lence. Whether or not you respond in writing, go to fine with the order requested. You may bring witnesses restraining orders against you that could hat up to 1 rms or ammunition that you own or possess. Settraining Orders (Any orders granted are on Form y Restraining Orders as requested in Form SV-100, Pet are (check only one box below): All GRANTED until the court hearing.	ress of court if different from above: 120, Response to Petition for Order to the hearing. You may tell the court why and other evidence. At the hearing, th five years and may order you to sell of the State of the State of the State that State of the State of the State to State State of the State s for denial in b on the next page.)
45	Hearing Date If you want Stop School you agree o court may turn in any Tempora a. Ter Vio (1) (2)	Dep to res Site I r disagmake firea rry Ro nporan lence,	To The Respondent ring scheduled on the request for orders agains Name and add Time: t: Room: Room: Topond to the request for orders in writing, file Form SV- Tolence. Whether or not you respond in writing, go to to tree with the order requested. You may bring witnesses restraining orders against you that could hast up to tree restraining Orders (Any orders granted are on Form y Restraining Orders (Any orders granted are on Form y Restraining Orders as requested in Form SV-100, Pet are (check only one box below): All GRANTED until the court hearing.	ress of court if different from above: 120, Response to Petition for Order to the hearing. You may tell the court why and other evidence. At the hearing, th five years and may order you to sell o the SV-110, served with this Notice.) ition for Orders to Stop School Site to for denial in b on the next page.)



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 www.courts.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (Form MC-410). (Civil Code, § 54.8.)

For help in your area, contact:

[Local information may be inserted.]

CONFIDENTIAL

Not Approved by the Judicial Council

SV-102

CLETS Information

California Law Enforcement Telecommunications System (CLETS) Information Form

Important Notice: This form MUST NOT become part of the public court file. It is confidential and private.

If the court issues a restraining order, this form will provide law enforcement with information that will assist them in enforcing it. Fill out as much of this form as you can, and give it to the court clerk. The clerk will provide the confidential information on this form to CLETS, a statewide system that lets police know about your orders.

Sex: \square M \square F Height		_ Weight:		
		Age:		
(Mailing address listed on Vehicle (type, model, year	=	(City, state, zip)	•	elephone number [option
Vehicle license number ar	nd state:			
Person to Be Restra	ined (Name):			
Sex: M F Heig	ht:	Weight:	Race:	
Hair Color:	Eye Color:	Age:	_ Date of B	irth:
(Residence address)		(City, state, zip)	(T	elephone number)
(Work place)		(Occupation/title)	(W	Vork hours)
(Business address)		(City, state, zip)	(T	elephone number)
Driver's license number a	nd state:	Vehicle license	number and	state:
Vehicle (type, model, year	·):			
Social Security number: _				
•				
Describe any guns or firea <i>locations</i>):	rms you believe the	restrained person owns or h	nas access to (number, types, and

This is not a Court Order—Do not file in court file.

SV-109 Noti	ice of Court Hearing	Clerk stamps date here when form is filed.
•	nal Institution Officer or Employee)	DRAFT March 24, 2010
Attorney for Petitioner (if Name:		Not Approved by the Judicial Council
City: Telephone No.:	State: Zip: Fax No.:	Superior Court of Colifornia County
Student in Need of P		
Respondent (Person	From Whom Protection Is Sought)	Fill in case number: Case Number:
	The court will fill out the rest of this form To The Respondent	
Notice of Hearing A court hearing is sche	To The Respondent eduled on the request for orders again	
A court hearing is sche	To The Respondent eduled on the request for orders again	st you to stop school site violence: dress of court if different from above:
A court hearing is scho	To The Respondent eduled on the request for orders again Name and ad-	st you to stop school site violence: dress of court if different from above:
Hearing Date: Dept.: If you want to respond to the Stop School Site Violence. You agree or disagree with the court may make restricted or turn in any firearm Temporary Restraining a. Temporary Restraining Violence, are (check the court of the court o	To The Respondent eduled on the request for orders again Name and ad Time:	st you to stop school site violence dress of court if different from above: -120, Response to Petition for Orders to the hearing. You may tell the court why as and other evidence. At the hearing, p to five years and may order you to
Hearing Date: Dept.: If you want to respond to the Stop School Site Violence. You agree or disagree with the court may make restricted or turn in any firearm Temporary Restraining a. Temporary Restraining Violence, are (check (1) All GR	To The Respondent Peduled on the request for orders again Name and addender or orders in writing, file Form SV Whether or not you respond in writing, go to the orders requested. You may bring witnesse aining orders against you that could last uns or ammunition that you own or possess. In Orders (Any orders granted are on Forming Orders as requested in Form SV-100, Peter only one box below):	st you to stop school site violence dress of court if different from above: -120, Response to Petition for Orders to the hearing. You may tell the court why es and other evidence. At the hearing, p to five years and may order you to the sum SV-110, served with this Notice.) etition for Orders to Stop School Site

b.	Reasons that Temporary Restraining Orders as requested in Form SV-100, <i>Petition for Orders to Stop School Site Violence</i> , for personal conduct or stay away are denied are: (1) The facts as stated in Form SV-100 do not show or describe acts of violence in sufficient detail. (2) Other (<i>specify</i>) As set forth on Attachment 4b.
\ _	
) Sei	rvice of Documents and Time for Service
	To the Petitioner
pers	east days before the hearing, someone age 18 or older—not you or anyone to be protected—must sonally give (serve) a court's "endorsed-filed" copy of this form to the respondent along with a copy of all the ns indicated below:
a.	SV-100, Petition for Orders to Stop School Site Violence (endorsed-filed)
b. [SV-110, Temporary Restraining Order (CLETS) (endorsed-filed) IF GRANTED
c.	SV-120, Response to Petition for Orders to Stop School Site Violence (blank form)
d.	SV-250, Proof of Service of Response by Mail (blank form)
_	SV-120-INFO, How Can I Respond to a Petition for Orders to Stop School Site Violence? Other (specify):
•]	The court cannot grant restraining orders after the court hearing unless the respondent has been personally given (served) a copy of your petition 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, <i>Proof of Personal Service</i> , may be used. For information about service, read Form SV-200-INFO, <i>What Is "Proof of Personal Service"?</i> . If you are unable to serve the respondent in time, you may ask for more time to serve the documents.
	To the Respondent
	If you want to respond in writing, complete Form SV-120, Response to Petition for Orders to Stop School Site Violence, and file it with the court. A copy must be mailed to the petitioner at leastdays before the hearing. You cannot mail Form SV-120 yourself. Someone else age 18 or older must do it.
	To show that the petitioner has been served by mail, the person who mailed the form must fill out a proof of service form. Form SV-250, <i>Proof of Service of Response by Mail</i> , may be used. File the completed form with the court before the hearing and bring it with you to the court hearing.
	For information about responding to a restraining order, read Form SV-120- INFO, <i>How Can I Respond to a Petition for Orders to Stop School Site Violence?</i> .
Dat	e:
	Judicial Officer
	This is a Court Order

Case Number:

Case Number:		

(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



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 www.courts.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (Form MC-410). (Civil Code, § 54.8.)

	Temporary Restrain	ing Order	Clerk stamps date here when form is filed.
Petitioner (Educational Institution Officer or Employee) Name:			
Attorney for Petition Name:		State Bar No.:	
City: Telephone No.:	StateFax No.	:: Zip: ::	Superior Court of California, County of
Student in Need			
1 dil 1 dillio.			Court fills in case number when form is filed. Case Number:
Full Name: Description:			
Hair Color:	Eye Color:	Ag	Date of Birth:
City:			State: Zip:
In addition to the st temporary orders in	idicated below:		pers or other students are protected by the
	tected persons are attached at		Household member? Relation to student Yes No Addr on Attachment 4.
Additional prot	tected persons are attached at	the end of this Ord	☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No ☐ Yes No

This is a Court Order.

Case Number:		

To the Respondent

The court has granted the temporary orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may have to go to jail for up to one year, pay a fine of up to \$1,000, or both.

6	Personal Conduct Orders Granted Not Granted Not Requested a. You may not make threats of violence against the student and each other protected person listed in 4.
	 b. Specifically, you are ordered not to: (1) ☐ assault, batter, or stalk the student ☐ and other protected persons. (2) ☐ follow or stalk the student ☐ and other protected persons during school hours or to or from the school campus or facility. (3) ☐ contact the student ☐ and other protected persons, directly or indirectly, by any means including, but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, or by other electronic means. (4) ☐ enter the workplace of the student ☐ and other protected persons.
	 (5) ☐ take any action to obtain the student's ☐ and other protected persons' address or location. (6) ☐ other (specify):
7	 c. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order. Stay-Away Order Granted Not Granted Not Requested
	a. You must stay at least (<i>specify</i>): yards away from the student and each other protected person listed in 4 and (<i>check all that apply</i>):
	 (1) ☐ The student's home (2) ☐ The student's job or workplace (5) ☐ Other (specify):
	(3) The student's vehicle
	(4) The student's school
	b. This stay-away order does not prevent you from going to or from your home or place of employment.
8	Firearms Prohibition and Relinquishment
	a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
	b. You must:
	(1) Sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.
	(2) File a receipt with the court within 48 hours of receiving this Order that proves guns have been turned in or sold. (<i>You may use Form SV-800</i> , Proof of Firearms Turned In or Sold, <i>for the receipt.</i>)
	c. The court has received information that you own or possesses a firearm.
	This is a Court Order.

	Case Number:				
9	Other Orders (specify): Granted Not Granted Not Requested				
	Additional orders are attached at the end of this Order on Attachment 9.				
10	Entry of Order into CLETS (California Law Enforcement Telecommunications System)				
	a. The clerk will enter this Order and its proof-of-service form into CLETS.				
	b. The clerk will transmit this Order to each law enforcement agency listed below. The law enforcement agencies will enter the Order and its proof-of-service form into CLETS.				
	c. By the close of business on the date that this Order is made, you or your lawyer should deliver a copy of the Order and its proof-of-service form to each law enforcement agency listed below. The law enforcement agencies will enter the Order and its proof-of-service form into CLETS.				
-	Name of Law Enforcement Agency Address (City, State, Zip)				
-					
-	Additional law enforcement agencies are listed at the end of this Order on Attachment 10.				
11)	No Fee to Serve Respondent ☐ Ordered ☐ Not Ordered				
<u> </u>	If the sheriff or marshal serves this Order, he or she will do so for free.				
12)	Number of pages attached to this Order, if any:				
	Date:				
	Juliciai Officer				

Warnings and Notices to the Respondent

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item (8) above. The court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

This is a Court Order.

Case Number:

After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read Form SV-120-INFO, *How Can I Respond to a Petition for Orders to Stop School Site Violence?*, to learn how to respond to this Order.
- If you want to respond, fill out Form SV-120, *Response to Petition for Orders to Stop School Site Violence*, and file it with the court clerk. You do not have to pay any fee to file your response if the petition claims that you inflicted or threatened violence against or stalked the employee.
- You must have Form SV-120 served on the petitioner or the petitioner's attorney. Serve it by mail within the time given in item **6** of Form SV-109, *Notice of Court Hearing*. You cannot do this yourself. The person who does the service should complete and sign Form SV-250, *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use Form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form. If you do not know how to prepare a declaration, you should see a lawyer.
- In addition to filing a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, tell the judge if you agree or disagree with the orders requested.
- Even if you do not go to the hearing, the judge can make the restraining orders last for up to three years.

Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and Form SV-109, *Notice of Court Hearing*, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this Temporary Restraining Order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the following address (*insert respondent's address*, *if known*):

If that address is not correct or you wish to verify that the temporary restraining order was converted into a restraining order at the hearing without substantive change, contact the clerk of the court.

Instructions for Law Enforcement

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this Order are subject to criminal penalties.

	(Cle	erk will fill out this part.)	
	—0	Clerk's Certificate—	
Clerk's Certificate [seal]		Temporary Restraining Order (CLETS—nal on file in the court.	XXX) is a true and correct
	Date:	Clerk, by	, Deputy

Case Number:

This is a Court Order.

SV-120

Response to Petition for Orders to Stop School Site Violence

Use this form to respond to the Petition (Form SV-100)

- Read Form SV-120-INFO, *How Can I Respond to a Petition for Orders to Stop School Site Violence?*, to protect your rights.
- Fill out this form and take it to the court clerk.
- Have the petitioner served by mail with a copy of this form and any attached pages. (See Form SV-250, Proof of Service of Response by Mail.)

(1)	Petitioner (Educational Institution Officer or Employee)	Fill in court name and street address:	
	Name:	Superior Court of California, County of	
2	Student Seeking Protection		
	Full Name:		
3	Respondent (Person From Whom Protection Is Sought) Your name:	Court fills in case number when form is filed. Case Number:	
	Your address (you may give a mailing address if you want to keep		
	your street address private; skip this if you have a lawyer): The cou	rt will consider your Response at the	
	City: State: Zip: from Fo	Write your hearing date, time, and place rm SV-109 item 4 here:	
	Telephone (optional): Hearing	→ Date: Time:	
	Fax (optional): Date	Dept.: Room:	
	Your lawyer (if you have one):	vere served with a Temporary	
		ning Order, you must obey it until the	
		. If you do not come to this hearing, the	
	Sheer Address	ay make the orders requested against you	
	City: State: Zip:	up to three years.	
	Telephone No.: Fax No.:		
	E-Mail Address:		
4)□ Personal Conduct Orders		
	a. I agree to the orders requested.		
	b. I do not agree to the orders requested.		
	c. I agree to the following orders (specify):		
(5)	□ Stay-Away Orders		
	a. I agree to the orders requested.		
	b. I do not agree to the orders requested.		
	c. I agree to the following orders (specify):		



Clerk stamps date here when form is filed.

DRAFT

March 24, 2010

Not Approved by the

Judicial Council

	Firearms Prohibition and Relinquishment If you were served with Form SV-110, Temporary Restraining Order, you cannot own or possess any guns, other firearms, or ammunition. You must turn in any guns or firearms in your immediate possession or control and file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received Form SV-110. (See item 8 of Form SV-110.) You may use Form SV-800, Proof of Firearms Turned In or Sold, for the receipt.
	a. I do not own or control any guns or other firearms.
	b. I have turned in my guns and firearms to the police or to a licensed gun dealer.
	A copy of the receipt is attached. In has already been filed with the court.
7) 🗆	Other Orders
	 a.
	c. I agree to the following orders (specify):
	Denial I did not do anything described in item (8) of Form SV-100. (Skip to (10).) Justification or Excuse
9) 🗆	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 (<i>explain</i>):
	☐ Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "SV-120, item 9—Justification or Excuse" as a title.

Case Number:

	Case Number:
No Fee for Filing I ask the court to waive the filing fee bec free filing.	cause the petitioner claims in Form SV-100 item (15) to be entitled to
Costs a. I ask the court to order the petition	oner to pay my court costs.
b. I ask the court to deny the reques	t that I pay the petitioner's court costs.
Number of pages attached to this form, if any	y:
Date:	
Date:	
Date:	
	<u> </u>
Date:	Lawyer's signature
Lawyer's name (if any)	
Lawyer's name (if any) I declare under penalty of perjury under the la	
Lawyer's name (if any) I declare under penalty of perjury under the lacorrect.	Lawyer's signature aws of the State of California that the information above is true and

Not approved for use by DRAFT March 24, 2010 the Judicial Council How Can I Respond to a Petition for Orders to Stop School Site Violence?

SV-120-INFO

What is a School Site Violence Restraining Order?

It is a court order that will prohibit you from doing certain things and going to certain places.

What does the order do?

The court can order you to:

- Not contact the student who is protected by the order
- Stay away from that person and the person's home and school site
- Not have any guns while the order is in effect

Who can ask for a School Site Violence Restraining Order?

A school official at a private postsecondary school can ask for an order on behalf of an adult student who is worried about his or her safety because he or she has suffered a credible threat of violence that could be carried out on the school campus or facility.

I've been served with a Petition to Stop School Site Violence. What do I do now?

Read the papers served on you very carefully. The *Notice of Court Hearing* tells you when to appear in court. There may also be a Temporary Restraining Order forbidding you from doing certain things. You must obey the order until the hearing.

What if I don't obey the order?

The police can arrest you. You can go to jail and pay a fine.

What if I do not agree with what the order says?

You still must obey the order until the hearing.

If you disagree with the orders the person is asking for, fill out Form SV-120, Response to Petition for Orders to Stop School Site Violence, before your hearing date and file it with the court. If you need to include attachments, you can use Form MC-025. Forms are available at the court clerk's office or on the California Courts Web site: www.courts.ca.gov/forms.

Do I have to serve the other person with a copy of my response?

Yes. Have someone—not you—mail a copy of completed Form SV-120 to the person named in item 1 of the petition SV-100 (or that person's lawyer). (This is called "service by mail.")

The person who serves the form by mail for you must fill out Form SV-250, *Proof of Service of Response by Mail.* Have the person who did the mailing sign the original. Take the completed form back to the court clerk or bring it with you to the hearing.

Should I go to the court hearing?

Yes. You should go to court on the date listed on Form SV-109, Notice of Court Hearing. If you do not go to court, the judge can make orders without hearing from you.

	ioner (Ed	ucational Institution Office	or Employee)	DRAFT 3 BG March 18, 2010
Atton	ney for Peti	tioner (if any):	te Bar No.:	Not Approved by the Judicial Council
				-
Street	t Address:_			- L
		State:		Fill in court name and street address: Superior Court of California, County
Telep	hone No.: .	Fax No.:		- Superior court of camorina, county
E-Ma	il Address:			_
		and and Brands and and		
,		ed of Protection		
Full N	ame:			Fill in case number:
				Case Number:
	ondent (Person From Whom Protec	tion Is Sought)	
/	ce of Hea urt hearin	ring		
A cor	urt hearin	ring g is scheduled on the request	for orders agains	ress of court if different from above:
A cor	urt hearing	ring g is scheduled on the request	for orders agains Name and adds	ess of court if different from above:
A cor	urt hearin	ring g is scheduled on the request	for orders agains Name and adds	ress of court if different from above:
A coo	urt hearing Datate Dep	ring g is scheduled on the request Time: Room:	for orders agains Name and adds	ess of court if different from above:
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Head Brown Stop S you ago the co-sell of	want to reschool site I greefor disagnet may in turn in an	ring g is scheduled on the request t: Room pond to the request for orders in wr folence. Whether or not you response with the orders requested. You keeper standard or the response with the orders requested. You g firearms or ammunition that you	Pondent for orders agains Name and adds Name and adds iting, file Form SV-1 d in writing, go to the may bring witnessen at that could last up an own or possess.	ess of court if different from above: 20, Response to Petition for Orders to be bearing. You may tell the court why and other evidence. At the hearing,
Head Diff you Stop S you ago the co	want to less that to less that to less that to less that I green disagnet may m turn in an porary Re Temporary Violence,	ring g is scheduled on the request to the request for orders in wr folence. Whether or not you response to the retraining orders against yo for restraining Orders (Any order ty Restraining Orders (Any order) ty Restraining Orders as requested are (check only one box below):	pondent for orders agains Name and adds Name and adds sting, file Form SV- dd in writing, go to the may bring winesses at that could last up at own or possess. granted are on Form form SV-100, Pet	ess of court if different from above: 20, Rasponse to Petition for Orders to be bearing. You may tell the court why and other evidence. At the hearing, to five years and may order you to
Head District Market Ma	want to respect to the second state of the sec	ring g is scheduled on the request t: Room: Time: Room: Poond to the request for orders in wr follence. Whether or not you responsee with the orders requested. You kee restraining orders against yo y firearms or ammunition that ye settraining Orders (Any orders y Restraining Orders as requested if are (check only one box below): All GRANTED until the court b	pondent for orders agains Name and adds Name and adds iting, file Form SV-1 d in writing, go to the may bring winesses at that could last up as own or possess. granted are on Form In Form SV-100, Peteraring.	20, Response to Petition for Orders to be hearing. You may tell the cout why and other evidence. At the hearing, to five years and may order you to 15V-110, served with this Notice, ition for Orders to Stop School Site
Head District Market Ma	want to be chool site I greefer disagnitum in a more remains a mor	ring g is scheduled on the request E. Time: Room: Poond to the request for orders in wr folence. Whether or not you responsee with the orders requested. You gate restraining orders again orders was retrained orders for the present of the control of the present	for orders agains Name and addi Name and addi iting, file Form SV-1 d in writing, go to it may bring winesses at that could last up, at own or possion, granted are on Form in Form SV-100, Per saring. (Specify reazon	ess of court if different from above: (20, Response to Petition for Orders to be hearing. You may tell the court why and other evidence. At the hearing, to five years and may order you to tSV-110, served with this Notice.) tition for Orders to Stop School Site sfor denial in 5b on the next page.)
A cou	want to be chool site I greefer disagnitum in a more remains a mor	ring g is scheduled on the request E. Time: Room: Poond to the request for orders in wr folence. Whether or not you responsee with the orders requested. You gate restraining orders again orders was retrained orders for the present of the control of the present	for orders agains Name and addi Name and addi iting, file Form SV-1 d in writing, go to it may bring winesses at that could last up, at own or possion, granted are on Form in Form SV-100, Per saring. (Specify reazon	120, Response to Petition for Orders to be hearing. You may tell the court why and other evidence. At the hearing, to five years and may order you to 15V-110, served with this Notice.) tition for Orders to Stop School Site

Code Civ. Proc., § 527.85 Approved by DOJ

How Can I Respond to a Petition for **Orders to Stop School Site Violence?**

How long does the order last?

If the court issued a temporary restraining order before the hearing, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. Any order issued after the hearing could last for up to three years.

What about 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 lawyer. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

Will I see the student at the court hearing?

Yes. Assume that the student will attend the hearing. Do not talk to him or her unless the judge or his or her lawyer says you can.

Can I bring a witness to the court hearing?

Yes. You can bring witnesses or documents that support your case to the hearing. But, if possible, you should also bring the witnesses' written statements of what they saw or heard. Their statements must be made under penalty of perjury. You can use Form MC-030 for this.

What if I don't speak English?

When you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If an interpreter is not available for your court date, bring someone to interpret for you. You cannot ask a child under age 18 to interpret for you.

What if I have a gun?

If a restraining order is issued, you cannot own, possess, or have a gun, other firearm, or ammunition while the order is in effect. If you have a gun or other firearm in your immediate possession or control, you must sell it to a licensed gun dealer or turn it in to a law enforcement agency.

Can I agree with the student to cancel the order?

No. Once the order is issued, only the judge can change or cancel it.

What if I am deaf or hard of hearing?



Assistive listening systems, computerassisted 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 www.courts.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (Form MC-410). (Civil Code, § 54.8.)

For help in your area, contact:

[Local information may be inserted]

S	Restraining Order After Hearing to Stop School Site Violence	Clerk stamps date here when form is file
	Petitioner (Educational Institution Officer or Employee	DRAFT MARCH 24, 2010
A N	Name: Attorney for Petitioner (if any): Name: State Bar No.: Strate Bar No.: State Bar No.:	l .
	Street Address:	
7	City: State: Zip: Telephone No.: Fax No.: E-Mail Address:	a Superior Court of California, County 6
5	Student in Need of Protection Full Name:	
		Court fills in case number when form is filed. Case Number:
F	Respondent (Person From Whom Protection Is Sought Full Name: Description:	Case Number:
F F I	Respondent (Person From Whom Protection Is Sought Full Name:	Case Number:
F I	Respondent (Person From Whom Protection Is Sought Full Name: Description:	te of Birth: Race:
F I	Respondent (Person From Whom Protection Is Sought Full Name: Description: Sex: M F Height: Weight: Da Hair Color: Eye Color: Age:	te of Birth: Race:
F I	Respondent (Person From Whom Protection Is Sought Full Name:	te of Birth: Race: State: Zip: ers or other students are protected by the ehold member? Relation to student Yes No Yes No
F I	Respondent (Person From Whom Protection Is Sought Full Name: Description: Sex:	te of Birth: Race: State: Zip: ers or other students are protected by the ehold member? Relation to student Yes No

If no expiration date is written here, this Order expires three years from the date of issuance.

_____ a.m. p.m. or midnight on (date): _____

(5) Expiration Date

This Order expires at:

			Case Number:
<u>6</u>	Hea	earing	
		here was a hearing on (date): at (time): a.i	m. p.m. in Dept. Room:
	(Nai	ame of judicial officer):	made the orders at the hearing.
	The	nese people were at the hearing:	
	a. [☐ The petitioner-school official represented by (name):	
	b. [☐ The lawyer for the petitioner-school official (name):	
	e. [\Box The respondent f! \Box The lawyer for respondent (name):	
		☐ Additional persons present are listed at the end of this Order on Attach	ment 6.
7		The hearing is continued. The parties must return to court on (date):	at (time):
		To the Respondent	
		To the Respondent	
		he court has granted the orders checked below. If you do not o	• •
		rrested and charged with a crime. You may be sent to jail for up o \$1,000, or both.	to one year, pay a line of up
8		ersonal Conduct Orders 🔲 Granted 🔲 Not Granted 🗆	Not Requested
9	a.		-
	b.		
		(1) \square assault, batter, or stalk the student \square and other protected personal content \square and other personal content \square and \square are protected personal content \square and \square are per	ons.
		(2) \Box follow or stalk the student \Box and other protected persons during	ing school hours or to or from the
		school campus or facility. (3) contact the student and other protected persons, directly or	indirectly by any means including
		but not limited to, in person, by telephone, in writing, by publ or by other electronic means.	
		(4) \square enter the workplace of the student \square and other protected personal content \square	ons.
		(5) \square take any action to obtain the student's \square and other protected	
		(6) other <i>specify</i>):	
	c.	\mathcal{E} \mathcal{I}	erson for service of legal papers related
		to a court case is allowed and does not violate this order.	
9)	Sta	tay-Away Order $\ \square$ Granted $\ \square$ Not Granted $\ \square$ Not Re	quested
	a.	You must stay at least (<i>specify</i>): yards away from the student and each other protected person listed in 4 and (<i>check all that apply</i>)	·):
		(1) \square The student's home (5) \square Other (specify):	
		(2) The student's job or workplace	
		(3) in the statement of ventice	
		(4) \(\square\) The student 5 school	
	b.	. This stay-away order does not prevent you from going to or from your h	ome or place of employment.
		This is a Court Order	



		Case Humber.
<u>10)</u>	Firearms Prohibition and Relinquishment	
	a. You cannot own, possess, have, buy or try to buy, receive or try to other firearms, or ammunition.	receive, or in any other way get guns
	b. If you have not already done so, you must:	
	 Sell to a licensed gun dealer or turn in to a law enforcement ager immediate possession or control. This must be done within 24 ho 	
	(2) File a receipt with the court within 48 hours of receiving this Ord in or sold. (You may use Form SV-800, Proof of Firearms Turned	
	c. The court has received information that you own or possesses a fin	rearm.
11)	Other Orders (specify): Granted Not Granted Not	Requested
	Additional orders are attached at the end of this Order on Attachment 11	1.
12	Entry of Order into CLETS (California Law Enforcement Te	lecommunications System)
	a. The clerk will enter this Order and its proof-of-service form into CI	LETS.
	b. The clerk will transmit this Order to each law enforcement agency la agencies will enter the Order and its proof-of-service form into CLE	
	c. By the close of business on the date that this Order is made, you or you the Order and its proof-of-service form to each law enforcement age agencies will enter the Order and its proof-of-service form into CLE	ency listed below. The law enforcement
_	Name of Law Enforcement Agency Address (City, State, Zip)
- - [Additional law enforcement agencies are listed at the end of this Order or	n Attachment 12.
\smile	 Service of Order on Respondent a. Both the respondent and the student attended the hearing. No other present the student attended the hearing. 	roof of service is needed.
	b. The respondent did not attend the hearing.	
	(1) Proof of service of Form SV-110, <i>Temporary Restraining Ord</i> judge's orders in this form are the same as in Form SV-110 ex respondent must be served with this Order. Service may be by	scept for the expiration date. The
	(2) The judge's orders in this form are different from the temporal SV-110. Someone—but not the petitioner or anyone protected serve a copy of this order on the respondent.	ry restraining orders in Form

	Case Number:
No Fee to Serve (Notify) Restrained Person	☐ Not Ordered
Number of pages attached to this Order, if any:	
Date:	
Warning and Notice to the Respondent	
You Cannot Have Guns or Firearms	
You cannot own, have, possess, buy or try to buy, receive or try to receive, or other ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1, gun dealer or turn in to a law enforcement agency any guns or other firearms that y above. The court will require you to prove that you did so. If you do not obey this of the court will require you to prove that you did so.	,000 fine. You must sell to a licensed you have or control as stated in item 10

Instructions for Law Enforcement

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this Order are subject to criminal penalties.

	,	Clerk will fill out this part.) —Clerk's Certificate—	
Clerk's Certificate [seal]	•	his Restraining Order After Hearing to Stop St X) is a true and correct copy of the original or	
	Date:	Clerk, by	, Deputy
		This is a Court Order.	

SV-200

Clerk stamps date here when form is filed. **Proof of Personal Service** DRAFT Petitioner (Educational Institution Officer or Employee) March 24, 2010 Not Approved by the **Student in Need of Protection** Judicial Council **Respondent (Person From Whom Protection Is Sought)** Fill in court name and street address: **Notice to Server** Superior Court of California, County of The server must: • Be 18 years of age or older. • Not be listed in items (1) or (4) of Form SV-100. • Give a copy of all documents checked in (5) below to the respondent. (You cannot send them by mail.) Then complete and Fill in case number: sign this form and give or mail it to the petitioner. Case Number: PROOF OF PERSONAL SERVICE **5**) I gave the respondent a copy of the forms checked below: a. \square SV-100, Petition for Orders to Stop School Site Violence b. SV-109, *Notice of Court Hearing* c. SV-110, Temporary Restraining Order (CLETS) d SV-120, Response to Petition for Orders to Stop School Site Violence (blank form) e. SV-120-INFO, How Can I Respond to a Petition for Orders to Stop School Site Violence? f. SV-130, Restraining Order After Hearing to Stop School Site Violence g. SV-800, *Proof of Firearms Turned In or Sold* (blank form) h. \square Other (specify): I personally gave copies of the documents checked above to the respondent a. On (date): ______ b. At (time): _____ a.m. p.m. _____ State: _____ Zip: _____ Server's Information Name: ______ Telephone: _____ Address: _____ _____ State: _____ Zip: _____ (If you are a registered process server): County of registration: ______ Registration number: _____ I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Judicial Council of California, www.courts.ca.gov January 1, 2011, Optional Form Code of Civil Procedure, §§ 527.85, 1011

Date:

Type or print server's name

Server to sign here

SV-200-INFO

What Is "Proof of Personal Service"?

What is "Service"?

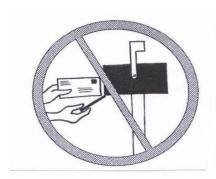
Service is the act of giving your legal papers to the other party. There are many kinds of service—in person, by mail, and others. This form is about personal or "in-person" service. The *Petition for Orders to Stop School Site Violence* (Form SV-100), the *Notice of Court Hearing* (Form SV-109), and the *Temporary Restraining Order* (Form SV-110) must be served in person. That means that someone must personally "serve" (give) a copy of the forms to the person to be restrained.

Service lets the other person know:

- What orders you are asking for
- The hearing date
- · How to respond

Why do I have to get the orders served?

- The **police cannot arrest** anyone for violating an order **unless** that person knows about the order.
- The judge cannot make the orders permanent unless the restrained person was served.



Don't serve it by mail!

Who can serve?

Ask someone you know, a process server, or a law enforcement agency to personally serve (give) a copy of the forms to the person to be restrained. You **cannot** send the forms to that person by mail.

The server must:

- Be 18 years of age or older.
- Not be you or anyone whom you are asking to be protected by the orders.

The sheriff or marshal may be authorized to serve the court's orders **for free** if the orders are based on claims of stalking or a credible threat of violence, or if you are eligible for a fee waiver.

A registered process server is a business you pay to deliver court forms. Look for "Process Serving" in the Yellow Pages or on the Internet.

(If a law enforcement agency or the process server uses a different proof of service form, make sure it lists the forms served.)

How to serve

Ask the server to:

- Walk up to the person to be served.
- Make sure it is the right person. Ask the person's name.
- Give the person copies of all papers checked on Form SV-200, the *Proof of Personal Service* form.
- Fill out and sign the *Proof of Personal Service*.
- Give the signed *Proof of Personal Service* to you.

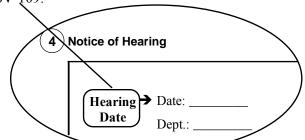
What if the person won't take the papers or tears them up?

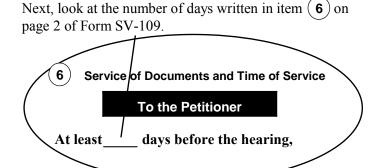
- If the person won't take the papers, just leave them near him or her.
- It doesn't matter if the person tears them up.

When do the orders have to be served?

It depends. To know the exact date, you have to look at two things on Form SV-109, Notice of Court Hearing.

First, look at the hearing date on page 1 of Form SV-109.





Look at a calendar. Subtract the number of days in **6** from the hearing date. That is the final date to have the orders served. It is always OK to serve earlier than that date.

If nothing is checked or written in (6), you must serve the orders at least five days before the hearing.

Who signs the Proof of Personal Service?

Only the person who serves the forms can sign Form SV-200, *Proof of Personal Service*. You do not sign it; the restrained person does not need to sign it.

What do I do with the completed *Proof of Personal Service*?

If someone other than the sheriff serves the papers, you should:

- Make at least five copies.
- File the original with the court before your hearing.
- Ask the clerk to enter it into CLETS (California Law Enforcement Telecommunications System), a special computer system that lets police all over the state find out about the orders protecting you.
- If the clerk tells you that the court cannot enter it into the computer, take a copy of the *Temporary Restraining Order* (Form SV-110) and *Proof of Personal Service* (Form SV-200) to your local police. They will put the information into the state computer system. That way, police all over the state will know that your restraining order has been served.
- Bring a copy of the completed *Proof of Personal Service* to your hearing.
- Always keep an extra copy of the restraining orders with you for your safety.

If the sheriff serves the papers, he or she will send the proof of service to the court and CLETS for you.

What happens if I can't get the orders served before the hearing date?

Before your hearing, fill out and file Form CIV-025, *Application and Order for Reissuance of Order to Show Cause and Temporary Restraining Order*. This form asks the court for a new hearing date and makes your orders last until then. Ask the clerk for the form. After the court has reissued the orders, attach a copy of Form CIV-025 to a copy of your original orders. Ask the clerk to enter CIV-025 into CLETS or take a copy to the police. That way, the police will know your orders are still in effect.

SV-220

Proof of Service of Order After Hearing by Mail

You may serve Form SV-130, Restraining Order After Hearing to Stop School Site Violence, on the respondent by mail if the respondent was not at the hearing and:

- Before the hearing, the respondent was personally served with Form SV-110, Temporary Restraining Order, and proof of service of Form SV-110 was presented to the court at the hearing;
- The judge's orders in Form SV-130 are the same as in Form SV-110 except for the expiration date.

Student in Need of Protection Name:		Fill in case number:		
Respondent (Person From Who	om Protection Is Sought)	Case Number:		
PR	OOF OF SERVICE BY MAII	L		
I am 18 years of age or older and am a resident of or employed in the county where the mailing took place. I am not the petitioner, the student, or any person listed in item (4) of Form SV-130. I mailed the respondent a copy of:				
a. Form SV-130, Restraining Order Afterb. ☐ Other (specify):				
I placed copies of the documents above in a sealed envelope and mailed them as described below:				
a. Mailed from: City: State: b. On (date):		delli us described below.		
a. Mailed from: City:	•			
a. Mailed from: City: c. To this address:	State:	b. On (date):		
	State:	b. On (date):		
c. To this address:	State:	b. On (date):		
c. To this address: City: Server's Information	State: State:	b. On (date): Zip:		
c. To this address: City: Server's Information Name:	State: St	b. On (date): Zip:		
c. To this address: City: Server's Information Name: Address:	State: State:	b. On (date): Zip:		
c. To this address: City: Server's Information Name: Address: City: (If you are a registered process server):	State: State: State: State:	b. On (date): Zip: Zip: Zip:		
c. To this address: City: Server's Information Name: Address: City:	State: State: State: State:	b. On (date): Zip: Zip: Zip:		
c. To this address: City: Server's Information Name: Address: City: (If you are a registered process server):	State:	b. On (date): Zip: Zip: Zip: Don number:		

Clerk stamps date here when form is filed.

DRAFT March 24, 2009

Not Approved by the

Judicial Council

Fill in court name and street address:

Superior Court of California, County of

SV-250 Proof of Service of Response by Mail

DRAFT March 24, 2010 1) Petitioner (Educational Institution Officer or Employee) Name: ____ Not Approved by the Judicial Council 2) Student in Need of Protection **Respondent (Person From Whom Protection Is Sought)** Name: Fill in court name and street address: Superior Court of California, County of **Notice to Server** The server must: • Be 18 years of age or older; • Be a resident of or employed in the county where the mailing took place; • Not be the respondent, the student, or Fill in case number: any person listed in item (4) of Form Case Number: SV-100: • Mail a copy of all documents checked in (5) below to the petitioner; • Complete and sign this form and give it to the respondent. PROOF OF SERVICE BY MAIL I am 18 years of age or older and not a party to this proceeding. I am a resident of or employed in the county where the mailing took place. I mailed the petitioner a copy of: a. Form SV-120, Response to Petition for Orders to Stop School Site Violence (completed) b. Other (specify): I placed copies of the documents listed above in a sealed envelope and mailed them as described below: a. Mailed from: City: ______ State: _____ b. On (date): _____ c. To this address: City: ______ State: _____ Zip: _____ **Server's Information** Name: _____ Telephone: _____ Address: _____ State: _____ Zip: _____ (If you are a registered process server): County of registration: ______ Registration number: _____ I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Clerk stamps date here when form is filed.

Type or print server's name

•	V A	■•.		
- 1		∡ •.	1 .	
		■.	▲•⊿	•

Proof of Firearms Turned In or Sold

Clerk stamps date here when form is filed.

DRAFT March 24, 2010

Petitioner (Educational	Institution Officer or Employee)	March 24, 2010
Name:		Not Approved by the
Attorney for Petitioner (if any):	Not Approved by the Judicial Council
Name:	State Bar No.:	
Firm Name:		
Street Address:		
City:	State: Zip:	Fill in court name and street address: Superior Court of California, County of
Telephone No.:	Fax No.:	
E-Mail Address:		
Student in Need of Prot	ection	
Full Name:		-
		Fill in case number: Case Number:
Respondent (Person Fr	om Whom Protection Is Sought)	
Full Name:		

4 To the Respondent:

If the court has ordered you to sell or turn in your firearms, you may use this form to prove to the court that you have obeyed its orders. When you deliver your unloaded weapons, ask the law enforcement officer or the licensed gun dealer to complete item (5) or (6) and item (7). After the form is signed, file it with the court clerk. Keep a copy for yourself.

	To Law Enforcement
c	Fill out items 5 and 7 of this form. Keep a copy and give the original to the person who urned in the firearms.
7	The firearms listed in 7 were turned in on:
Ι	Date: at: a.m.
Ί	Name and title of law enforcement agent
	Name of law enforcement agency
	Address
I	declare under penalty of perjury under the laws
	of the State of California that the information
a	bove is true and correct.
}	}
S	Signature of law enforcement agent

3)	To Licensed Gun Dealer
	Fill out items 6 and 7 of this form. Keep a copy and give the original to the person who sold the firearms to you.
	The firearms listed in 7 were sold to me on:
	Date: at: a.m.
	To:
	License number Telephone
	Address I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.
	Signature of licensed gun dealer

7	Firearms		
	<u>Make</u>	Mode	<u>Serial Number</u>
	1		
	2		
	3		
	4		
	5		
	☐ Check here if you turned in or sold more firearms. 7—Firearms Turned In or Sold" for a title. Includ		v
8	Do you have, own, possess, or control any other firearms be		
	If you answered yes, have you sold or transferred those othe <i>If yes, check one of the boxes below:</i>	r firearms?	☐ Yes ☐ No
	a. I filed the <i>Proof of Firearms Turned In or Sold</i> for the	ose firearms with	n the court on (date):
	$\ \ \ \ \ \ $ b. I am filing the proof for those firearms along with thi	s proof.	
	☐ c. I have not yet filed the proof for the other firearms. (e ☐ Check here if there is not enough space below for sheet of paper and write "SV-800, Item 8c" for a t	your answer. Pu	
	I declare under penalty of perjury under the laws of the State correct.	e of California tl	nat the information above is true and
	Date:		
		}	
	Type or print your name	Sign your na	ne

Case Number:

WV-100

Petition for Orders to Stop Workplace Violence

Read How Do I Get an Order to Prohibit Workplace Violence (Form WV-100-INFO) before completing this form. NOTE: Petitioner must be an employer with standing to bring this action under Code of Civil Procedure section 527.8. Also fill out Form WV-102, CLETS Information, with as much information as you know.

Petitioner (Employer)

Name:				
	sole proprietorship		Fill in court name and street	address:
\Box other (specify	y):		Superior Court of Cali	
and is filing this suit on b	ehalf of the employee identified	l in item 2).		
Address (Skip this if you	have a lawyer.):			
City:	State: 2	Zip:		
	Fax No:		Court fills in case number w	hen form is filed
Attorney for Petitioner (i	· · · · · · · · · · · · · · · · · · ·	Jo ·		
	State Bar N			
Street Address:				
	State:			
•	Fax No:	•		
•				
2) Employee in Need o	of Protection			
Full Name:				
Sex M F	Age:			
· • • • • • • • • • • • • • • • • • • •	n From Whom Protection	• ,		
	nown):			
•	known):			
			Zip:	
Additional Protecte	d Persons			
	protection for any family or hou aployee's workplace or at other			y other
☐ Yes ☐ N	o If yes, list those persons on pa	age 2:		
	This is not a	Court Order.		

Not Approved by the Judicial Council

DRAFT

Clerk stamps date here when form is filed.



			Case Nu	ımber:	
<u>Full Name</u>	<u>Sex</u>	Age I	Household mem ☐ Yes ☐ No ☐ Yes ☐ No ☐ Yes ☐ No	o <u> </u>	Relation to employee
☐ Additional protected persons are listed in b. Why do these people need protection?	Attachm	ent 4a.	☐ Yes ☐ No		
Response is set forth in Attachment 4b.					
 Relationship of Employee and Respond a. How does the employee know the respondent Response is set forth in Attachment 5a. 		ibe):			
b. Respondent ☐ is ☐ is not a current emp ☐ Response is set forth in Attachment 5b.	loyee of	petitione	r (explain if res	ponde	nt is an employee):
Venue Why are you filing in this county? (Check all than a. ☐ The respondent lives in this county. b. ☐ The respondent has caused physical or enc. ☐ Other (specify):	notional		•		e in this county.
a. Has the petitioner or the employee or any of the the respondent? ☐ No ☐ Yes If yes, check	ne person k each ki	s named and of case	in 4 been invo	olved in where	n another court case with and when each was filed:
 Kind of Case (1) ☐ Civil Harassment (2) ☐ Domestic Violence (3) ☐ Divorce, Nullity, Legal Separation (4) ☐ Paternity, Parentage, Child Support 	County	Where F	iled Year	Filed	Case Number (if known)

		Case Number:
	Full Name (7) ☐ Guardianship (8) ☐ School Site Violence (9) ☐ Criminal (10) ☐ Other (specify):	Sex Age Household member? Relation to employee —
8)	b. Are there now any restraining orders or crimin the persons in 4 and the respondent?	nal protective orders in effect relating to the employee or any of Yes \(\square \) No \(\textit{If yes, attach a copy if you have one.} \)
	 a. Respondent has (check one or more): (1) □ assaulted the employee (2) □ (4) □ made a credible threat of violence a 	battered the employee (3) stalked the employee against the employee by making knowing or willful statements, that would place a reasonable person in fear for his or her
	•	
	c. Describe what happened. (Provide details. It recent; tell who did what to whom; identify a Response is set forth in Attachment 80	•
	d. Was the employee harmed or injured? Ye Response is set forth in Attachment 86	es No If yes, describe harm or injuries: d.
	e. Did the respondent use or threaten to use a g	

Case Nur	mber:
f. For any of the incidents described above, did the police come? Yes	No
If yes, did the employee or the respondent receive an Emergency Protective Or	
If yes: The order protects (check all that apply): a. The employee b. The respondent c. The person	s in (4)
Attach a copy of the order if you have one. Check the orders you want	
9) Personal Conduct Orders	
a. I ask the court to order the respondent not to commit acts of unlawful violence violence to the employee or any other protected person listed in 4 .	e on or make threats of
b. Specifically, I ask the court to order the respondent not to:	
 (1) assault, batter, or stalk the employee and other protected persons. (2) follow or stalk the employee and other protected persons during v place of work. 	
(3) contact the employee and other protected persons, directly or indi including, but not limited to, in person, by telephone, in writing, by p e-mail, by fax, or by other electronic means.	
(4) \square enter the workplace of the employee \square and other protected persons.	
 (5) ☐ take any action to obtain the address or location of the employee ☐ a (6) ☐ other <i>specify</i>): 	* *
10 ☐ Stay-Away Orders	
a. I ask the court to order the respondent to stay at least yards away from ☐ each other protected person listed in ④ and (check all that apply):	the employee
(1) The employee's residence (5) Other (specify):	
(3) The employee's vehicle	
(4) The employee's school	
b. If the court orders the respondent to stay away from all the places listed above, get to his or her home, school, or job? \(\subseteq \text{ Yes} \subseteq \text{ No} \text{ If no, explain:} \)	, will that person still be able to
☐ Answer is set forth in Attachment 10b.	
<u> </u>	

		Case Number:	
F	Firearms Prohibition and Relinquishment		
If re is	If the judge grants a protective order, the respondent will be prohibited freceiving, or attempting to purchase or receive a gun, other firearm, and is in effect. The respondent will also be ordered to turn in to law enforce for firearms within his or her immediate possession or control.	l ammunition wh	nile the protective or
Г	Does the respondent own or possess any guns or other firearms?	es 🗌 No 🔲	I don't know
In	mmediate Orders		
	Do you want the court to make any of these orders now that will last unti- espondent? Yes No	l the hearing wit	thout notice to the
If	f you answered yes, explain why:		
	Response is set forth in Attachment 12.		
_			
_			
	Request for Less Than Five-Days' Notice You must have your papers personally served on the respondent at least popular orders a shorter time for service. (Form WV 200 INFO explains "		
co F	·	What Is Proof of that the papers	f Personal Service?.' have been served.)
co F	You must have your papers personally served on the respondent at least court orders a shorter time for service. (Form WV-200-INFO explains "Form WV-200, Proof of Personal Service, may be used to show the court	What Is Proof of that the papers	f Personal Service?.' have been served.)
co F	You must have your papers personally served on the respondent at least court orders a shorter time for service. (Form WV-200-INFO explains "Form WV-200, Proof of Personal Service, may be used to show the court of you want there to be fewer than five days between service and the hear	What Is Proof of that the papers	f Personal Service?.' have been served.)
co F	You must have your papers personally served on the respondent at least court orders a shorter time for service. (Form WV-200-INFO explains "Form WV-200, Proof of Personal Service, may be used to show the court of you want there to be fewer than five days between service and the hear	What Is Proof of that the papers	f Personal Service?.' have been served.)
	You must have your papers personally served on the respondent at least court orders a shorter time for service. (Form WV-200-INFO explains "Form WV-200, Proof of Personal Service, may be used to show the court of you want there to be fewer than five days between service and the heat Answer is set forth in Attachment 13. Delivery of Orders to Law Enforcement	What Is Proof of that the papers ring, explain wh	f Personal Service?.' have been served.)
	You must have your papers personally served on the respondent at least court orders a shorter time for service. (Form WV-200-INFO explains "Form WV-200, Proof of Personal Service, may be used to show the court of you want there to be fewer than five days between service and the heat. Answer is set forth in Attachment 13. Delivery of Orders to Law Enforcement The following law enforcement agencies should receive copies of all orders.	What Is Proof of that the papers ring, explain wh	f Personal Šervice?.' have been served.) y:
	You must have your papers personally served on the respondent at least court orders a shorter time for service. (Form WV-200-INFO explains "Form WV-200, Proof of Personal Service, may be used to show the court of you want there to be fewer than five days between service and the heat Answer is set forth in Attachment 13. Delivery of Orders to Law Enforcement The following law enforcement agencies should receive copies of all ord. Name of Agency:	What Is Proof of that the papers ring, explain wh	f Personal Šervice?.' have been served.) y:
	You must have your papers personally served on the respondent at least court orders a shorter time for service. (Form WV-200-INFO explains "Form WV-200, Proof of Personal Service, may be used to show the court of you want there to be fewer than five days between service and the heat. Answer is set forth in Attachment 13. Delivery of Orders to Law Enforcement The following law enforcement agencies should receive copies of all orders.	What Is Proof of that the papers ring, explain wh	f Personal Šervice?.' have been served.) y:
F III	You must have your papers personally served on the respondent at least court orders a shorter time for service. (Form WV-200-INFO explains "Form WV-200, Proof of Personal Service, may be used to show the court of you want there to be fewer than five days between service and the heat. Answer is set forth in Attachment 13. Delivery of Orders to Law Enforcement The following law enforcement agencies should receive copies of all ord. Name of Agency: Address: Address:	What Is Proof of that the papers ring, explain where ers: State:	f Personal Šervice?.' have been served.) y: Zip:
F III	You must have your papers personally served on the respondent at least court orders a shorter time for service. (Form WV-200-INFO explains "Form WV-200, Proof of Personal Service, may be used to show the court of you want there to be fewer than five days between service and the heat Answer is set forth in Attachment 13. Delivery of Orders to Law Enforcement The following law enforcement agencies should receive copies of all ord. Name of Agency: Address: City: City:	What Is Proof of that the papers ring, explain where ers: State:	f Personal Šervice?.' have been served.) y: Zip:
F III	You must have your papers personally served on the respondent at least court orders a shorter time for service. (Form WV-200-INFO explains "Form WV-200, Proof of Personal Service, may be used to show the court of you want there to be fewer than five days between service and the heat Answer is set forth in Attachment 13. Delivery of Orders to Law Enforcement The following law enforcement agencies should receive copies of all ord. Name of Agency: Address: City: Name of Agency: Name of Agency:	What Is Proof of that the papers ring, explain where ers: State:	f Personal Šervice?.' have been served.) y: Zip:

	Case Number:
☐ No Fee for Filing I ask the court to waive the filing fee because the responsible employee, or stalked the employee, or acted or spoken fear of violence.	ondent has inflicted or threatened violence against the in a manner that has placed the employee in reasonable
☐ No Fee to Serve Orders I ask the court to order the sheriff or marshal to serve to for orders is based on a credible threat of violence or starting.	
☐ Court Costs	
I ask the court to order the respondent to pay my court	t costs.
☐ Additional Orders Requested	
I ask the court to make the following additional orders	(specify):
☐ Additional orders requested are set forth in Atta	achment 18.
Number of pages attached to this form, if any:	
• •	
Date:	<u> </u>
• •	Signature of Attorney
Date:	<u> </u>
Name of Attorney	Signature of Attorney
I declare under penalty of perjury under the laws of the attachments is true and correct.	Signature of Attorney
Date:	<u> </u>
Name of Attorney I declare under penalty of perjury under the laws of the attachments is true and correct. Date:	Signature of Attorney e State of California that the information above and on
Name of Attorney I declare under penalty of perjury under the laws of the attachments is true and correct.	Signature of Attorney
Name of Attorney I declare under penalty of perjury under the laws of the attachments is true and correct. Date:	Signature of Attorney e State of California that the information above and on

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WV-100-INFO

How Do I Get an Order to Prohibit Workplace Violence?

These instructions cannot cover all of the problems and questions that may arise in a particular case. If you do not know what to do to protect your employee's rights, you should see an attorney.

What is a Workplace Violence Prevention Order?

Under California law (Code of Civil Procedure, section 527.8), courts can make orders to protect an employee from suffering unlawful violence or credible threats of violence at the workplace.

The court can order a person to:

- Not harass or threaten the employee;
- Not contact or go near the employee; and
- Not have a gun.

These orders will be enforced by law enforcement agencies.

Who can get a Workplace Violence Protection Order?

Employers can obtain court orders prohibiting unlawful violence or credible threats of violence against their employees. The statute differs from other California laws that allow victims of unlawful violence or credible threats of violence to ask the court for these orders **themselves**. To get an order under this law, the petitioner **must** be an employer. An employer is defined as the following:

- Every person engaged in any business or enterprise in this state that has one or more persons in service under any appointment, contract of hire, or apprenticeship, express or implied, oral or written, irrespective of whether such person is the owner of the business or is operating on a concessionaire or other basis. (Lab. Code, § 350(a).)
- A federal, state, or local public agency; a city, county, district, or public corporation. (Code Civ. Proc., § 527.8(d).)

Before completing the forms needed to obtain court orders under this statute, make certain you meet the definition of "employer" as stated. If anyone other than the employer wishes to apply to the court for an order prohibiting harassment, see the Form CH-150, *Can a Civil Harassment Restraining Order Help Me?*.

Whom can an employer protect under this law?

Under this statute, employers can obtain a court order that lasts up to 3 years on behalf of an employee. The order can also protect certain family or household members of the employee and other employees at the employee's workplace or at other workplaces of the employer.

California law defines employees as:

- Every person, including aliens and minors, rendering actual service in any business for an employer, whether gratuitously or for wages or pay, and whether such wages or pay are measured by the standard of time, piece, task, commission, or other method of calculation and whether such service is rendered on a commission, concessionaire, or other basis. (Lab. Code, § 350(b).)
- Members of boards of directors and public officers.
- Volunteers or independent contractors who perform services for the employer at the employer's work site.

An employer may seek protection under this law if:

- 1. An employee has suffered unlawful violence or a credible threat of violence from any individual;
- 2. The unlawful violence or credible threat of violence can reasonably be construed to have been carried out in the workplace;
- 3. The respondent's conduct is not allowable as part of a legitimate labor dispute as permitted by Code of Civil Procedure section 527.3; and
- 4. The respondent is not engaged in constitutionally protected activity.

What forms must be used to get the order?

- 1. Petition for Orders to Stop Workplace Violence [Petition] (Form WV-100). This form tells the judge the facts of the petitioner's case and what orders the petitioner wants the court to make.
- 2. *Notice of Court Hearing* (Form WV-109). This form tells the parties when the hearing on the petition will be held.
- 3. *Temporary Restraining Order* [TRO] (Form WV-110). A TRO can be issued to provide protection to the employee until the hearing is held. It can be issued by the judge either with or without notice to the respondent.

How Do I Get an Order to Prohibit Workplace Violence?

- 4. Response to Petition for Orders to Stop Workplace Violence [Response] (Form WV-120). The respondent files this form to state objections to the orders that the petitioner has asked the court to make and to give his or her side.
- 5. Restraining Order After Hearing to Stop Workplace Violence [Order] (Form WV-130). This is the form signed by the court following the hearing. The order will stay in effect for up to three years depending on what the judge rules. These forms are all mandatory—that is, they must be used in the workplace violence prevention proceeding.
- Proof of Personal Service (Form WV-200) and Proof of Service of Response By Mail (Form WV-250). These forms are used to show that the other party has been served with the legal documents as required by law.

Where can I get these forms?

Workplace violence forms are available from the court clerk's office or from legal publishers. The clerk of the court can tell you where to get the forms. You can also obtain them on the California courts Web site (www.courts.ca.gov/forms).

If a TRO is issued, how will the respondent know about it?

Someone over 18 years of age—not the employee or anyone else to be protected by the order— must "serve" (give) the respondent a copy of the TRO. For help with service, ask the court clerk for Form WV-200-INFO, What Is "Proof of Personal Service?"

How long does the order last?

If the court issues a TRO, it will last until the hearing date. At the hearing, the court will decide whether to continue or cancel the order. If the order is continued, it will last for up to three years. The petitioner can apply for a renewal.

Should I have a lawyer?

The employer may be represented by an attorney, but an attorney is not required by law unless the employer is a corporation. Because the employer's attorney will generally be representing the interests of the employee, the employee usually does not need his or her own attorney. Whether or not the employer has an attorney, the respondent may have one.

What steps are needed to get the court orders?

- 1. You will need at least five copies of each workplace violence form: one for a worksheet, the original to file with the court, a copy to be personally delivered to (served on) the respondent, one for the employee, and one for yourself. In addition, you will need at least three extra copies of the *Notice of Court Hearing* (Form WV-109), the Order (Form WV-130), and the *Proof of Personal Service* (Form WV-200).
- 2. Fill in the **Petition** (Form WV-100) completely, and fill in items 1–3 of the *Notice of Court Hearing* (Form WV-109). If you are seeking a **TRO**, also fill out Form WV-110.
 - a. If you are not represented by an attorney, fill in your name, mailing address, and phone number at the top of each form. Include an e-mail address or fax number where you may be contacted if you have either one.
 - b. Fill in the name of the county where the case will be filed and the address of the superior court.
 - c. Fill in your business name, the employee's full name, and the respondent's full name. If you are seeking protection for persons other than the employee, enter all of their names in item 4.
 - d. Check ("X") all boxes that apply to your case. Read each item carefully and fill in the necessary information. Be specific.
 - e. Remember to date and sign the **Petition**.
- 3. If you are applying for a **TRO**, you must give the details of the recent acts of violence or credible threats of violence and the problems they have caused your To obtain a **TRO**, you must notify the respondent of the request for the order unless both of the following requirements are satisfied:
 - a. It appears from facts shown on the petition that great or irreparable injury will result before the matter can be heard on notice; and
 - b. You or your attorney certifies one of the following to the court under oath:
 - (1) That within a reasonable time before presenting the petition to the court to ask for a TRO, you informed the respondent or the respondent's attorney when and where the request for a TRO would be made.

How Do I Get an Order to Prohibit Workplace Violence?

- (2) That you in good faith attempted but were unable to inform the respondent and the respondent's attorney, specifying the efforts made to contact them.
- (3) That for reasons specified, you should not be required to inform the respondent or the respondent's attorney.
- 4. If you are seeking court orders on the basis of information given to you by other persons (e.g., the affected employee or other employees), and not on the basis of what you have personally observed, you **must** attach to the **Petition** declarations by the persons who have personal knowledge of the facts that support the granting of the order. You may use Form MC-031 for the declarations.
- 5. At the court, give your forms to the clerk of the court. The clerk will give you a hearing date on the *Notice of Court Hearing* (Form WV-109). If you are seeking a **TRO** (Form WV-110), the clerk will tell you where and how to present your proposed order to a judge for consideration and signature. The court will decide within 24 hours whether or not to make the order. Sometimes the court decides right away. Ask if the *Notice of Court Hearing* and **TRO** will be mailed to you or if you should wait or come back later. If your request for a **TRO** is granted while you are still at the court, take the signed original back to the clerk.
- 6. The clerk will file your papers and assign a case number. The copies will be stamped with an "endorsed-filed" stamp (showing the date of filing). The clerk will file the originals and give you the copies. Ask for at least three endorsed-filed copies. Keep at least one for yourself and give the others to the employee and other persons, if any, who are to be protected. The copies may be needed if you have to call the police.

- 7. If the employee does not speak English, when you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If the interpreter is not available for your court date, bring someone to interpret. You cannot ask a child under 18 or anyone else to be protected by the order to interpret.
- 8. If a **TRO** has been issued, ask the clerk whether you or your attorney will need to deliver an endorsed-filed copy of the **TRO** to each law enforcement agency (police, marshal, or sheriff's office) that you want to enforce the order. If so, do so immediately.
- 9. Have the respondent personally **served** with copies of the **Petition** (Form WV-100), the *Notice of Court Hearing* (Form WV-109), the **TRO** (Form WV-110) (if issued), a blank **Response** (Form WV-120), and a blank *Proof of Service of Response By Mail* (Form WV-250). You **cannot** serve the respondent yourself. Service may be made by a licensed process server, the sheriff's department, or any person 18 years of age or older, other than you. For help with service, ask the court clerk for Form WV-200-INFO, *What Is "Proof of Personal Service?"*

Service is essential. It tells the respondent about the order and the hearing. Without it there cannot be a court hearing, and your temporary orders will no longer be good unless they are extended by the court. The respondent should be personally **served** immediately after the orders are signed by the judge, unless the court specifies a different time for service.

10. After the respondent has been personally served, the person who served the respondent must complete and sign the original *Proof of Personal Service* (Form WV-200). Take the signed original and the copies back to the court clerk. The clerk will file the original and stamp "endorsed-filed" on the copies. Ask the clerk whether you should take one of the endorsed-filed copies to each of the law enforcement agencies where you filed your TRO. Keep three endorsed-filed copies for yourself.

WV-100-INFO

How Do I Get an Order to Prohibit Workplace Violence?

- 11. Go to court on the date the clerk gives you. You do not need to bring any witnesses, but it helps to have more proof of the violence or threats than just one person's word. You can bring:
 - A written statement from witnesses made under
 - Withesses
 - Photos
 - Medical or police reports
 - · Damaged property
 - Threatening letters, e-mails, or telephone messages

The court may or may not let witnesses speak at the hearing. So, if possible, you should bring their written statements under oath to the hearing. (You can use Form MC-030 for this.)

The respondent has the right to attend the hearing, but he or she does not have the right to speak to the employee. If the employee is afraid, tell the court officer.

12. If the judge signs the **Order** (Form WV-130), file the original with the clerk and get copies stamped "endorsed-filed." Ask the clerk whether you or your attorney will need to deliver an endorsed-filed copy of the order to each law enforcement agency that you want to enforce the order. If so, do so immediately.

If the respondent was not present in court for the hearing, arrange to have him or her personally **served** with a copy of the order unless the order is the same as the **TRO** except for the termination date, in which case you may serve the respondent by mail. File the completed *Proof of Personal Service* (Form WV-200 for personal service or Form WV-220 for service by mail) with the court. **Keep at least three copies for yourself.** Give one copy to your student, give one to each other protected person, and keep at least one for yourself.

- 13. If the respondent does not obey the order, call the police. The respondent can be arrested and charged with a crime.
- 14. Once the order is issued, the parties cannot agree to cancel the order. Only the judge can change or cancel it

1 Petition	er (Employer)		DRAFT 5 BG January 15, 2010
Name:			Not Approved by the
	for Petitioner (if any):	State Bar #:	Judicial Council
		State Dar #:	
Street Add	dress:		_
		State: Zip:	Fill in court name and street address:
		Fax No:	
	ddress:		<u> </u>
Employe	ee in Need of Protec	ction	346
_			
	(4)	NA COLUMN	Fill In case number: Case Number:
Notice o	The o	To The Respondent	
A court h	of Hearing nearing is scheduled of	on the request for orders agai Name and a Time:	inst you to stop workplace violence: ddress of court if different from above:
A court h Hearing Date If you want	of Hearing learing is scheduled of Date: Dept.:	on the request for orders again Name and a Time: Room: st for orders in writing, file Form W	inst you to stop workplace violence: ddress of court if different from above: IV-120, Response to Request for Order to
A court h Hearing Date If you want Stop Work, you agree court may turn in any	Thearing searing is scheduled of the search to the request to respond to the request place Violence. Whether or disagree with the order make restraining order	on the request for orders again Name and a Time: Room: st for orders in writing, file Form W or not you respond in writing, go to requested. You may bring witness	inst you to stop workplace violence; iddress of court if different from above: N-120, Response to Request for Order to the hearing. You may tell the court why we and other evidence. At the hearing, the
Hearing Date If you want Stop Work; you agree court may turn in any 5 Tempora	Date: Dept: to respond to the requestion of the order with the order make retraining order five arms. The arms are retraining order arms are retraining order arms are retraining order arms are retraining order arms.	Name and a Time: Room: It for orders in writing, file Form W or not you respond in writing, go to requested. You may bring witness re against you that could last up too that you own or possess. Iters (Any orders granted are on F.	inst you to stop workplace violence: ddress of court if different from above: IV-120. Response to Request for Order to to the bearing. You may tell the court why see and other evidence. At the hearing, th to five years and may order you to sell o torm WV-110. served with this Notice.)
A court h Hearing Date If you want Stop Work; you agree c court may turn in any 15 Tempora a. Te	Thearing searing is scheduled of paper. Date: Dept: It to respond to the request place Violence. Whether or disagree with the order make restraining order for firement or ammunitiary Restraining Order mporary Restraining Order mporary Restraining Order property	on the request for orders again Name and a Time: Room: at for orders in writing, file Form W or not you respond in writing, go to requested You may bring witness re against you that could last up on that you own or possess. let's Any orders granted are on Fi let's as requested in Form WV-100,	inst you to stop workplace violence: ddress of court if different from above: IV-120, Response to Request for Order to the hearing. You may tell the court why see and other evidence. At the hearing, th to five years and may order you to sell of
A court h Hearing Date If you wants Stop Works you agree o court may turn in any turn in any a. Tempora a. Te	Thearing learning is scheduled of the scheduled of the requestion of the requestion of the scheduled of the	Name and a Time: Room: If for orders in writing, file Form W or not you respond in writing, go to requested. You may bring witness re against you that could hat up ion that you own or possess. Iet'S (Any orders granted are on Fi ters as requested in Form WV-100, ne box below).	inst you to stop workplace violence: ddress of court if different from above: IV-120. Response to Request for Order to to the bearing. You may tell the court why see and other evidence. At the hearing, th to five years and may order you to sell o torm WV-110. served with this Notice.)
A court h Hearing Date If you wants Stop Works you agree o court may turn in any turn in any a. Tempora a. Te	to respond to the requestion of the reduction of the requestion of the reduction of the	Name and a Name and a Room Room If for orders in writing, file Form W or not you respond in writing, go to requested. You may bring witness re against you that could last up too that you own or possess. let's (Any orders granted are on F lers as requested in Form WV-100, no box below).	inst you to stop workplace violence: ddress of court if different from above: IV-120. Response to Request for Order to to the hearing. You may tell the court why see and other evidence. At the hearing, th to five years and may order you to sell o torm WV-110. served with this Notice.)

15. The order can be enforced anywhere in the United States and its possessions and territories. If the employee moves out of California, have him or her contact the new local police so that they will know about the order.



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 www.courts.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (Form MC-410). (Civil Code, § 54.8.)

For help in your area, contact:

[Local information may be inserted.]

CONFIDENTIAL

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CLETS Information

California Law Enforcement Telecommunications System (CLETS) **Information Form**

Important Notice: This form MUST NOT become part of the public court file. It is confidential and private.

If the court issues a restraining order, this form will provide law enforcement with information that will assist them in enforcing it. Fill out as much of this form as you can, and give it to the court clerk. The clerk will provide the confidential information on this form to CLETS, a statewide system that lets police know about your orders.

Employee to Be Protected (Name): Sex:			
Hair Color: Eye Color:			
(Mailing address listed on restraining order) Vehicle (type, model, year):		` -	phone number [option
Vehicle license number and state:			
Person to Be Restrained (Name):			
Sex: M F Height:			
Hair Color: Eye Color:	•		
(Residence address)	(City, state, zip)	(Telep	phone number)
(Work place)	(Occupation/title)	(Work	k hours)
(Business address)	(City, state, zip)	(Tele _l	phone number)
Driver's license number and state:	Vehicle license	number and stat	e:
Vehicle (type, model, year):			
Social Security number:			
Describe any marks, scars, or tattoos:			
Other names used by the restrained person:			
Describe any guns or firearms you believe the	restrained person owns or l	nas access to (nur	nber, types, and
locations):			
_			
Other People to Be Protected			
Name	Date of Bir	<u>th</u> <u>Sex</u>	Race

This is not a Court Order—Do not file in court file.

	WV-109	Notice of Court Hearing	I	Clerk stamps date here when form is filed.
1	Petitioner (Emp	•		DRAFT March 24, 2010
	Attorney for Petition Name: Firm Name:	ner (if any): State I		Not Approved by the Judicial Council
	Street Address:			
	City:	State:	_ Zip:	Fill in court name and street address: Superior Court of California, County of
	-	Fax No.:		Superior Court of California, County of
2		ed of Protection		
	Full Name:			Fill in case number:
3	•	erson From Whom Protectio		Case Number:
		The court will fill out the	rest of this form.	
		To The Respo		
4	Notice of Hearing	ng		you to stop workplace violence:
				ss of court if different from above:
	l Data	Time:		
	Date Dept.:	Room:		
5	Stop Workplace Viole you agree or disagree the court may make sell or turn in any fi Temporary Rest	ence. Whether or not you respond in the with the orders requested. You make restraining orders against you the direarms or ammunition that you of training Orders (Any orders graders)	n writing, go to the y bring witnesses a nat could last up town or possess. Inted are on Form	
		Restraining Orders as requested in F e (check only one box below):	orm WV-100, <i>Peti</i>	tion for Orders to Stop Workplace
	(1)	All GRANTED until the court heari	ng.	
	(2) \(\sum_{\text{\tinz{\text{\tinz{\text{\texi{\text{\text{\text{\text{\text{\tinit}\\ \text{\text{\text{\texi{\text{\texi{\text{\texi{\text{\texi}\text{\text{\text{\text{\text{\text{\text{\texi}\text{\text{\ti}}\\tint{\text{\text{\text{\text{\text{\text{\ti}}}\\tittt{\tex{\text{\text{\text{\text{\texi}\text{\text{\texi}\text{\text{\texi}\text{\text{\texi}\text{\text{\texi}\tittt{\ti}\tint{\text{\ti}}\tinttitex{\tiint{\text{\tiint{\texi}\tint{\text{\tii}}	All DENIED until the court hearing.	(Reasons for den	ial are specified in 5b on the next page.)
		Partly GRANTED and partly DENI pecified in 5b on the next page.)	ED until the court	hearing. (Reasons for denial are

Date	e: Judicial Officer
• 1	To show that the petitioner has been served by mail, the person who mailed the form must fill out a proof of service form. Form WV-250, <i>Proof of Service of Response by Mail</i> , may be used. File the completed form with the court before the hearing and bring it with you to the court hearing. For information about responding to a restraining order, read Form WV-120- INFO, <i>How Can I Respond to Petition for Orders to Stop Workplace Violence?</i> .
	To the Respondent If you want to respond in writing, complete Form WV-120, Response to Petition for Orders to Stop Workplace Violence, and file it with the court. A copy must be mailed to the petitioner at least days before the hearing. You cannot mail Form WV-120 yourself. Someone else age 18 or older must do it.
• I	The court cannot grant restraining orders after the court hearing unless the respondent has been personally given (served) a copy of your petition 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 WV-200, <i>Proof of Personal Service</i> , may be used. For information about service, read Form WV-200-INFO, <i>What Is "Proof of Personal Service"?</i> . If you are unable to serve the respondent in time, you may ask for more time to serve the documents.
_	WV-120-INFO, How Can I Respond to a Petition for Orders to Stop Workplace Violence? Other (specify):
	WV-250, Proof of Service of Response by Mail (blank form)
c. Y	WV-120, Response to Petition for Orders to Stop Workplace Violence (blank form)
b. [WV-110, Temporary Restraining Order (CLETS) (endorsed-filed) IF GRANTED
a. V	WV-100, Petition for Orders to Stop Workplace Violence (endorsed-filed)
pers	east days before the hearing, someone age 18 or older—not you or anyone to be protected—mus onally give (serve) a court's "endorsed-filed" copy of this form to the respondent along with a copy of all this indicated below:
	To the Petitioner
Ser	vice of Documents and Time for Service
	(2) U Other (specify) As set forth on Attachment 4b.
	 Workplace Violence, for personal conduct or stay away are denied are: (1) ☐ The facts as stated in Form WV-100 do not show or describe acts of violence in sufficient detail
b.	Reasons that Temporary Restraining Orders as requested in Form WV-100, Petition for Orders to Stop

Case Number:

Case Number:		

(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



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 www.courts.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (Form MC-410). (Civil Code, § 54.8.)

ľ	VV-110	Temporary R	Restraining O	rder	Clerk stamps dat	e here when form is filed.
	Petitioner (Emp				Marc	DRAFT ch 24, 2010
	Attorney for Petitio Name: Firm Name:	ner (if any):	State Ba		Judid - -	proved by the cial Council
					Fill in court name ar	nd street address:
	Telephone No.:		State: Fax No.:		Cuponon Count	of California, County of
	Employee in Ne Full Name:		on			
			om Protection		Court fills in case no	umber when form is filed.
	Description:					
Γ	T					
	Sex: M M Hair Color:	Eye	_	Age:	Race:	
	Sex: M M Hair Color: Home address (if	Eye known):	Color:	Age:	Race:	
	Sex: M M Hair Color: Home address (if City: Additional P In addition to the entemporary orders in	rotected Perso	Color:	Age:	State: or other employees	Zip:
	Sex: M D Hair Color: Home address (if City: Additional P In addition to the entemporary orders in F	rotected Person ployee, the follow dicated below:	ns ring family or house Sex	ehold members Age Housel Y Y Y Y	State: or other employees hold member? Refer No es	Zip:
	Sex: M D Hair Color: Home address (if City: Additional P In addition to the entemporary orders in F	rotected Person ployee, the follow dicated below:	ns ving family or house Sex	ehold members Age Housel Y Y Y Y Y Y Y Y Y	Race: State: or other employees hold member? Reces No es No fes No fes No fes No es No fes No fes No fes No	Zip:
	Sex: M Hair Color: Home address (if City: Additional Poly In addition to the entemporary orders in F	rotected Person ployee, the follow dicated below: all Name	ring family or house Sex	ehold members Age Housel Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y	Race: State: or other employees hold member? Reces No es No fes No fes No fes No es No fes No fes No fes No	Zip:
	Sex: M Hair Color: Home address (if City: Additional Poly In addition to the entemporary orders in Expiration Date	rotected Person ployee, the follow dicated below: all Name ected persons are a state to the date and time	ns ring family or house Sex	Age: Age: Phold members Age Housel	Race: State: or other employees hold member? Reces No es No fes No fes No Attachment 4.	Zip:

Case Number:	

To the Respondent

The court has granted the temporary orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may have to go to jail for up to one year, nay a fine of up to \$1 000, or both

	pay	a line of up to \$1,000, or both.
6	Pe a.	You may not commit further acts of violence or make threats of violence against the employee and each other protected person listed in 4.
	b.	Specifically, you are ordered not to:
		(1) \square assault, batter, or stalk the employee \square and other protected persons.
		(2) ☐ follow or stalk the employee ☐ and other protected persons during work hours or to or from the place of work.
		(3) contact the employee and other protected persons, directly or indirectly, by any means including, but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, or by other electronic means.
		(4) \square enter the workplace of the employee \square and other protected persons.
		 (5) □ take any action to obtain the employee's □ and other protected persons' address or location. (6) □ other (<i>specify</i>):
		other (speedyy).
	c.	Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.
7	Sta	ay-Away Order 🗌 Granted 🔲 Not Granted 🔲 Not Requested
	a.	You must stay at least (<i>specify</i>): yards away from the employee ☐ and each other protected person listed in ④ and (<i>check all that apply</i>): (1) ☐ The employee's home (5) ☐ Other (<i>specify</i>):
		(2) The employee's job or workplace
		(3) The employee's vehicle
		(4) The employee's school
	b.	This stay-away order does not prevent you from going to or from your home or place of employment.
8	Fir	rearms Prohibition and Relinquishment
	a.	You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
	b.	You must:
		(1) Sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.
		(2) File a receipt with the court within 48 hours of receiving this Order that proves guns have been turned in or sold. (You may use Form WV-800, Proof of Firearms Turned In or Sold, for the receipt.)
	c.	☐ The court has received information that you own or possesses a firearm.

	Case Number:
9	Other Orders (specify): Granted Not Granted Not Requested
	Additional orders are attached at the end of this Order on Attachment 9.
10)	Entry of Order into CLETS (California Law Enforcement Telecommunications System)
	a. The clerk will enter this Order and its proof-of-service form into CLETS.
	b. The clerk will transmit this Order to each law enforcement agency listed below. The law enforcement agencies will enter the Order and its proof-of-service form into CLETS.
	c. By the close of business on the date that this Order is made, you or your lawyer should deliver a copy of the Order and its proof-of-service form to each law enforcement agency listed below. The law enforcement agencies will enter the Order and its proof-of-service form into CLETS.
-	Name of Law Enforcement Agency Address (City, State, Zip)
-	
[Additional law enforcement agencies are listed at the end of this Order on Attachment 10.
11	No Fee to Serve Respondent ☐ Ordered ☐ Not Ordered
	If the sheriff or marshal serves this Order, he or she will do so for free.
12)	Number of pages attached to this Order, if any:
	Date:
	Judicial Officer

Warnings and Notices to the Respondent

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item (8) above. The court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

Case	Number:		

After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read Form WV-120-INFO, *How Can I Respond to a Request for Orders to Stop Workplace Violence?*, to learn how to respond to this Order.
- If you want to respond, fill out Form WV-120, *Response to Petition for Orders to Stop Workplace Violence*, and file it with the court clerk. You do not have to pay any fee to file your response if the petition claims that you inflicted or threatened violence against or stalked the employee.
- You must have Form WV-120 served on the petitioner or the petitioner's attorney. Serve it by mail within the time given in item **6** of Form WV-109, *Notice of Court Hearing*. You cannot do this yourself. The person who does the service should complete and sign Form WV-250, *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use Form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form. If you do not know how to prepare a declaration, you should see a lawyer.
- In addition to filing a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, tell the judge if you agree or disagree with the orders requested.
- Even if you do not go to the hearing, the judge can make the restraining orders last for up to three years.

Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and Form WV-109, *Notice of Court Hearing*, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this Temporary Restraining Order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the following address (*insert respondent's address*, *if known*):

If that address is not correct or you wish to verify that the temporary restraining order was converted into a restraining order at the hearing without substantive change, contact the clerk of the court.

Instructions for Law Enforcement

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this Order are subject to criminal penalties.

	(Clerk wi	ill fill out this part.)	
	`	κ's Certificate—	
Clerk's Certificate [seal]		porary Restraining Order (CLET	S—XXX) is a true and correct
	Date:	Clerk, by	, Deputy

Case Number:

WV-120

Response to Petition for Orders to Stop School Site Violence

Use this form to respond to the Petition (Form WV-100)

- Read Form WV-120-INFO, *How Can I Respond to a Petition for Orders to Stop Workplace Violence?*, to protect your rights.
- Fill out this form and take it to the court clerk.
- Have the petitioner served by mail with a copy of this form and any attached pages. (See Form WV-250, Proof of Service of Response by Mail.)

(1) Petitioner (Employer)	Fill in court name and street address:	
Name:	Superior Court of California, County of	
2 Employee Seeking Protection		
Full Name:		
Respondent (Person From Whom Protection Is Sought) Your name:	Court fills in case number when form is filed. Case Number:	
Your address (you may give a mailing address if you want to keep your street address private; skip this if you have a lawyer):	t will consider your Dear once at the	
City: State: Zip: hearing. from For	court will consider your Response at the ring. Write your hearing date, time, and place in Form WV-109 item 4 here:	
Fax (optional): Date	è Date: Time: Dept.: Room:	
Name: State Bar No.: Restrain	ere served with a Temporary ing Order, you must obey it until the	
Street Address: court ma	If you do not come to this hearing, the y make the orders requested against you p to three years.	
City: State: Zip: last for u Telephone No.: Fax No.:	p to timee years.	
E-Mail Address:		
 4 □ Personal Conduct Orders a. □ I agree to the orders requested. b. □ I do not agree to the orders requested. c. □ I agree to the following orders (specify): 		
5 Stay-Away Orders		
 a.		
c. I do not agree to the orders requested. c. I agree to the following orders (specify):		

Clerk stamps date here when form is filed.

DRAFT

March 24, 2010

Not Approved by the Judicial Council

6 🗆	Firearms Prohibition and Relinquishment If you were served with Form WV-110, <i>Temporary Restraining Order</i> , you cannot own or possess any guns, other firearms, or ammunition. You must turn in any guns or firearms in your immediate possession or control and file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received Form WV-110. (See item 8) of Form WV-110.) You may use Form WV-800, <i>Proof of Firearms Turned In or Sold</i> , for the receipt.
	a. I do not own or control any guns or other firearms.
	 b. □ I have turned in my guns and firearms to the police or to a licensed gun dealer. A copy of the receipt □ is attached. □ has already been filed with the court.
7	Other Orders
	a. I agree to the orders requested.
	b. I do not agree to the orders requested.
	c. I agree to the following orders (specify):
8 🗆	Denial I did not do anything described in item (8) of Form WV-100. (Skip to (10).)
9 🗆	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 (<i>explain</i>):
	☐ Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "WV-120, item 9—Justification or Excuse" as a title.

Case Number:

	Case Number:
No Fee for Filing I ask the court to waive the filing fee becaufree filing.	use the petitioner claims in Form WV-100 item (15) to be entitled to
Costs a. I ask the court to order the petition	er to pay my court costs.
b. I ask the court to deny the request to	that I pay the petitioner's court costs.
Number of pages attached to this form, if any:	
Date:	
	}
	Lawyer's signature
Lawyer's name (if any)	Lawyer's signature
I declare under penalty of perjury under the law	ws of the State of California that the information above is true and

WV-120-INFO

How Can I Respond to a Petition for Orders to Stop Workplace Violence?

What is a Workplace Violence Restraining Order?

It is a court order that will prohibit you from doing certain things and going to certain places.

What does the order do?

The court can order you to:

- Not contact the employee who is protected by the order
- Stay away from that person and the person's home and school site
- Not have any guns while the order is in effect

Who can ask for a Workplace Violence Restraining Order?

An employer on behalf of an employee who is worried about his or her safety because he or she is being:

- · Stalked
- Assaulted or battered
- · Harassed
- · Intimidated or threatened with violence

I've been served with a Petition to Stop Workplace Violence. What do I do now?

Read the papers served on you very carefully. The *Notice of Court Hearing* tells you when to appear in court. There may also be a *Temporary Restraining Order* forbidding you from doing certain things. You must obey the order until the hearing.

What if I don't obey the order?

The police can arrest you. You can go to jail and pay a fine.

What if I do not agree with what the order says?

You still must obey the order until the hearing.

If you disagree with the orders the person is asking for, fill out Form WV-120, *Response to Petition for Orders to Stop School Site Violence*, before your hearing date and file it with the court. If you need to include attachments, you can use Form MC-025. Forms are available at the court clerk's office or on the California Courts Web site: www.courts.ca.gov/forms.

Do I have to serve the other person with a copy of my response?

Yes. Have someone—not you—mail a copy of completed Form WV-120 to the person named in item 1 of the petition WV-110 (or that person's lawyer). (This is called "service by mail.")

The person who serves the form by mail for you must fill out Form WV-250, *Proof of Service of Response by Mail*. Have the person who did the mailing sign the original. Take the completed form back to the court clerk or bring it with you to the hearing.

Should I go to the court hearing?

Yes. You should go to court on the date listed on Form WV-109, *Notice of Court Hearing*. If you do not go to court, the judge can make orders without hearing from you.

	/V-109	Notice	of Court He	anng			
-	Petitioner (E	mployer)				DR/ Marc	AFT 7 BG h 18, 2010
1	ence Townson	titioner ((fam)):		State Bar No	.:		proved by the ial Council
F	Firm Name:		5				
5	treet Address:	-	*	*	-		
	City:			e: Zip	x		md steetaddless:
	Telephone No.:		Fax No).: <u>'</u>		Superior Court	of California, County of
I	E-Mail Addres:	s: <u></u>	1		- 1		
) E	mnlovee in	Need of Pro	tection				
1		incoa or r to					
						FII in case number	
) F	Respondent	(Person From	m Whom Pro	tection Is 9	Sought)	Case Number:	
F	ull Name:						
			he court will fill	out the rest o	f this form	-	
				Responder	•		
			TOTHE	responde			
) N	lotice of He	aring					
-			ed on the requ	est for orde	rs against	t you to stop w	orkplace violence:
-			ed on the requ	111			
-	court heari	ng is schedule	i i	, Nar			orkplace violence: Tesent from above:
-	Court hearing D	ng is schedule	Time:	, i Nar			
-	Court hearing D	ng is schedule	i i	, i Nar			
	Hearing De Date	ate:	Time: Room:	Nar	ne and adds	ess of court if diff	eent from & ove:
If Si yo	Hearing Date Date Downwart to so top Workplage ou agree of dis- the cours may re-	ate: spond to the seq Violence. Wheth agree with the on make restraining	Time: Room	Nar nwriting, file pond in writi You may brin t you that co	Form WV- ng, go to the	ess of court if diff 120, Response to e hearing. You m and other eviden	
If Si yo	Hearing Date Date Dyou want to so top Workplote ou agree of dis- he count may re- ell or turn in a	ate: spond to the req Violence. Wheth agree with the or make restraining	Room	nwriting, file spond in writi You may brin t you that county you own or	Form WV- ng, go to the g witnesses uld last up trpossess.	ess of court if diff 120, Response to the hearing. You m and other eviden to five years and	Pennion for Orders to ay tell the court why ce. At the hearing
If Si yo	Hearing Dute De	ate: appoint to the seq Violence. Wheth agree with the on make restraining O ary Restraining O ary Restraining O	Room Room Room Room Room Res requested.' Gorders agains annumition the Orders (Any ova Orders as request	nwriting, file pond in writi You may brin t you that count you own or ters granted a ted in Form V	Form WV- ng, go to the g witnesses ukl lassup rpossess.	ess of court if diff 120, Response to the hearing. You m and other eviden to five years and the WV-110, served	Pention for Orders to ay tell the court why se. At the hearing, may order you to
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If Si yo	Hearing Date Date Double Date Lyou want to us to be to be a gree or distance or dis distance or distance or distance or distance or distance or dis	pond to the seq Notence. Whether Agree with the or nable restraining of any Restraining of All CRAINI All DENIEL Partly CRAI	Time: Room Room Room Room Room Room Room Roo	Nar nwriting, file pond in writin You may bin t you that cor at you own or ters grarted a ted in Form V : rt hearing.	Form WV-ng, go to the g witnesses uld last up rpossess. ere on Form VV-100, Pet cife reasons till the court	ass of court if diff 120, Response to hearing. You m and other event to five years and i WV-110, served intion for Orders to for denial in Sp.	Pennin shove: Pennion for Orders to you like count why to the count why to At the heart may only you to with this Nonce.) o Step Workplace

How Can I Respond to a Petition for Orders to Stop Workplace Violence?

How long does the order last?

If the court issued a temporary restraining order before the hearing, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. Any order issued after the hearing could last for up to three years.

What about 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.

Will I see the employee at the court hearing?

Yes. Assume that the employee will attend the hearing. Do not talk to him or her unless the judge or the employee's lawyer says that you can.

Can I bring a witness to the court hearing?

Yes. You can bring witnesses or documents that support your case to the hearing. But, if possible, you should also bring the witnesses' written statements of what they saw or heard. Their statements must be made under penalty of perjury. You can use Form MC-030 for this.

What if I don't speak English?

When you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If an interpreter is not available for your court date, bring someone to interpret for you. You cannot ask a child under age 18 to interpret for you.

What if I have a gun?

If a restraining order is issued, you cannot own, possess, or have a gun, other firearm, or ammunition while the order is in effect. If you have a gun or other firearm in your immediate possession or control, you must sell it to a licensed gun dealer or turn it in to a law enforcement agency.

Can I agree with the employee to cancel the order?

No. Once the order is issued, only the judge can change or cancel it.

What if I am deaf or hard of hearing?



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 www.courts.ca.gov/forms for Request for Accommodations by Persons With Disabilities and Response (Form MC-410). (Civil Code, § 54.8.)

For help in your area, contact:

[Local information may be inserted]

		place Violence		
	Petitioner (Employer)			DRAFT March 24, 2010
	Name:Attorney for Petitioner (if any):			Not Approved by the Judicial Council
	Name: Firm Name:			- -
ľ	Street Address:			_
	City:		_	Cupariar Caurt of Colifornia County
	Telephone No.:E-Mail Address:			- Superior Court of Camornia, County
	Employee in Need of Protec			
ł	Full Name:			Court fills in case number when form is filed.
	Respondent (Person From \ Full Name:			Case Number:
-	Description:			
	Sex: M F Height:	Weight:	Date	of Birth:
			_	Race:
	Home address (if known):	•		
	Home address (if known): City: Additional Protected Per In addition to the employee, the	sons		State:Zip:
	Home address (if known): City: Additional Protected Per In addition to the employee, the orders indicated below:	sons following family or h	ousehold memb	State:Zip:
	Home address (if known): City: Additional Protected Per In addition to the employee, the	sons following family or h	ousehold memb	State: Zip: Deers or other employees are protected by told member? Relation to employee
	Home address (if known): City: Additional Protected Per In addition to the employee, the orders indicated below: Full Name	sons following family or h	ousehold memb	State: Zip: Deers or other employees are protected by told member? Relation to employee the set No
	Home address (if known): City: Additional Protected Per In addition to the employee, the orders indicated below: Full Name	sons following family or h	ousehold memb Age Househ — □ Ye	State: Zip: Deers or other employees are protected by told member? Relation to employee the set No
	Home address (if known): City: Additional Protected Per In addition to the employee, the orders indicated below: Full Name	sons following family or h	ousehold memb	State: Zip: Deers or other employees are protected by the sold member? Relation to employee the sold member in the
	Home address (if known): City: Additional Protected Per In addition to the employee, the orders indicated below: Full Name	sons following family or h	Ousehold memb Age Househ Ye Ye Ye Ye Ye Ye Ye	State: Zip: Deers or other employees are protected by the sold member? Relation to employee the sold member in the
	Home address (if known): City: Additional Protected Per In addition to the employee, the orders indicated below: Full Name	sons following family or h	Ousehold memb Age Househ Ye Ye Ye Ye Ye Ye Ye	State: Zip: Deers or other employees are protected by the sold member? Relation to employee the sold member in the
	Home address (if known):City:	sons following family or h	Ousehold memb Age Househ Ye Ye Ye Ye Ye Ye Ye	State: Zip: Deers or other employees are protected by the sold member? Relation to employee the sold member in the

The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both. Personal Conduct Orders		
(Name of judicial officer):	6 I	Hearing
These people were at the hearing: a.		There was a hearing on (date): at (time): a.m p.m. in Dept Room:
a. The petitioner-employer represented by (name): b. The lawyer for the petitioner-employer (name): c. The employee d. The lawyer for the employee (name): e. The respondent f The lawyer for respondent (name): Additional persons present are listed at the end of this Order on Attachment 6. 7 The hearing is continued. The parties must return to court on (date):		•
b.		
c.		
e.		
Additional persons present are listed at the end of this Order on Attachment 6. 7		
To the Respondent The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both. Personal Conduct Orders Granted Not Granted Not Requested a. You may not commit further acts of violence or make threats of violence against the employee and each other protected person listed in (4). b. Specifically, you are ordered not to: (1) assault, batter, or stalk the employee and other protected persons. (2) follow or stalk the employee and other protected persons during work hours or to or from the place of work. (3) contact the employee and other protected persons, directly or indirectly, by any means includin but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, by other electronic means. (4) enter the workplace of the employee and other protected persons. (5) take any action to obtain the employee's and other protected persons' addresses or locations. (6) other (specify): c. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related a court case is allowed and does not violate this order. 9 Stay-Away Order Granted Not Granted Not Requested a. You must stay at least (specify): yards away from the employee and each other protected person listed in (4) and (check all that apply): (1) The employee's home (5) Other (specify): (1) The employee's job or workplace (3) The employee's vehicle	•	
To the Respondent The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both. Personal Conduct Orders		☐ Additional persons present are listed at the end of this Order on Attachment 6.
The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both. Personal Conduct Orders Granted Not Granted Not Requested a. You may not commit further acts of violence or make threats of violence against the employee and each other protected person listed in (4). b. Specifically, you are ordered not to: (1) assault, batter, or stalk the employee and other protected persons. (2) follow or stalk the employee and other protected persons during work hours or to or from the place of work. (3) contact the employee and other protected persons, directly or indirectly, by any means includin but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, by other electronic means. (4) enter the workplace of the employee and other protected persons. (5) take any action to obtain the employee's and other protected persons' addresses or locations. (6) other (specify): c. Peaceful written contact through a lawyer or a process server or other person for service of legal papers rela to a court case is allowed and does not violate this order. 9 Stay-Away Order Granted Not Granted Not Requested a. You must stay at least (specify): yards away from the employee and each other protected person listed in (4) and (check all that apply): (1) The employee's home (5) Other (specify): (2) The employee's job or workplace (3) The employee's vehicle	7	The hearing is continued. The parties must return to court on (date): at (time):
arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both. Personal Conduct Orders		To the Respondent
a. You may not commit further acts of violence or make threats of violence against the employee □ and each other protected person listed in 4. b. Specifically, you are ordered not to: (1) □ assault, batter, or stalk the employee □ and other protected persons. (2) □ follow or stalk the employee □ and other protected persons during work hours or to or from the place of work. (3) □ contact the employee □ and other protected persons, directly or indirectly, by any means includin but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, by other electronic means. (4) □ enter the workplace of the employee □ and other protected persons. (5) □ take any action to obtain the employee's □ and other protected persons' addresses or locations. (6) □ other (specify): □ Peaceful written contact through a lawyer or a process server or other person for service of legal papers rela to a court case is allowed and does not violate this order. 9 Stay-Away Order □ Granted □ Not Granted □ Not Requested a. You must stay at least (specify): □ yards away from the employee □ and each other protected person listed in (4) and (check all that apply): (1) □ The employee's home (5) □ Other (specify): □ (2) □ The employee's job or workplace (3) □ The employee's vehicle		arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up
and each other protected person listed in ④. b. Specifically, you are ordered not to: (1) □ assault, batter, or stalk the employee □ and other protected persons. (2) □ follow or stalk the employee □ and other protected persons during work hours or to or from the place of work. (3) □ contact the employee □ and other protected persons, directly or indirectly, by any means includin but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, by other electronic means. (4) □ enter the workplace of the employee □ and other protected persons. (5) □ take any action to obtain the employee's □ and other protected persons' addresses or locations. (6) □ other (specify): □ variation of the employee of t	8	Personal Conduct Orders Granted Not Granted Not Requested
(1) □ assault, batter, or stalk the employee □ and other protected persons. (2) □ follow or stalk the employee □ and other protected persons during work hours or to or from the place of work. (3) □ contact the employee □ and other protected persons, directly or indirectly, by any means includin but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, by other electronic means. (4) □ enter the workplace of the employee □ and other protected persons. (5) □ take any action to obtain the employee's □ and other protected persons' addresses or locations. (6) □ other (specify): □ other (s		
(2)		b. Specifically, you are ordered not to:
place of work. (3)		(1) assault, batter, or stalk the employee and other protected persons.
but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, by other electronic means. (4) □ enter the workplace of the employee □ and other protected persons. (5) □ take any action to obtain the employee's □ and other protected persons' addresses or locations. (6) □ other (specify): □ c. Peaceful written contact through a lawyer or a process server or other person for service of legal papers rela to a court case is allowed and does not violate this order. 9 Stay-Away Order □ Granted □ Not Granted □ Not Requested a. You must stay at least (specify): □ yards away from the employee □ and each other protected person listed in ④ and (check all that apply): (1) □ The employee's home (5) □ Other (specify): □ □ Contact of the protected person listed in ④ and (check all that apply): (2) □ The employee's job or workplace □ Contact of the protected person listed in ④ and check all that apply: (3) □ The employee's vehicle □ Contact of the protected person listed in ④ and check all that apply: (4) □ The employee's yehicle □ Contact of the protected person listed in ④ and (check all that apply): (5) □ Other (specify): □ □ Contact of the protected person listed in ④ and (check all that apply): (5) □ The employee's yehicle □ Contact of the protected person listed in ④ and check all that apply):		place of work.
(5) ☐ take any action to obtain the employee's ☐ and other protected persons' addresses or locations. (6) ☐ other (specify): ☐ c. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order. 9 Stay-Away Order ☐ Granted ☐ Not Granted ☐ Not Requested a. You must stay at least (specify): yards away from the employee ☐ and each other protected person listed in ② and (check all that apply): (1) ☐ The employee's home (5) ☐ Other (specify): (2) ☐ The employee's job or workplace		but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, or
c. Peaceful written contact through a lawyer or a process server or other person for service of legal papers rela to a court case is allowed and does not violate this order. 9 Stay-Away Order Granted Not Granted Not Requested a. You must stay at least (specify): yards away from the employee and each other protected person listed in 4 and (check all that apply): (1) The employee's home		
to a court case is allowed and does not violate this order. 9 Stay-Away Order		
a. You must stay at least (<i>specify</i>): yards away from the employee and each other protected person listed in 4 and (<i>check all that apply</i>): (1) The employee's home		
□ and each other protected person listed in 4 and (check all that apply): (1) □ The employee's home (2) □ The employee's job or workplace (3) □ The employee's vehicle	9	Stay-Away Order ☐ Granted ☐ Not Granted ☐ Not Requested
(1) The employee's home (5) Other (specify):		a. You must stay at least (specify): yards away from the employee
(2) The employee's job or workplace (3) The employee's vehicle		and each other protected person listed in 4 and (check all that apply):
(3) The employee's vehicle		
• •		
(4) The employee's school		(4) The employee's school
b. This stay-away order does not prevent you from going to or from your home or place of employment.		
This is a Court Order.		

Case Number:

		Case Number:
10	Firearms Prohibition and Relinquishment	
	a. You cannot own, possess, have, buy or try to buy, receive or try to other firearms, or ammunition.	receive, or in any other way get guns
	b. If you have not already done so, you must:	
	 Sell to a licensed gun dealer or turn in to a law enforcement ager immediate possession or control. This must be done within 24 ho 	
	(2) File a receipt with the court within 48 hours of receiving this Ore in or sold. (You may use Form WV-800, Proof of Firearms Turne	
	c. The court has received information that you own or possesses a fit	rearm.
11)	Other Orders (specify): Granted Not Granted Not	Requested
	Additional orders are attached at the end of this Order on Attachment 1	1.
12)	Entry of Order into CLETS (California Law Enforcement Te	lecommunications System)
_	a. The clerk will enter this Order and its proof-of-service form into CI	LETS.
	b. The clerk will transmit this Order to each law enforcement agency l agencies will enter the Order and its proof-of-service form into CLE	
	c. By the close of business on the date that this Order is made, you or the Order and its proof-of-service form to each law enforcement age agencies will enter the Order and its proof-of-service form into CLE	ency listed below. The law enforcement
	Name of Law Enforcement Agency Address ((City, State, Zip)
-		
- [Additional law enforcement agencies are listed at the end of this Order or	n Attachment 12.
13)	Service of Order on Respondent	
	a. \square Both the respondent and the employee attended the hearing. No other	proof of service is needed.
	b. The respondent did not attend the hearing.	
	(1) Proof of service of Form WV-110, <i>Temporary Restraining Of</i> The judge's orders in this form are the same as in Form WV-The respondent must be served with this Order. Service may be served with this Order.	110 except for the expiration date.
	(2) The judge's orders in this form are different from the temporary WV-110. Someone—but not the petitioner or anyone protected serve a copy of this order on the respondent.	· ·

	Case Number:
No Fee to Serve (Notify) Restrained Person ☐ Ordered The sheriff or marshal will serve this Order without charge because: a. ☐ The Order is based on a credible threat of violence or stalking.	☐ Not Ordered
b.	
Date:	
Warning and Notice to the Respondent	
You Cannot Have Guns or Firearms	
You cannot own, have, possess, buy or try to buy, receive or try to receive, or othe ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1 gun dealer or turn in to a law enforcement agency any guns or other firearms that y above. The court will require you to prove that you did so. If you do not obey this	,000 fine. You must sell to a licensed you have or control as stated in item 10

Instructions for Law Enforcement

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this Order are subject to criminal penalties.

	,	Clerk will fill out this part.) -Clerk's Certificate—	
Clerk's Certificate [seal]		is Restraining Order After Hearing to Stop) is a true and correct copy of the original o	
	Date:	Clerk, by	, Deputy
		This is a Court Order.	

Clerk stamps date here when form is filed. WV-200 **Proof of Personal Service** DRAFT Petitioner (Employer) March 24, 2010 Name: Not Approved by the **Employee in Need of Protection** Judicial Council **Respondent (Person From Whom Protection Is Sought)** Fill in court name and street address: **Notice to Server** Superior Court of California, County of The server must: • Be 18 years of age or older. • Not be listed in items (1) or (4) of Form WV-100. • Give a copy of all documents checked in (5) below to the respondent. (You cannot send them by mail.) Then complete and Fill in case number: sign this form and give or mail it to the petitioner. Case Number: PROOF OF PERSONAL SERVICE I gave the respondent a copy of the forms checked below: a. WV-100, Petition for Orders to Stop Workplace Violence b. WV-109, *Notice of Court Hearing* c. WV-110, Temporary Restraining Order (CLETS) d WV-120, Response to Petition for Orders to Stop Workplace Violence (blank form) e. WV-120-INFO, How Can I Respond to a Petition for Orders to Stop Workplace Violence? f. WV-130, Restraining Order After Hearing to Stop Workplace Violence g. WV-800, *Proof of Firearms Turned In or Sold* (blank form) h. \square Other (specify): I personally gave copies of the documents checked above to the respondent a. On (date): ______ b. At (time): _____ a.m. p.m. c. At this address: City: _____ _____ State: _____ Zip: _____ Server's Information Name: ______ Telephone: _____ Address: _____ _____ State: _____ Zip: _____ (If you are a registered process server): County of registration: _____ Registration number: _____ I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.

Judicial Council of California, www.courts.ca.gov Revised January 1, 2011, Optional Form Code of Civil Procedure, §§ 527.8, 1011

Date:

Type or print server's name

Server to sign here

WV-200-INFO

What Is "Proof of Personal Service"?

What is "Service"?

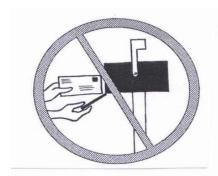
Service is the act of giving your legal papers to the other party. There are many kinds of service—in person, by mail, and others. This form is about personal or "in-person" service. The *Petition for Orders to Stop Workplace Violence* (Form WV-100), the *Notice of Court Hearing* (Form WV-109), and the *Temporary Restraining Order* (Form WV-110) must be served in person. That means that someone must personally "serve" (give) a copy of the forms to the person to be restrained.

Service lets the other person know:

- What orders you are asking for
- The hearing date
- · How to respond

Why do I have to get the orders served?

- The **police cannot arrest** anyone for violating an order **unless** that person knows about the order.
- The judge cannot make the orders permanent unless the restrained person was served.



Don't serve it by mail!

Who can serve?

Ask someone you know, a process server, or a law enforcement agency to personally serve (give) a copy of the forms to the person to be restrained. You **cannot** send the forms to that person by mail.

The server must:

- Be 18 years of age or older.
- Not be you or anyone whom you are asking to be protected by the orders.

The sheriff or marshal may be authorized to serve the court's orders **for free** if the orders are based on claims of stalking or a credible threat of violence, or if you are eligible for a fee waiver.

A registered process server is a business you pay to deliver court forms. Look for "Process Serving" in the Yellow Pages or on the Internet.

(If a law enforcement agency or the process server uses a different proof of service form, make sure it lists the forms served.)

How to serve

Ask the server to:

- Walk up to the person to be served.
- Make sure it is the right person. Ask the person's name.
- Give the person copies of all papers checked on Form WV-200, the *Proof of Personal Service* form.
- Fill out and sign the *Proof of Personal Service*.
- Give the signed *Proof of Personal Service* to you.

What if the person won't take the papers or tears them up?

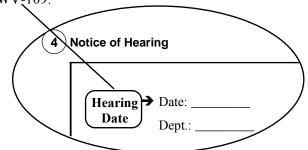
- If the person won't take the papers, just leave them near him or her.
- It doesn't matter if the person tears them up.

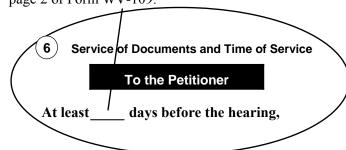
When do the orders have to be served?

It depends. To know the exact date, you have to look at two things on Form WV-109, Notice of Court Hearing.

First, look at the hearing date on page 1 of Form WV-109.

Next, look at the number of days written in item **6** on page 2 of Form WV-109.





Look at a calendar. Subtract the number of days in **6** from the hearing date. That is the final date to have the orders served. It is always OK to serve earlier than that date.

If nothing is checked or written in (6), you must serve the orders at least five days before the hearing.

Who signs the Proof of Personal Service?

Only the person who serves the forms can sign Form WV-200, *Proof of Personal Service*. You do not sign it; the restrained person does not need to sign it.

What do I do with the completed Proof of Personal Service?

If someone other than the sheriff serves the papers, you should:

- Make at least five copies.
- File the original with the court before your hearing.
- Ask the clerk to enter it into CLETS (California Law Enforcement Telecommunications System), a special computer system that lets police all over the state find out about the orders protecting you.
- If the clerk tells you that the court cannot enter it into the computer, take a copy of the *Temporary Restraining Order* (Form WV-110) and *Proof of Personal Service* (Form WV-200) to your local police. They will put the information into the state computer system. That way, police all over the state will know that your restraining order has been served.
- Bring a copy of the completed *Proof of Personal Service* to your hearing.
- Always keep an extra copy of the restraining orders with you for your safety.

If the sheriff serves the papers, he or she will send the proof of service to the court and CLETS for you.

What happens if I can't get the orders served before the hearing date?

Before your hearing, fill out and file Form CIV-025, *Application and Order for Reissuance of Order to Show Cause and Temporary Restraining Order*. This form asks the court for a new hearing date and makes your orders last until then. Ask the clerk for the form. After the court has reissued the orders, attach a copy of Form CIV-025 to a copy of your original orders. Ask the clerk to enter CIV-025 into CLETS or take a copy to the police. That way, the police will know your orders are still in effect.

WV-220

Proof of Service of Order After Hearing by Mail

You may serve Form WV-130, Restraining Order After Hearing to Stop Workplace Violence, on the respondent by mail if the respondent was not at the hearing and:

- Before the hearing, the respondent was personally served with Form WV-110, Temporary Restraining Order, and proof of service of Form WV-110 was presented to the court at the hearing;
- The judge's orders in Form WV-130 are the same as in Form WV-110 except for the expiration date.

1 Petitioner (Employer) Name:		Superior Court of California, County of
2 Employee in Need of Protection Name:		
· · · · · · · · · · · · · · · · · · ·		Fill in case number:
Respondent (Person From Whom Name:	• ,	Case Number:
PRO	OF OF SERVICE BY MAIL	
 I am 18 years of age or older and am a res not the petitioner, the employee, or any pe of: a. Form WV-130, Restraining Order Afte b. ☐ Other (specify): 	erson listed in item 4 of Form Wer to Stop Workplace Violence	V-130. I mailed the respondent a copy
5 I placed copies of the documents above in	n a sealed envelope and mailed the	em as described below:
a. Mailed from: City:	State:	b. On (date):
c. To this address:		
City:	State: _	Zip:
6 Server's Information		
Name:	Te	elephone:
Address:		
City:	State:	Zip:
(If you are a registered process server):		
County of registration:	Registration	n number:
I declare under penalty of perjury under the correct.	ne laws of the State of California t	hat the information above is true and
Date:		
)	
Type or print server's name	Server to sign	here

WV-220, Page 1 of 1

Clerk stamps date here when form is filed.

DRAFT March 24, 2010

Not Approved by the Judicial Council

Fill in court name and street address:

Proof of Service of WV-250 Response by Mail 1) Petitioner (Employer) Name: **Employee in Need of Protection** Name: **Respondent (Person From Whom Protection Is Sought)** Name: **Notice to Server** The server must: • Be 18 years of age or older; • Be a resident of or employed in the county where the mailing took place;

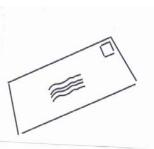
• Not be the Respondent, the employee,

• Mail a copy of all documents

WV-100;

or any person listed in item (4) of Form

checked in (5) below to the Petitioner;



Clerk stamps date here when form is filed.

DRAFT March 24, 2010

Not Approved by the Judicial Council

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case	Number:	
------	---------	--

 Complete and sign this form and giv 	e it to the		
Respondent.		MANI	
	OOF OF SERVICE BY		
I am 18 years of age or older and not a where the mailing took place. I mailed		m a resident o	f or employed in the county
a. Form WV-120, Response to Petitionb. Other (specify):		•	- ·
I placed copies of the documents listed	above in a sealed envelope	and mailed the	em as described below:
a. Mailed from: City:	State:	b. O	n (date):
c. To this address:			
City:		State:	Zip:
Server's Information Name: Address:			ne:
City:			Zin:
(If you are a registered process server).			
County of registration:	Reş	gistration numb	oer:
I declare under penalty of perjury under correct.	r the laws of the State of Cal	ifornia that the	e information above is true an
Date:			
)		
Type or print server's name	Serve	r to sign here	

WV	-80	0
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Proof of Firearms Turned In or Sold

Clerk stamps date here when form is filed.

DRAFT

1) Petitioner (Employer)	March 24, 2010	
Name:	Not Approved by the	
Attorney for Petitioner (if any):	Not Approved by the Judicial Council	
Name: State Bar No.:		
Firm Name:	-	
Street Address:		
City: State: Zip:	Fill in court name and street address: Superior Court of California, County of	
Telephone No.:Fax No.:	■ •	
E-Mail Address:	-	
2 Employee in Need of Protection		
Full Name:	Fill in case number:	
	Case Number:	
3 Respondent (Person From Whom Protection Is Sought)		
Full Name:		

To the Respondent:

If the court has ordered you to sell or turn in your firearms, you may use this form to prove to the court that you have obeyed its orders. When you deliver your unloaded weapons, ask the law enforcement officer or the licensed gun dealer to complete item (5) or (6) and item (7). After the form is signed, file it with the court clerk. Keep a copy for yourself.

	To Law Enforcement
	out items (5) and (7) of this form. Keep a
	y and give the original to the person who
turn	ed in the firearms.
The	firearms listed in 7 were turned in on:
Dat	e: at: \square a.m. \square p.
To:	
	Name and title of law enforcement agent
	Name of law enforcement agency
	Address
I de	clare under penalty of perjury under the law
	he State of California that the information
abo	ve is true and correct.
<u> </u>	nature of law enforcement agent

5)	To Licensed Gun Dealer			
	Fill out items 6 and 7 of this form. Keep a copy and give the original to the person who sold the firearms to you.			
	The firearms listed in 7 were sold to me on:			
	Date: at:			
To: ${Name \ of \ licensed \ g}$	To:			
	License number Telephone			
	Address I declare under penalty of perjury under the laws of the State of California that the information above is true and correct.			
	Signature of licensed gun dealer			

7) Fi	rearms						
	<u>Make</u>	Mod	<u>el</u>	Serial Number			
1.							
2.							
5.	☐ Check here if you turned in or sold more firearn 7—Firearms Turned In or Sold" for a title. Incl		·				
If	Do you have, own, possess, or control any other firearms besides the firearms listed in ⑦? ☐ Yes ☐ No If you answered yes, have you sold or transferred those other firearms? ☐ Yes ☐ No If yes, check one of the boxes below: ☐ a. I filed the Proof of Firearms Turned In or Sold for those firearms with the court on (date):						
	b. I am filing the proof for those firearms along with this proof.						
	c. I have not yet filed the proof for the other firearms. (explain why not): Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "WV-800, Item 8c" for a title.						
	declare under penalty of perjury under the laws of the Sorrect.	tate of California t	hat the informat	ion above is true and			
Da	ate:						
		•					
\overline{T} y	ppe or print your name	Sign your no	іте				

Case Number:

Item SPR10-43 Response Form

Title:	Protective Orders: School Site and Workplace Violence Prevention Forms (adopt forms SV-100, SV-100-INFO, SV-102, SV-109, SV-110, SV-120, SV-120 INFO, SV-130, SV-200, SV-200-INFO, SV-220, SV-250, and SV-800; adopt forms WV-102, WV-109, WV-120-INFO, WV-200-INFO, and WV-220; revise forms WV-100; revise and renumber forms WV-150-INFO, WV-120, WV-110, WV-140, WV-130, WV-131, and WV-145 as forms WV-100-INFO, WV-110, WV-120, WV-130, WV-200, WV-250, and WV-800; and revoke form WV-132)
	Agree with proposed changes
	Agree with proposed changes if modified
	Do not agree with proposed changes
Comme	nts:
Name:_	Title:
Organiz	zation:
	Commenting on behalf of an organization
Addres	S:
City, St	ate, Zip:
Commer are <i>not</i> of the prop	mit Comments Into may be submitted online, written on this form, or prepared in a letter format. If you commenting directly on this form, please include the information requested above and losal number for identification purposes. Please submit your comments online or email, fax comments. You are welcome to email your comments as an attachment.
Interne	http://www.courtinfo.ca.gov/invitationstocomment/

Email: invitations@jud.ca.gov
Mail: Ms. Camilla.kieliger

Judicial Council, 455 Golden Gate Avenue

San Francisco, CA 94102

Fax: (415) 865-7664, Attn: Camilla Kieliger

DEADLINE FOR COMMENT: 5:00 p.m., Friday, June 18, 2010