#### Judicial Council of California • Administrative Office of the Courts

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#### INVITATION TO COMMENT

#### W14-04

#### Title

Restraining Orders: Update Forms to Reflect Recent Changes in the Law

#### Proposed Rules, Forms, Standards, or Statutes

Revise Forms CH-100, CH-100-INFO, CH-109, CH-110, CH-120, CH-120-INFO, CH-130, CH-200, CH-800, CH-800-INFO, EA-100, EA-110, EA-120, EA-120-INFO, EA-130, EA-200, EA-800, EA-800-INFO, SV-100, SV-110, SV-120, SV-120-INFO, SV-130, SV-200, SV-800, SV-800-INFO, WV-100, WV-110, WV-120, WV-120-INFO, WV-130, WV-200, WV-800, and WV-800-INFO

#### Proposed by

Civil and Small Claims Advisory Committee Hon. Patricia M. Lucas, Chair

#### **Action Requested**

Review and submit comments by January 24, 2014

#### **Proposed Effective Date**

July 1, 2014

#### Contact

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#### **Summary and Origin**

The Civil and Small Claims Advisory Committee recommends that the Judicial Council revise 34 restraining order forms to reflect recent changes in the law.<sup>1</sup>

#### **Background**

During 2013, the Legislature enacted a number of bills that change the law regarding petitions for restraining orders to prevent civil harassment, workplace violence, private postsecondary school violence, and elder and dependent adult abuse. To reflect these changes in the law, many existing Judicial Council restraining order forms need to be revised.

<sup>&</sup>lt;sup>1</sup> In developing the revised forms, the committee was assisted by the Protective Orders Working Group that consists of members from the committee as well as from the Criminal Law Advisory Committee, the Probate and Mental Health Advisory Committee, the Family and Juvenile Law Advisory Committee, and the Violence Against Women Education Project Planning Committee.

#### The Proposal

This proposal recommends revisions to 34 restraining order forms so that they will be consistent with the law as changed by the legislation described below.<sup>2</sup>

#### Assembly Bill 539: Addition of Option to Store Firearms

Assembly Bill 539 (2013 Stats., ch. 739)<sup>3</sup> adds section 29830 to the Penal Code effective January 1, 2014. It allows a person who is required to relinquish a firearm pursuant to any law to pay a gun dealer to hold the firearm during the duration of the order. Thus, persons subject to a restraining order to prevent civil harassment, workplace violence, private postsecondary school violence, elder and dependent adult abuse or a juvenile protective order who are required to relinquish their firearms may store their weapons with a licensed firearms dealer.

To reflect this change in the law, revisions should be made to the statements about firearms relinquishment on forms CH-100, CH-110, CH-120, CH-120-INFO, CH-130, CH-200, CH-800, CH-800-INFO, , EA-100, EA-110, EA-120, EA-120-INFO, EA-130, EA-200, EA-800, EA-800-INFO, SV-100, SV-110, SV-120, SV-120-INFO, SV-130, SV-200, SV-800, SV-800-INFO WV-100, WV-110, WV-120, WV-120-INFO, WV-130, WV-200, WV-800, and WV-800-INFO. Copies of the revised forms are attached.

#### Assembly Bill 176: Priority of Enforcement of Conflicting Orders

Assembly Bill 176 (2013 Stats., ch. 263)<sup>4</sup> amends several code sections effective July 1, 2014 to change the enforcement priority of protective orders. The bill provides that an *Emergency Protective Order* (Form EPO-001) that is in effect between the same parties and is more restrictive than other restraining orders takes precedence over all other restraining orders. (Pen. Code, § 136.2(c)(1)(A)). A no-contact order in any protective order has precedence over any other restraining or protective order except an EPO and if none of the restraining orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. (Pen. Code, § 136.2(e)(2).) In addition, any non-conflicting terms of the civil restraining order remain in effect and enforceable and if more than one civil restraining order has been issued, the one that was issued last must be enforced.

To reflect this legal change, the following language has been added in appropriate places on the civil harassment, workplace violence, private postsecondary school violence, and juvenile protective order forms:

<sup>&</sup>lt;sup>2</sup> In a separate invitation to comment, the Family and Juvenile Law Advisory Committee is recommending revisions to many of the domestic violence prevention and juvenile law restraining order forms.

<sup>&</sup>lt;sup>3</sup> The text of AB 539, as chaptered, may be viewed at <a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=201320140AB539">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=201320140AB539</a>

<sup>&</sup>lt;sup>4</sup> The text of AB 176, as chaptered, may be viewed at <a href="http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=201320140AB176">http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=201320140AB176</a>

#### **CONFLICTING ORDERS**

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following order: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

- 1. *EPO*: If one of the orders is an *Emergency Protective Order* (Form EPO-001) and it is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. *No-Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence in enforcement over any other restraining or protective order.
- 3. Criminal Order: If none of the orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any non-conflicting terms of the civil restraining order remain in effect and enforceable.
- 4. Family or Civil Order: If more than one family or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

This language has been added in forms CH-110, CH-130, SV-110, SV-130, WV-110, and WV-130.

For reasons of space, the following alternative language has been used on the forms to prevent elder and dependent adult abuse:

An *Emergency Protective Order* (Form EPO-001) that **has been issued protecting the protected person from the restrained person,** and is more restrictive than other restraining orders takes precedence in enforcement over all other restraining orders. (Pen. Code, § 136.2(c)(1)(A). A no-contact order in any protective order has precedence in enforcement over any other restraining or protective order except an EPO. If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. (Pen. Code, § 136.2(e)(2).) Any non-conflicting terms of the civil restraining order remain in effect and enforceable. If more than one family or other civil restraining order has been issued, the one that was issued last must be enforced.

This language has been added informs EA-110 and EA-130.

Comments are specifically requested on this language on the priority of conflicting orders.

Assembly Bill 499: Change in the Duration of Civil Harassment Protective Orders
Assembly Bill 499 (2013 Stats., ch. 158)<sup>5</sup> changes the duration of civil harassment protective orders from up to 3 years to up to 5 and extends the order renewal period for up to an additional

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\_id=201320140AB499&search\_keywords

<sup>&</sup>lt;sup>5</sup> See AB 499 at

5 years. The amended statute states: "In the discretion of the court, an order issued after notice and hearing under this section may have a duration of not more than five years, subject to termination or modification by further order of the court either on written stipulation filed with the court or on the motion of a party. These orders may be renewed, upon the request of a party, for a duration of not more than five additional years, without a showing of any further harassment since the issuance of the original order, subject to termination or modification by further order of the court either on written stipulation filed with the court or on the motion of a party...." (Code Civ. Proc, 527.6(j)(1), as amended effective July 1, 2014.)

To reflect these changes, the following Judicial Council forms would be revised: form CH-100-INFO, CH-109, CH-110, CH-120, CH-120-INFO, and CH-130. Copies of the revised forms are attached.<sup>6</sup>

#### **Alternatives Considered**

Because the proposed revisions to the forms are necessary for the forms to comply with recent changes in the law, no alternative to making the changes was considered. There was, however, consideration of various alternative formulations of the new information provided about the priority of orders.

#### Implementation Requirements, Costs, and Operational Impacts

If courts make copies of the forms, or some of them, available to the public, this will require some implementation and result in some costs.

#### **Request for Specific Comments**

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

- Does this forms proposal appropriately address the stated purpose?
- Is the proposed language regarding the priority of orders sufficiently clear and accurate?
- Should the *Proof Firearms Turned in, Sold, or Stored* and the related information sheet follow the format of form CH-800 and CH-800-INFO (attached to this proposal) or the format of form DV-800/JV-252 and DV-800/JV-252-INFO (being circulated separately)?
- Should a new provision be added in the orders providing for an exemption from firearms relinquishment based on findings under Code of Civil Procedure section 527.9 similar to the provision that is proposed to be added to the domestic violence prevention and juvenile restraining order forms (see separate invitation to comment, forms DV-110, item 9d, and DV-130, item 9d)?

#### **Attachment**

1. Revised forms CH-100, CH-100-INFO, CH-109 ,CH-110, CH-120, CH-120-INFO, CH-130, CH-200, CH-800, CH-800-INFO, EA-100, EA-110, EA-120, EA-120-INFO, EA-130, EA-200, EA-800-INFO, SV-100, SV-110, SV-120, SV-120-INFO, SV-130, SV-200, SV-800, SV-800-INFO,WV-100, WV-110, WV-120, WV-120-INFO, WV-130, WV-200, WV-800, and WV-800-INFO at pages 6–116

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#### Request for Civil Harassment **Restraining Orders**

Read Can a Civil Harassment Restraining Order Help Me? (Form CH-100-INFO) before completing this form. Also fill out Confidential CLETS Information (Form CLETS-001) with as much information as you know. **Person Seeking Protection** a. Your Full Name: Your Lawyer (if you have one for this case): Fill in court name and street address: State Bar No.: Superior Court of California, County of Firm Name: b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.): Address: Court fills in case number when form is filed. **Case Number:** State: Zip: City: Telephone: Fax: E-Mail Address: Person From Whom Protection Is Sought Full Name: Address (if known): State: Zip: **Additional Protected Persons** a. Are you asking for protection for any other family or household members? 

Yes 

No If yes, list them: Full Name Age Lives with you? How are they related to you? \_\_\_\_\_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ \_ No \_\_\_\_\_ ☐ Yes ☐ No Check here if there are more persons. Attach a sheet of paper and write "Attachment 3a—Additional Protected Persons" for a title. You may use Form MC-025, Attachment. b. Why do these people need protection? (Explain below): Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 3b—Why Others Need Protection" for a title.

This is not a Court Order.

Clerk stamps date here when form is filed.

	Relationship of Parties
	How do you know the person in (2)? (Explain below):
	Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 4—Relationship of Parties" for a title.
	Venue Why are you filing in this county? (Check all that apply):
	a.  The person in 2 lives in this county.
	b. I was harassed by the person in 2 in this county.
	c. Other (specify):
	Other Court Cases
5)	a. Have you or any of the persons named in (3) been involved in another court case with the person in (2)?
	Yes No If yes, check each kind of case and indicate where and when each was filed:
	Kind of Case Filed in (County/State) Year Filed Case Number (if known
	(1) Civil Harassment
	(2) Domestic Violence
	(3) Divorce, Nullity, Legal Separation
	(4) Paternity, Parentage, Child Custody
	<ul><li>(5)  Elder or Dependent Adult Abuse</li><li>(6)  Eviction</li></ul>
	(7) Guardianship (8) Workplace Violence
	(9) Small Claims
	(10)
	(10)
	(11) Utilet (specify).
	<del></del>
	b. Are there now any protective or restraining orders in effect relating to you or any of the persons in 3 and the person in 2?   No Yes If yes, attach a copy if you have one.
	Description of Harassment
ノ	Harassment means violence or threats of violence against you, or a course of conduct that seriously alarmed,
	annoyed, or harassed you and caused you substantial emotional distress. A course of conduct is more than one ac
	a. Tell the court about the last time the person in (2) harassed you.
	(1) When did it happen? (provide date or estimated date):
	(2) Who else was there?
	(-) Who else was there:
	This is not a Court Order.

(3)	How did the person in (2) harass you? (Explain below):
(-)	Check here if there is not enough space for your answer. Put your complete answer on the attach sheet of paper or Form MC-025 and write "Attachment 7a(3)—Describe Harassment" for a title
(4)	Did the person in ② use or threaten to use a gun or any other weapon?  Yes No (If yes, explain below):
	Check here if there is not enough space for your answer. Put your complete answer on the attach sheet of paper or Form MC-025 and write "Attachment 7a(4)—Use of Weapons" for a title.
(5)	Were you harmed or injured because of the harassment?
(5)	Yes No (If yes, explain below):
	Check here if there is not enough space for your answer. Put your complete answer on the attach sheet of paper or Form MC-025 and write "Attachment 7a(5)—Harm or Injury" for a title.
(6)	Did the police come?  \[ Yes \[ \] No
	If yes, did they give you or the person in <b>2</b> an Emergency Protective Order?  Yes No If yes, the order protects ( <i>check all that apply</i> ):
	a. $\square$ Me b. $\square$ The person in $\textcircled{2}$ c. $\square$ The persons in $\textcircled{3}$
Has	Attach a copy of the order if you have one. the person in (2) harassed you at other times?
	Yes \sum No (If yes, describe prior incidents and provide dates of harassment below):
	Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 7b—Previous Harassment" for a title.

	Case Number:
	Check the orders you want.
8	☐ Personal Conduct Orders
	<ul> <li>I ask the court to order the person in (2) not to do any of the following things to me or to any person to be protected listed in (3):</li> <li>a.   Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.</li> <li>b.   Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by</li> </ul>
	telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
	c.  Other <i>specify</i> ):
	☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 8c—Other Personal Conduct Orders," for a title.
	The person in ② will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.
9	<ul> <li>Stay-Away Orders</li> <li>a. I ask the court to order the person in (2) to stay at least yards away from (check all that apply):</li> </ul>
	(1) Me (8) My vehicle
	(2) The other persons listed in (3) (9) Other (specify):
	(3)  My home
	(4) My job or workplace
	(5) My school
	(6) My children's school
	(7) My children's place of child care
	b. If the court orders the person in <b>2</b> 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 below):
	☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 9b—Stay-Away Orders," for a title.
10)	Guns or Other Firearms and Ammunition
	Does the person in ② own or possess any guns or other firearms?
	If the judge grants a protective order, the person in ② will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The person in ② will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any guns or firearms within his or her immediate possession or control.
	This is not a Court Order.

Revised July 1, 2014

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11)	Immediate Orders						
	Do you want the court to make any of these or in (2)? Yes No (If you answerd Check here if there is not enough space for paper or Form MC-025 and write "Attack"	ed yes, explain why b or your answer. Put y	pelow): our complete answer or	-			
12)	<ul><li>☐ Request to Give Less Than Five</li></ul>	Days' Notice					
	You must have your papers personally served court orders a shorter time for service. (Form CH-200, Proof of Personal Service, may be us	cH-200-INFO explo	ains What Is "Proof of I	Personal Service"? For			
	If you want there to be fewer than five days be	etween service and th	he hearing, explain why	below:			
	Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 12—Request to Give Less Than Five-Days Notice" for a title.						
	paper or Form MC-025 and write "Attach	uneni 12 Requesi to					
	paper or Form MC-025 and write "Attach	meni 12 Nequesi io					
<b>13</b> )	paper or Form MC-025 and write "Attach	meni 12 Requesi io					
13)		the person in (2) has	s used or threatened to u	_			
13)	<ul> <li>□ No Fee for Filing or Service</li> <li>a. □ There should be no filing fee because to</li> </ul>	the person in <b>2</b> has in some other way thotify) the person in <b>2</b>	s used or threatened to unat makes me reasonable about the orders for f	y fear violence.	me,		
13)	<ul> <li>□ No Fee for Filing or Service</li> <li>a. □ There should be no filing fee because that stalked me, or has acted or spoken</li> <li>b. □ The sheriff or marshal should serve (not be a stalked me).</li> </ul>	the person in <b>2</b> has in some other way the otify) the person in <b>2</b> ce, a credible threat of the heriff or marshal sho	s used or threatened to unat makes me reasonable about the orders for for violence, or stalking.	y fear violence.  Tree because my require  (2) for free because 1	me, est		
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13)	<ul> <li>No Fee for Filing or Service</li> <li>a. ☐ There should be no filing fee because that stalked me, or has acted or spoken</li> <li>b. ☐ The sheriff or marshal should serve (not for orders is based on unlawful violence)</li> <li>c. ☐ There should be no filing fee and the stam entitled to a fee waiver. (You must Fees and Costs.)</li> <li>☐ Lawyer's Fees and Costs I ask the court to order payment of my: The amounts requested are: Item </li> </ul>	the person in ② has in some other way the otify) the person in ② the, a credible threat of the heriff or marshal sho complete and file Fo  a. □ Lawyer's fee	s used or threatened to unat makes me reasonable about the orders for for violence, or stalking. Buld serve the person in the form FW-001, Application	y fear violence.  Tree because my reque  (2) for free because on for Waiver of Cour	me, est I		
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	Additional Orders Requested
I	ask the court to make the following additional orders (specify):
	Check here if there is not enough space for your answer. Put your complete answer on the attached she paper or Form MC-025 and write "Attachment 15—Additional Orders Requested," for a title.
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Num	nber of pages attached to this form, if any:
Date	e:
	•
Law	yer's name (if any)  Lawyer's signature
I dec	clare under penalty of perjury under the laws of the State of California that the information above and on ttachments is true and correct.
Date	::
	e or print your name Sign your name

Revised July 1, 2014

### CH-100-INFO Can a Civil Harassment Restraining Order Help Me?

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

#### What is a civil harassment restraining order?

It is a court order that helps protect people from harassment.

#### Can I get a civil harassment restraining order?

You can ask for one if you are worried about your safety because someone:

- · Is harassing you
- · Is stalking you
- · Has committed acts of violence against you, or
- · Has threatened you with violence

#### How will the order help me?

The court can order a person to:

- · Not harass or threaten you
- Not contact or go near you, and
- · Not have a gun

You can also ask for protection for people who live with you and family members.

In a civil harassment case, the court cannot:

- Order a person to move out of your residence
- Order a person to pay child support to you
- · Make orders for custody and visitation

If you need these orders, you should proceed under the Domestic Violence Protection Act. File Form DV-100.

The court also cannot:

- Order a person to pay money that he or she owes you
- Order someone to move out of rental property that you own
- · Order someone to stop creating a nuisance that doesn't involve harassment

If you need these remedies, you must file a civil action.

#### How much does it cost?

That depends on the type of harassment. If the restrained person has used or threatened to use violence against you or has stalked you, you do not have to pay a filing fee; otherwise, you must pay the fee.

If you cannot afford to pay the filing fee, ask the clerk how to apply for a fee waiver. Form FW-001 is available for this purpose.

If the order is based on prior acts of violence, a credible threat of violence, or stalking, you are entitled to free service of the order by a sheriff or marshal. Also, if you are eligible for a fee waiver, you can ask the sheriff or marshal to serve the order for free. If you are not eligible for free service, you may pay the sheriff or marshal to serve the order.

#### What forms do I need to get the order?

You must fill out all of Form CH-100, Request for Civil Harrassment Restraining Orders, and Form CLETS-001, Confidential CLETS Information. If you need attachments, you may use Form MC-025. You must also fill out items 1 and 2 on Form CH-109, Notice of Court Hearing, and items 1, 2, and 3 on Form CH-110, Temporary Restraining Order (CLETS).

#### Where can I get these forms?

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

#### What do I need to do to get the order?

You must go to the superior court in the county where the harassment took place or the person to be restrained lives. At the court, ask where you should file your request for a civil harassment restraining order. (A selfhelp center or legal aid association may be able to assist you in filing your request.)

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, and if your request for immediate orders is granted, a copy of the Temporary Restraining Order signed by a judicial officer.



### CH-100-INFO Can a Civil Harassment Restraining Order Help Me?

#### How soon can I get the order?

If you ask for a temporary restraining order, the court will decide within 24 hours whether or not to make the order. Sometimes the court decides sooner. Ask whether you should wait or come back later to get the signed Notice of Court Hearing and Temporary Restraining Order.

#### How long does the order last?

If the court makes a temporary order, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. The order could last for up to five years.

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

Someone age 18 or older—not you or anyone else to be protected by the order—must "serve" (give) the person to be restrained a copy of the order. The server must then fill out Form CH-200, Proof of Personal Service, and give it to you to file with the court. For help with service, ask the court clerk for Form CH-200-INFO, What Is "Proof of Personal Service?".

#### What if the restrained person does not obey the order?

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

#### Do I have to go to court?

Yes. Go to court on the date the clerk gives you.

#### Do I need to bring a witness to the court hearing?

Witnesses are not required, but it helps to have more proof of the harassment than just your word. You can bring:

- Witnesses
- Written statements from witnesses made under oath
- 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, Declaration, for this.).

#### Do I need a lawyer?

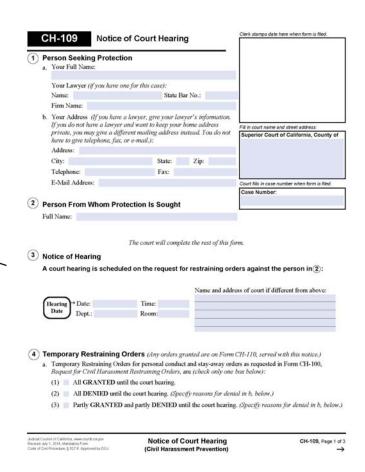
Having a lawyer is always a good idea, but it is not required and you are not entitled to a free courtappointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

#### Will I see the restrained person at the court hearing?

If the person comes to the hearing, yes. But that person does not have the right to speak to you. If you are afraid, tell the court officer.

#### Can I bring someone with me to court?

Yes. You can bring someone to sit with you during the hearing. But that person cannot speak for you in court. Only you or your lawyer (if you have one) can speak for you.



### CH-100-INFO Can a Civil Harassment Restraining Order Help Me?

#### 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). (Civ.Code, § 54.8.)

#### For help in your area, contact:

[Local information may be inserted.]

#### 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, you should ask someone who is not listed as a person to be protected on your Request and who is over age 18 to interpret for you.

#### Can I agree with the restrained person to cancel the order?

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

	CH-109 Notice	o of Court Hoaring		Clerk stamps date here when form is filed.
	Notice	e of Court Hearing		
$\smile$	Person Seeking Prote	ction	_	
a	. Your Full Name:			
	Your Lawyer (if you have	e one for this case):		-
	Name:	State Bar	No.:	
	Firm Name:			_
b		ve a lawyer, give your lawye	· ·	
		er and want to keep your ho lifferent mailing address inst		Fill in court name and street address:
	have to give telephone, fo			Superior Court of California, County of
		State:		-
		Fax:		-
	D M 1 A 11			Court fills in case number when form is filed.
				Case Number:
3) N	Notice of Hearing	The court will complete	e the rest of this fo	orm.
_		luled on the request for	restraining ord	lers against the person in ②:
			Name and addr	ess of court if different from above:
(	Hearing Date:	Time:		
	Date Dept.:	Room:		
	•			CH-110, served with this notice.)
a	1 2	Orders for personal conduct a ment Restraining Orders, are		ers as requested in Form CH-100, box below):
	•	until the court hearing.		
	` ,	til the court hearing. (Specify	v reasons for deni	ial in b. below.)
	, ,		- -	
	(3) Partly <b>GRANTE</b>	<b>D</b> and partly <b>DENIED</b> unti	I the court hearing	g. (Specify reasons for denial in b, below

(1)		b.	Reasons for denial of some or all of those personal conduct and stay-away orders as requested in Form CH-100, Request for Civil Harassment Restraining Orders, are:
Service of Documents by The Person in ①  At least □ five □ days before the hearing, someone age 18 or older—not you or anyone to be protected—must personally give (serve) a court file-stamped copy of this Form CH-109, to the person in ② along with a copy of all the forms indicated below: Notice of Court Hearing,  a. CH-100, Request for Civil Harassment Restraining Orders (file-stamped)  b. □ CH-110, Temporary Restraining Order (file-stamped) IF GRANTED  c. CH-120, Response to Request for Civil Harassment Restraining Orders (blank form)  d. CH-120-INFO, How Can I Respond to a Request for Civil Harassment Restraining Orders?  e. CH-250, Proof of Service of Response by Mail (blank form)  f. □ Other (specify):  Date: Judicial Officer			or a course of conduct that seriously alarmed, annoyed, or harassed the person in (1) and caused
At least			(2) Other (specify): As set forth on Attachment 4b.
At least			
protected—must personally give (serve) a court file-stamped copy of this Form CH-109, to the person in along with a copy of all the forms indicated below: Notice of Court Hearing,  a. CH-100, Request for Civil Harassment Restraining Orders (file-stamped)  b. CH-110, Temporary Restraining Order (file-stamped) IF GRANTED  c. CH-120, Response to Request for Civil Harassment Restraining Orders (blank form)  d. CH-120-INFO, How Can I Respond to a Request for Civil Harassment Restraining Orders?  e. CH-250, Proof of Service of Response by Mail (blank form)  f. Other (specify):  Date:  Judicial Officer	<b>5</b>	Se	ervice of Documents by The Person in ①
b.   CH-110, Temporary Restraining Order (file-stamped) IF GRANTED  c. CH-120, Response to Request for Civil Harassment Restraining Orders (blank form)  d. CH-120-INFO, How Can I Respond to a Request for Civil Harassment Restraining Orders?  e. CH-250, Proof of Service of Response by Mail (blank form)  f.   Other (specify):  Date:  Judicial Officer		pr	otected—must personally give (serve) a court file-stamped copy of this Form CH-109, to the person in 2
c. CH-120, Response to Request for Civil Harassment Restraining Orders (blank form)  d. CH-120-INFO, How Can I Respond to a Request for Civil Harassment Restraining Orders?  e. CH-250, Proof of Service of Response by Mail (blank form)  f.   Other (specify):  Date:  Judicial Officer		a.	CH-100, Request for Civil Harassment Restraining Orders (file-stamped)
d. CH-120-INFO, How Can I Respond to a Request for Civil Harassment Restraining Orders?  e. CH-250, Proof of Service of Response by Mail (blank form)  f.   Date:  Judicial Officer		b.	CH-110, Temporary Restraining Order (file-stamped) IF GRANTED
e. CH-250, Proof of Service of Response by Mail (blank form)  f.   Other (specify):  Date:  Judicial Officer		c.	CH-120, Response to Request for Civil Harassment Restraining Orders (blank form)
f. Other (specify):  Date:  Judicial Officer			·
Date:			
Judicial Officer		f.	Other (specify):
Judicial Officer			
		Da	
			Judicial Officer
To the Develop in Co.			To the Person in 1 :

- The court cannot make the restraining orders after the court hearing unless the person in **(2)** has been personally given (served) a copy of your request and any temporary orders. To show that the person in **(2)** has been served, the person who served the forms must fill out a proof of service form. Form CH-200, *Proof of Personal Service*, may be used.
- For information about service, read Form CH-200-INFO, What Is "Proof of Personal Service"?
- If you are unable to serve the person in ② in time, you may ask for more time to serve the documents. Use Form CH-115, *Request to Continue Court Hearing and to Reissue Temporary Restraining Order*.

Revised July 1, 2014

CH-109, Page 2 of 3

#### To the Person in 2:

- If you want to respond to the request for orders in writing, file Form CH-120, Response to Request for Civil Harassment Restraining Orders, and have someone age 18 or older—not you or anyone to be protected—mail it to the person in ①.
- The person who mailed the form must fill out a proof of service form. Form CH-250, *Proof of Service of Response by Mail*, may be used. File the completed form with the court before the hearing and bring a copy with you to the court hearing.
- Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the orders requested.
- You may bring witnesses and other evidence.
- At the hearing, the judge may make restraining orders against you that could last up to five years and may order you to sell or turn in any firearms that you own or possess.



#### **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 <a href="https://www.courts.ca.gov/forms">www.courts.ca.gov/forms</a> for Request for Accommodations by Persons with Disabilities and Response (Form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

#### -Clerk 's Certificate-

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

Clerk's Certificate	
[seal]	
Date:	
Clerk, by	, Deputy

CH-110	Temporary Restrain	ing Order	Clerk stamps date here when form is filed.
Person in (1) mu	st complete items (1), (2), and (3	3) only	
Protected Pera. Your Full Na	rson	o) only.	
Your Lawyer	(if you have one for this case):	ate Bar No ·	-
Firm Name:	St.	ate Bai No	
If you do not private, you t	s (If you have a lawyer, give you have a lawyer and want to keep nay give a different mailing addr telephone, fax, or e-mail.):	your home address	Fill in court name and street address:  Superior Court of California, County
Address:			-
	State:		-
F-Mail Addre	Fax:		Court fills in case number when form is filed
Restrained Portrained	erson		Case Number:
Description:			
			of Birth: Race:
Home Address (	· ·		
	Protected Person:		e: Zip:
In addition to the the temporary or	ders indicated below:		members of that person are protected defined to Protected Person and Protected Person are pro
		Yes Yes	□ No
☐ Check here if	there are additional persons. Li rotected Persons" as a title. You	Yes  Yes  Yes  them on an attached s.	☐ No ☐ No ☐ No ☐ heet of paper and write "Attachment
☐ Check here if Additional P	rotected Persons" as a title. You The court will co	Yes  Yes  The them on an attached so may use Form MC-025, complete the rest of this form	☐ No ☐ No ☐ No ☐ heet of paper and write "Attachment, Attachment.

Case Number:		

### To the Person in 2:

The court has granted the temporary orders checked as granted 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.

<b>(5</b> )	Personal Conduct Orders
	□ Not Requested □ Denied Until the Hearing □ Granted as Follows:
	<ul> <li>a. You must <b>not</b> do the following things to the person named in </li> <li>and to the other protected persons listed in </li> <li>:</li> </ul>
	(1) Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
	(2) Contact the person, either directly or indirectly, in <b>any</b> way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
	(3) Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order.
	(4) ☐ Other (specify): ☐ Other personal conduct orders are attached at the end of this Order on Attachment 5a(4).
	b. 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. However, you may have your papers served by mail on the person in 1.
6	Stay-Away Order  Not Requested Denied Until the Hearing Granted as Follows:
	<ul> <li>Not Requested □ Denied Until the Hearing □ Granted as Follows:</li> <li>a. You must stay at least yards away from (check all that apply):</li> </ul>
	(1) $\square$ The person in $\bigcirc$ (7) $\square$ The place of child care of the children of
	(2) $\square$ Each person in (3) the person in (1)
	(3) $\square$ The home of the person in $\bigcirc$ (8) $\square$ The vehicle of the person in $\bigcirc$
	(4) $\square$ The job or workplace of the person (9) $\square$ Other (specify): in $\bigcirc{1}$
	(5) The school of the person in 1
	(6) The school of the children of the person in 1 —————————————————————————————————
	b. This stay-away order does not prevent you from going to or from your home or place of employment.
7	No Guns or Other Firearms and Ammunition
	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 or store with 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.
	This is a Court Order.

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(2)	File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. (You may use Form CH-800, Proof of Firearms Turned In Sold, or Stored for the receipt.)
c.	The court has received information that you own or possess a firearm.
Othe	r Orders
□ N	ot Requested   Denied Until the Hearing   Granted as Follows (specify):
A	Additional orders are attached at the end of this Order on Attachment 8.
	To the Person in 1:
Mano	datory Entry of Order Into CARPOS Through CLETS
	Order must be entered into the California Restraining and Protective Order System (CARPOS) through the rnia Law Enforcement Telecommunications System (CLETS). (Check one):
a. 🗌	The clerk will enter this Order and its proof-of-service form into CARPOS.
b. 🗌	The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
c. $\square$	By the close of business on the date that this Order is made, the person in ① or his or her lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:
	Name of Law Enforcement Agency Address (City, State, Zip)
	Additional law enforcement agencies are listed at the end of this Order on Attachment 9.
	ee to Serve (Notify) Restrained Person
a	The Order is based on unlawful violence, a credible threat of violence, or stalking.
b	The person in 1 is entitled to a fee waiver.
Numb	er of pages attached to this Order, if any:
Date:	Judicial Officer

Revised July 2014

Case Number:		

#### Warnings and Notices to the Restrained Person in 2

#### 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 or store with 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 (7) above. The court will require you to prove that you did so.

#### Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and Form CH-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 address in item(2).

If this 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, or to find out the duration of the order, contact the clerk of the court.

#### After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read Form CH-120-INFO, *How Can I Respond to a Request for Civil Harassment Restraining Orders?*, to learn how to respond to this Order.
- If you want to respond, fill out Form CH-120, *Response to Request for Civil Harassment Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response if the Request claims that you inflicted or threatened violence against or stalked the person in 1.
- You must have Form CH-120 served by mail on the person in ① or that person's attorney. You cannot do this yourself. The person who does the mailing should complete and sign Form CH-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 or at *www.courts.ca.gov/forms*. If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to five years. Tell the judge why you disagree with the orders requested.

#### **Instructions for Law Enforcement**

#### **Enforcing the Restraining Order**

This order is enforceable 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 Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

This is a Court Order.

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Case	Numb	er:		

#### Start Date and End Date of Orders

This order starts on the date next to the judge's signature on page 3. The order ends on the expiration date in item (4) on page 1.

#### Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### Notice/Proof of Service

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

#### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

#### Conflicting Orders

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following order: (See Pen. Code, § 136.2.) Fam. Code, §§ 6383(h)(2), 6405(b).)

- 1. EPO: If one of the orders is an Emergency Protective Order (Form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. No Contact Order: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
- 3. Criminal Order: If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.

4. Family or Civil Or	aer: 11 more than on	ie family of other civil restraining of protecti	ve order has been issued, the			
one that was issue	ed last must be enfor	ced.				
	(C	Clerk will fill out this part.)				
Clerk's Certificate	—Clerk's Certificate—					
[seal]	I certify that thi original on file	s <i>Temporary Restraining Order</i> is a true and in the court.	correct copy of the			
	Date:	Clerk, by	, Deputy			
	T	This is a Court Order.				

	Cł	H-120	-	-	uest for Civ		Clerk stamps date	here when form is filed.
Use	th •	Read How Co Restraining O Fill out this for Have someon his or her law	in I Respond to rders? (Form orm and take it e age 18 or old yer by mail wi	o a Request for CH-120-INF to the court of the court of the court of the a copy of the cop	or Civil Harassm O), to protect your clerk. —serve the person his form and any vice of Response	nent ur rights. on in 1 or y attached		
<b>(1)</b>	Pe	rson Seekir	ng Protection	on				
	Na	me of person so	eeking protecti	ion (see Form	n CH-100, item (1	1)):		and street address:
2	Pe a.	erson From Your Name:	Whom Prot	ection Is S	ought			
		Your Lawyer Name:	(if you have or	ne for this cas	se): State Bar No.	:		
		Firm Name:					Court fills in case r	number when form is filed.
	b.	If you do not h private, you m have to give te	ave a lawyer o ay give a diffe	and want to kerent mailing	your lawyer's in eep your home a address instead.	ddress You do not	Case Number:	
		Address:						d any opposition at the
		City:		State:	Zip:	_	write your near rm CH-109 item	ing date, time, and place (3) here:
		Telephone:		Faz	K:		Doto:	Time:
		E-Mail Addre	SS:			Hearing Date	Dept.:	Room:
<b>3</b>		☐ Personal (	Conduct Or	ders		If you w	ere served with	a Temporary
		a. $\square$ I agre	e to the orders	requested				must obey it until the
		_	ot agree to the	-	ested		· · · · · · · · · · · · · · · · · · ·	the court may make st for up to five years.
			e to the follow	•		orders aş	gamst you that ia	ist for up to five years.
				mg orders (s)				
<b>4</b> )		☐ Stay-Away	/ Orders					
			e to the orders	requested.				
		_	ot agree to the	-	ested.			
			e to the follow	-				
<b>(5)</b>		Additiona	I Protected	Persons				

requested.

a. 

I agree that the persons listed in item (3) of Form CH-100 may be protected by the order requested.

b.  $\square$  I do not agree that the persons listed in item (3)of Form CH-100 may be protected by the order

Guns or Other Firearms and Ammunition  If you were served with Form CH-110, Temporary Restraining Order, to other firearms, or ammunition. (See item 7) of Form CH-110.) You dealer, or turn in to a law enforcement agency, any guns or other firearcontrol within 24 hours of being served with Form CH-110. You must use Form CH-800, Proof of Firearms Turned In or Sold, for the receipt a.   I do not own or control any guns or firearms.  b. I have turned in my guns and firearms to the police or sold them A copy of the receipt is attached. has already been	must sell to or store with a licensed gun arms in your immediate possession or file a receipt with the court. You may ot.  In to a licensed gun dealer.
7	
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 (7) of Form CH-100. (Skip to (0).	)
9 ☐ Justification or Excuse	
If I did some or all of the things that the person in 1 has accused me of, r	ny actions were justified or excused for
the following reasons (explain):	
☐ Check here if there is not enough space below for your answer. Put yo of paper and write "Attachment 9—Justification or Excuse" as a title.	<u> </u>

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**CH-120,** Page 2 of 3

$_{ m )}\; \square \;$ No Fee	e for Filing			
	request that I not be request tem (13) to be entitled to f	rired to pay the filing fee becare filing.	use the person in <b>1</b> clain	ns in Form CH-100
		ired to pay the filing fee beca we Court Fees, must be filed se		waiver. (Form
│	r's Fees and Costs			
	ask the court to order pay The amounts requested an		s fees	
	<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u> \$
		\$\$ \$\$		\$
		\$		 \$
fe	ask the court to deny the ees and costs.  pages attached to this form	request of the person asking f	for protection that I pay hi	is or her lawyer's
Date:				
Lawyer's no	ame (if any)		yer's signature	
	der penalty of perjury unents is true and correct.	der the laws of the State of Ca	alifornia that the informat	ion above and on
Date:				
	nt your name		n your name	

# CH-120-INFO How Can I Respond to a Request for Civil Harassment Restraining Orders?

### What is a civil harassment restraining order?

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

#### What does the order do?

The court can order you to:

- · Not contact the person who asked for the order
- Stay away from that person and the person's home and workplace
- Not have any guns as long as the order is in effect

### Who can ask for a civil harassment restraining order?

A person who is worried about safety because he or she has been or is being:

- Stalked
- Harassed
- · Assaulted, including sexually, or
- · Threatened with violence

# I've been served with a request for civil harassment restraining orders. 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 don't 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 CH-120, *Response to Request for Civil Harassment Restraining Orders*, before your hearing date and file it with the court. If you need to include attachments, you can use Form MC-025. You can get the forms from legal publishers or on the Internet at *www.courts.ca.gov*. You also may be able to find them at your local courthouse or county law library.

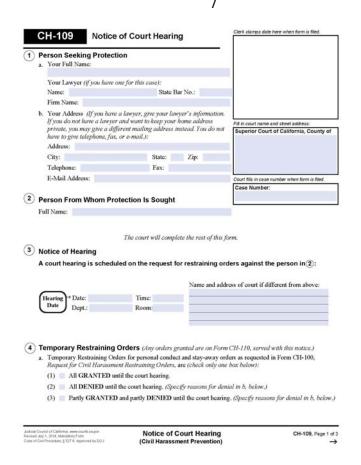
## Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older—**not you**—mail a copy of completed Form CH-120 to the person who asked for the order (or that person's lawyer). (This is called "service by mail.")

The person who serves the form by mail must fill out Form CH-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 CH-109, *Notice of Court Hearing*. If you do not go to the hearing, the judge can make orders against you without hearing from you.





# CH-120-INFO How Can I Respond to a Request for Civil Harassment Restraining Orders?

#### 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 at the hearing can last for up to five years.

#### Do I need a lawyer?

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

## Will I see the person who asked for the order at the court hearing?

Yes. Assume that the person who is asking for the order will attend the hearing. Do not talk to him or her unless the judge or that person's attorney 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.

#### For help in your area, contact:

[Local information may be inserted.]

#### 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 should ask someone age 18 or older 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 or store it with a licensed gun dealer, or turn it in to a law enforcement agency.

### Can I agree with the protected person to cancel the order?

No. Once the order is issued, only the judge can change or cancel it. You or the protected person would have to file a request with the court to cancel the order.

#### 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 court 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

	CH-130	Civil Harassme Order After Hea		ining	Clerk stamps date here when form is filed.
	Person in 1 must	complete items (1), (2),	and 3 only.		
1	Protected Pers	son			
	a. Your Full Nam	e:			
	Your Lawyer (	if you have one for this ca	use):		
					-
	If you do not he private, you me have to give tel	(If you have a lawyer, giv ave a lawyer and want to ay give a different mailing ephone, fax, or e-mail.):	keep your hor gaddress inste	ne address ead. You do not	Fill in court name and street address:  Superior Court of California, County of
					_
	Telephone:		Fax:		Court fills in case number when form is filed.
	E-Mail Addres	s:			Case Number:
	Hair Color: Home Address ( City:	Eye Colo	or:	Age: Sta	e of Birth: Race: Zip:
3	☐ Additional F	Protected Persons			members of that person are protected by
	the orders indicate	d below:			
	<u>]</u>	Full Name	<u>Sex</u>	_	with you? How are they related to you?
					s No
	_	here are additional person otected Persons" as a title		on an attached si	heet of paper and write "Attachment 3— Attachment.
4	Expiration Dat	e			
	•	t for any award of lawyer	r's fees, expir	es at:	
	Time:	a.m p.	m. 🗌 midni	ght on (date): _	
	If no expiration da	te is written here, this Ord	der expires fiv	ve years from the	date of issuance.
		TI	his is a Co	urt Order.	

Judicial Council of California, www.courts.ca.gov
Revised July 1, 2014, Mandatory Form
Code of Civil Procedure, §§ 527.6 and 527.9
Approved by DOJ

(Civil Harassment Restraining Order After Hearing
(CLETS-CHO)

CH-130, Page 1 of 5

5	He	earing			
	a.	There was a hearing on (date):	at (time):		Room:
	h	(Name of judicial officer):		made the or	ders at the hearing.
	υ.	These people were at the hearing:	C 41	min (A) (nama):	
		(1) ☐ The person in (1) (3) ☐ The lawy (2) ☐ The person in (2) (4) ☐ The lawy	er for the person	n in (1) (name)	
		(2) ☐ The person in <b>2</b> (4) ☐ The lawy ☐ Additional persons present are listed at the			
		_ 1 1			
	c.	☐ The hearing is continued. The parties mus			at (time):
		To th	e Person in	<b>2</b> :	
		The court has granted the orders check arrested and charged with a crime. You to \$1,000, or both.		-	
6		Personal Conduct Orders			
	a.	You must <b>not</b> do the following things to the p	erson named in	(1)	
		and to the other protected persons listed	_		
		(1) Harass, intimidate, molest, attack, str	rike, stalk, threa	aten, assault (sexually	or otherwise), hit, abuse,
		destroy personal property of, or distu		*	
		(2) Contact the person, either directly or telephone, in writing, by public or pr or by other electronic means.	•		
		(3) $\square$ Take any action to obtain the person	's address or lo	cation. If this item (3)	) is not checked, the court has
		found good cause not to make this or  (4) Uther (specify):		(-,	,
		☐ Other personal conduct orders are	e attached at the	e end of this Order on	n Attachment 6a(4).
7		Stay-Away Orders			
	a.	You must stay at least yards av	way from (chec	k all that apply):	
		(1) The person in 1	(7) $\square$ The p	place of child care of	the children of
		(2) Each person in 3	the po	erson in 1	
		(3) $\square$ The home of the person in $\bigcirc$	(8) ☐ The v	vehicle of the person	in <b>1</b>
		(4) The job or workplace of the person in 1	(9)	r (specify):	
		(5) $\square$ The school of the person in $\bigcirc$			
		(6) The school of the children of the person in 1			
	b.	This stay-away order does not prevent you fro	om going to or f	from your home or nl	ace of employment.
	- •		s a Court Or		

Civil Harassment Restraining Order After Hearing (CLETS-CHO)

**CH-130,** Page 2 of 5

Revised July 1, 2014

(8) N	o Guns	or C	Other	<b>Firearms</b>	and	<b>Ammunitio</b>
-------	--------	------	-------	-----------------	-----	------------------

- 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. If you have not already done so, you must:
  - Within 24 hours of being served with this Order, sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control.
  - File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. (You may use Form CH-800, Proof of Firearms Turned In, Sold, or Stored for the receipt.)

	Fees and Costs		llawing amounts for	
_		the person in the fo	nowing amounts for.	
a. Law	yer's fees b.		Itama	A ma assent
	<u>Item</u>	Amount	<u>Item</u>	<u>Amount</u>
		_ \$		\$
Addition	nal items and amour		d of this Order on Attach	
☐ Other Or	ders (specify):			
	core (speedy)).			
	nal orders are attach	ed at the end of this Ord	er on Attachment 10.	
☐ Addition	nal orders are attach	ed at the end of this Ord		
		To the Person	in <b>1</b> :	
			in <b>1</b> :	
Mandatory I This Order mus	Entry of Order Into the	To the Person	in 1:  Igh CLETS  and Protective Order Sys	tem (CARPOS) through the
Mandatory I This Order mus California Law	Entry of Order Institute the Enforcement Teleco	To the Person  nto CARPOS Throu  e California Restraining	in 1:  gh CLETS  and Protective Order Sys (CLETS). (Check one):	tem (CARPOS) through the
Mandatory I This Order mus California Law a.   The cler	Entry of Order Institute the entered into the Enforcement Telectrick will enter this Order will transmit this Order will transmit this Order the Entered Property of the Enter	To the Person nto CARPOS Throu e California Restraining communications System der and its proof-of-servi	in 1:  Igh CLETS  and Protective Order Sys (CLETS). (Check one):  ce form into CARPOS.	tem (CARPOS) through the
Mandatory I  This Order mus California Law a.   The cler into CA  c.   By the codeliver a	Entry of Order In at the entered into the Enforcement Telectrick will enter this Order k will transmit this ORPOS.	To the Person nto CARPOS Through California Restraining ommunications System of the date that this Order is the date that this Order in the thickness of the	in 1:  Igh CLETS  and Protective Order System (CLETS). (Check one):  ce form into CARPOS.  ervice form to a law enforces made, the person in 1	
Mandatory I This Order mus California Law a.   The cler into CA c.   By the cler deliver a enter into	Entry of Order Inst be entered into the Enforcement Telectrick will enter this Order k will transmit this ORPOS.	To the Person nto CARPOS Through the California Restraining communications System of the date that this Order is and its proof-of-service is a	in 1:  Igh CLETS  and Protective Order Sys (CLETS). (Check one):  ce form into CARPOS.  ervice form to a law enforts  s made, the person in 1  form to the law enforcem	rcement agency to be entered or his or her lawyer should

Revised July 1, 2014

**Civil Harassment Restraining Order After Hearing** (CLETS-CHO)

12)	Service of Order on Restrained Person
	a.   The person in (2) personally attended the hearing. No other proof of service is needed.
	b.   The person in   did not attend the hearing.
	(1) Proof of service of Form CH-110, <i>Temporary Restraining Order</i> , was presented to the court. The judge's orders in this form are the same as in Form CH-110 except for the expiration date. The person in <b>2</b> must be served with this Order. Service may be by mail.
	(2) The judge's orders in this form are different from the temporary restraining orders in Form CH-110. Someone—but not anyone in 1 or 3—must personally serve a copy of this Order on the person in 2.
13)	□ No Fee to Serve (Notify) Restrained Person
	The sheriff or marshal will serve this Order without charge because:
	<ul> <li>a.   The Order is based on unlawful violence, a credible threat of violence, or stalking.</li> <li>b.   The person in   is entitled to a fee waiver.</li> </ul>
14)	Number of pages attached to this Order, if any:
Date	:
	Judicial Officer

#### Warning and Notice to the Restrained Person in 2:

#### 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 or store with 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.

#### **Instructions for Law Enforcement**

#### **Enforcing the Restraining Order**

This Order is enforceable 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 Restraining and Protective Order System (CARPOS). 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 must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

#### This is a Court Order.

CH-130, Page 4 of 5

#### Start Date and End Date of Orders

This Order starts on the date next to the judge's signature on page 4 and ends on the expiration date in item (4) on page 1.

#### Arrest Required If Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed it, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### **Notice/Proof of Service**

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the order and then enforce it.

#### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

#### **Conflicting Orders**

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following order: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

- 1. EPO: If one of the orders is an Emergency Protective Order (Form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. No Contact Order: If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
- 3. Criminal Order: If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- 4. Family or Civil Order: If more than one family or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Clerk's Certificate [seal]		(Clerk will fill out this part.) —Clerk's Certificate—  I certify that this Civil Harassment Restraining Order After Hearing is a true and correct copy of the original on file in the court.			
]					
	Date:	Clerk, by	, Deputy		
		This is a Court Order.			

Revised July 1, 2014

	CH-200 Pro	oof of Personal Ser	vice	Clerk stamps date her	re when form is filed.
1	Person Seeking Pro	otection			
2	Person From Whom Name:	n Protection Is Sought			
3	Notice to Server The server must:  Be 18 years of age of  Not be listed in item of Form CH-100.	ns 1 or 3		Fill in court name and Superior Court of	street address: California, County of
	(You cannot send the	ocuments checked in <b>4</b> to the nem by mail.) Then complete ail it to the person in <b>1</b> .			
	I	PROOF OF PERSONAL	SERVICE	Court fills in case num	nber when form is filed.
	I gave the person in (2) a copy of the forms checked below:		Case Number:		
•	i gave the person in (2)	copy of the forms checked t	elow.		
	d. CH-120, Response to e. CH-120-INFO, How f. CH-130, Civil Hara	-	Restraining Orders (bla r Civil Harassment Res Hearing	*	
5	I personally gave copies	of the documents checked al	pove to the person in (	<b>2</b> :	
	a. On (date):  c. At this address:	b. At (time):	a.m.	□ p.m.	
	City:		State:	Zip:	<u> </u>
6	Server's Information Name: Address: City:	on	St. 4		
	•		State: _	Zip:	
	Telephone:	,			
	( <i>If you are a registered</i> ) County of registration:	process server):	Registratio	on number:	
		of perjury under the laws of t			on above is true and
	Date:				
	Type or print server's no	пте	Server to sign he	re	

CH-800	Proof of Firearms Tu	irnea in, Soia,	Clerk stamps date here when form is filed.
Protected	or Stored		-
Name:			
Restrained	d Person		
a. Your Nan	ne		
Your Law	our Lawyer (if you have one for this case):		
Name:	State Bar No.:		_
Firm Nam	ne:	Fill in court name and street address:	
If you do i private, yo	lress (If you have a lawyer, give your not have a lawyer and want to keep you may give a different mailing addressive telephone, fax, or e-mail.):	our home address ss instead. You do not	Superior Court of California, Count
City:	State:	Zip:	
Telephone	e: Fax:		Court fills in case number when form is filed
	ddress:		Case Number:
you have obe licensed gun	eyed its orders. When you deliver you	or unloaded weapons, as ditem <b>6</b> . After the for	sk the law enforcement officer or the m is signed, file it with the court clerl
you have obe licensed gun	eyed its orders. When you deliver you dealer to complete item 4 or 5 and	or unloaded weapons, as ditem <b>6</b> . After the for	sk the law enforcement officer or the m is signed, file it with the court clerl
you have obelicensed gun Keep a copy	eyed its orders. When you deliver you dealer to complete item 4 or 5 and	ir unloaded weapons, as ditem <b>6</b> ). After the for -800-INFO, <i>How do I T</i>	sk the law enforcement officer or the m is signed, file it with the court clerl
you have obelicensed gun Keep a copy	eyed its orders. When you deliver you dealer to complete item (4) or (5) and for yourself. For help, read Form CH  To Law Enforcement  as (4) and (6) of this form. Keep a ve the original to the person who	ar unloaded weapons, as d item <b>6</b> ). After the for -800-INFO, <i>How do I T</i> 5  Fill out ite copy and	sk the law enforcement officer or the m is signed, file it with the court clerk furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer ems 5 and 6 of this form. Keep a
you have obelicensed gun Keep a copy  Fill out item copy and giturned in the	reyed its orders. When you deliver you dealer to complete item 4 or 5 and for yourself. For help, read Form CH  To Law Enforcement  as 4 and 6 of this form. Keep a ve the original to the person who e firearms.	sur unloaded weapons, as d item <b>6</b> ). After the for -800-INFO, <i>How do I T</i> 5  Fill out ite copy and you the fire	sk the law enforcement officer or the m is signed, file it with the court clerk furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer ems 5 and 6 of this form. Keep a give the original to the person who so
you have obelicensed gun Keep a copy  Fill out item copy and giturned in the The firearm	reyed its orders. When you deliver you dealer to complete item (4) or (5) and for yourself. For help, read Form CH  To Law Enforcement  The (a) and (6) of this form. Keep a ve the original to the person who de firearms.  The complete item (4) or (5) and (5) are item (5) and (6) of this form. Keep a ve the original to the person who de firearms.	sir unloaded weapons, as d item <b>6</b> ). After the for -800-INFO, <i>How do I T</i> 5  Fill out ite copy and you the fire The firear	sk the law enforcement officer or the m is signed, file it with the court clerk furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer ems 5 and 6 of this form. Keep a give the original to the person who so rearms or stored them with you.  ms listed in 6 were
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you have obelicensed gun Keep a copy  Fill out item copy and giturned in the The firearm Date:	reyed its orders. When you deliver you dealer to complete item (4) or (5) and for yourself. For help, read Form CH  To Law Enforcement  The (a) and (6) of this form. Keep a ve the original to the person who de firearms.  The complete item (4) or (5) and (5) are item (5) and (6) of this form. Keep a ve the original to the person who de firearms.	sir unloaded weapons, as d item <b>6</b> ). After the for -800-INFO, How do I To a sold to be a sold t	sk the law enforcement officer or the m is signed, file it with the court clerk furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer ems 5 and 6 of this form. Keep a give the original to the person who so rearms or stored them with you.  ms listed in 6 were  me transferred to me for storage
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you have obe licensed gun Keep a copy  Fill out item copy and giturned in the The firearm Date:  To:  Name of	reyed its orders. When you deliver you dealer to complete item 4 or 5 and for yourself. For help, read Form CH  To Law Enforcement  The second of this form. Keep a representation of the person who is listed in 6 were turned in on:  at: a.m p.1  The procedure of law enforcement agent  In the person who is listed in 6 were turned in on:  at: a.m p.1  The procedure of the person who is listed in 6 were forcement agent  In the person who is listed in 6 were forcement agent  The procedure of the person who is listed in 6 were forcement agent.	sir unloaded weapons, as d item <b>6</b> ). After the for -800-INFO, How do IT   5  Fill out ite copy and you the firm The firear sold to Date:  To:  Name  Licen.	sk the law enforcement officer or the m is signed, file it with the court clerk furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer ems 5 and 6 of this form. Keep a give the original to the person who so rearms or stored them with you.  ms listed in 6 were me transferred to me for storage at: a.m proflicensed gun dealer  see number Telephone
you have obe licensed gun Keep a copy  Fill out item copy and giturned in the The firearm Date:	reyed its orders. When you deliver you dealer to complete item 4 or 5 and for yourself. For help, read Form CH  To Law Enforcement  The second of this form. Keep a representation of the person who is listed in 6 were turned in on:  at: a.m p.1  The procedure of law enforcement agent  In the person who is listed in 6 were turned in on:  at: a.m p.1  The procedure of the person who is listed in 6 were forcement agent  In the person who is listed in 6 were forcement agent  The procedure of the person who is listed in 6 were forcement agent.	sir unloaded weapons, as d item <b>6</b> ). After the for -800-INFO, How do IT     Sold to Date:	sk the law enforcement officer or the m is signed, file it with the court clerk furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer ems 5 and 6 of this form. Keep a give the original to the person who so rearms or stored them with you.  ms listed in 6 were me transferred to me for storage at: a.m proflicensed gun dealer  see number Telephone

Signature of gun dealer

<b>6</b>	Firearms						
	<u>Make</u>	Model	Serial Number				
	a.						
	b.						
	c.						
	d.						
	e.						
	Check here if you turned in, sold, or stored more filtem 6—Firearms Turned In, Sold, or Stored" for firearm. You may use Form MC-025, Attachment.	0 1 1					
7	If you answered yes, have you turned in, sold, or stored those other firearms?   Yes  No						
	If yes, check one of the boxes below:						
	a.   I filed a Proof of Firearms Turned In, Sold, or Stored	_	ourt on (date):				
	b.   I am filing the proof for those firearms along with the	•					
	<ul> <li>c. ☐ I have not yet filed the proof for the other firearms. (Explain why not):</li> <li>☐ Check here if there is not enough space below for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 7c" for a title.</li> </ul>						
	I declare under penalty of perjury under the laws of the Stat correct.	te of California that the informa	ation above is true and				
Date	<u>:</u>						
Tyne	or print your name	Sign your name					
- 110	2. F Jour	Sign your mane					

### CH-800-INFO How Do I Turn In, Sell, or Store My Firearms?

#### What is a firearm?

A firearm is a:

- Handgun
- Rifle
- Shotgun
- · Assault weapon

#### 2) If you own or have a firearm you must:

- · Turn it in to local law enforcement
- Sell it to a licensed firearms dealer, or
- Store it with a licensed firearms dealer

#### 3 How do I sell or store my firearm?

Find a California licensed firearms dealer in your area. Look under "Firearms Dealers" in your local Yellow Pages or on the Internet. Make sure the dealer is licensed.

#### (4) How do I take my firearm to law enforcement?

Call your local law enforcement agency to ask about their procedures. Take a copy of the restraining order with you. Go directly to the law enforcement agency. Do not go anywhere else with firearms in your vehicle!

#### 5) If I turn my firearm in to law enforcement, how long will they keep it? Ask the law enforcement agency.

#### 6 After I give my firearm to law enforcement, can I change my mind?

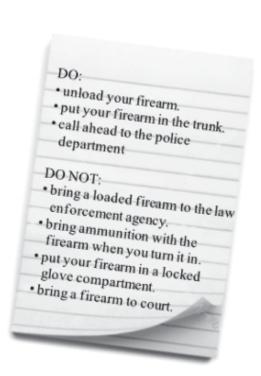
Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

#### 7 Do I have to pay the law enforcement agency to keep my firearm?

You may have to pay the agency for keeping your firearm. Contact your local law enforcement agency and ask if a fee is charged. The agency will tell you how much you need to pay.

### 8 Questions?

Call your local law enforcement agency: (insert local information here.)



### **EA-100**

### Request for Elder or Dependent Adult Abuse Restraining Orders

		Adult	Abuse Restraini	ing Oracis	
For	m EA-1 TS Info	00-INFO) before comp	Adult Abuse Restraining of the pleting this form. Also fil -001), with as much info	l out <i>Confidential</i>	
1		-	lult in Need of Prote	ection	
		ll Name:			-
	Sex:	☐ M ☐ F Ag	ge:		
2	Pers Full N	r	rotection Is Sought		Fill in court name and street address:  Superior Court of California, County of
	Addre	(107			
	City:			Zip:	_
3	Pers	on Requesting Or	der		
	Who i	s asking the court for p	rotection? (Check a, b, o	r c):	Court fills in case number when form is filed.
	a b	The elder or depende Name:	nt adult named in 1.		Case Number:
	о	conservator of the	person  estate	•	te
		of the person named in Case No.:	n(1), appointed by (nam	e of court):	
	c. 🗌	Other (name)			
			-	_	ached sheet of paper. Write "Attachment 3c title. You may use Form MC-025,
4	Cont	act Information			
	Conta	ct information for the p	erson asking the court fo	r protection:	
		our Lawyer (if you have			
		ame:	State I	Bar No.:	-
		rm Name:			_
	ha dij	we a lawyer and want t	e a lawyer, give your law o keep your home addre instead. The person in	ss private, you may	give a
	A	ddress:			
	Ci	ty:		Zip:	
	т.	lanhana:	Fax:		
	16	elephone:	Fax:		

This is not a Court Order.



Clerk stamps date here when form is filed.

De	escription of Protected Person				
De	escribe the person named in 1. (Check a or b):				
a.	☐ Is age 65 or older and a resident of California	rnia.			
b.	☐ Is a resident of California and an adult under restrict his or her ability to carry out norm limitations on the attached sheet of paper Protected Person" for a title.)	al activit	ies or to	protect his or her r	ights. (Briefly describe
A	dditional Protected Persons				
a.	Are you asking for protection for any other fa dependent adult listed in ♠? ☐ Yes ☐ N				he conservator of the elder or
	Full Name	<u>Sex</u>	<u>Age</u>	Lives with you?	How are they related to you
_				☐ Yes ☐ No	
				Yes No	
				☐ Yes ☐ No	
				☐ Yes ☐ No	
Ы. Б.	Check here if there are more persons. Attach of Persons" for a title. You may use Form MC-0. Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment".	25, Attaci in below) ur answe	hment. : er. Put yo	our complete answe	er on the attached sheet of
b.	Persons" for a title. You may use Form MC-0. Why do these people need protection? (Explaid Check here if there is not enough space for you	25, Attaci in below) ur answe	hment. : er. Put yo	our complete answe	er on the attached sheet of
	Persons" for a title. You may use Form MC-0. Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment of Parties").	25, Attaci in below) ur answe nt 6b—W	hment. : r. Put yo	our complete answe	er on the attached sheet of
	Persons" for a title. You may use Form MC-0. Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment of Parties ow does the person in 1 know the person in 2	25, Attackin below) ur answe nt 6b—W	hment. : r. Put yo hy Other	our complete answers Need Protection	er on the attached sheet of " for a title.
	Persons" for a title. You may use Form MC-0. Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment of Parties").	25, Attaci in below) ur answe nt 6b—W.	hment. : r. Put yo hy Other	our complete answers Need Protection  or Need Protection  or Need Protection	er on the attached sheet of " for a title.  er on the attached sheet of
	Persons" for a title. You may use Form MC-0. Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment and the company of Parties of the person in 1 know the person in 2 Check here if there is not enough space for you can be spaced on the company of the com	25, Attaci in below) ur answe nt 6b—W.	hment. : r. Put yo hy Other	our complete answers Need Protection  or Need Protection  or Need Protection	er on the attached sheet of " for a title.  er on the attached sheet of
Ree Hoo	Persons" for a title. You may use Form MC-0.  Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment of the person in 1 know the person in 2 Check here if there is not enough space for you paper or Form MC-025 and write "Attachment of the person in 2 paper or Form MC-025 and write "Attachment of the person in 2 paper or Form MC-025 and write "Attachment of the person in 2 paper or Form MC-025 and write "Attachment of the person in 2 paper or Form MC-025 and write "Attachment of the person in 2 paper or Form MC-025 and write "Attachment of the person in 2 paper or Form MC-025 and write "Attachment of the person in 2 paper or Form MC-025 and write "Attachment of the person in 2 paper or Form MC-025 and write "Attachment of the person in 3 paper or Form MC-025 and write "Attachm	25, Attachin below) ur answe nt 6b—W  ? (Explain ur answe nt 7—Rel ? apply):	hment. : r. Put yo hy Other  uin below r. Put yo ationship	our complete answers Need Protection  or):  our complete answers of Parties" for a	er on the attached sheet of " for a title.  er on the attached sheet of

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<u> </u>	Ot	her	r Court Cases	
	a.	Has	is the person in $\bigcirc$ or any of the persons named in $\bigcirc$ been involved $\bigcirc$ ? $\square$ No $\square$ Yes If yes, specify the kind of each case and in	
			Kind of Case Filed in (County/State	Year Filed Case Number (if known)
		(1)	☐ Elder or Dependent Adult Abuse	
		(2)	☐ Civil Harassment	
		(3)	☐ Domestic Violence	
		(4)	Divorce, Nullity, Legal Separation	
		(5)	Paternity, Parentage, Child Custody	
		(6)	Eviction	
		(7)	Guardianship	
		(8)		
		(9)		
		(10)		
		(11)	1) Other (specify):	
	b.		e there now any protective or restraining orders in effect relating to med in $(6)$ and the person in $(2)$ ? $\square$ No $\square$ Yes If yes, attached	
	_			ch a copy if you have one.
0)			cription of Abuse	
	a.		ouse means either:	
		(1)	Physical abuse, neglect, financial abuse, abandonment, isolation resulting physical harm or pain or mental suffering; or	abduction, or other treatment with
		(2)	The withholding by a caretaker of goods or services that are necessary	essary to avoid physical harm or mental
		(-)	suffering.	,
	b.	Tel	Il the court about the last time the person in ② abused the person	in 1 .
		(1)	When did it happen? (provide date or estimated date):	
		(2)	Who else was there?	
		(3)	Describe what happened below.	·
		` /	☐ Check here if there is not enough space for your answer. Pu	t your complete answer on the attached
			sheet of paper or Form MC-025 and write "Attachment 10b	(3)—Describe Abuse" for a title.
		(4)	Was the abuse <b>solely financial abuse</b> unaccompanied by force, form of abuse?	hreat, harassment, intimidation, or any other
			☐ Yes, only financial abuse. ☐ No, the abuse included other	forms of abuse described above.
			This is not a Court Order.	

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(5)	<ul> <li>Did the person in 2 use or threaten to use a gun or any other weapon?</li> <li>Yes No (If yes, explain below):</li> <li>Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 10b(5)—Use of Weapons" for a title.</li> </ul>
(6)	Was the person in 1 harmed or injured as a result of the acts of abuse described above?  Yes No (If yes, explain below):  Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 10b(6)—Harm or Injury" for a title.
(7)	<ul> <li>Did the police come? ☐ Yes ☐ No</li> <li>If yes, did they give the person in ① or the person in ② an Emergency Protective Order? ☐ Yes ☐ No</li> <li>If yes, the order protects (check all that apply):</li> <li>a. ☐ The person in ① b. ☐ The person in ② c. ☐ The persons in ⑥</li> <li>Attach a copy of the order if you have one.</li> </ul>
or	the person in (2) a care custodian who deprived the person in (1) of (kept from him or her, did not allow him her to have or receive, or did not provide him or her with) goods or services that the person needed to avoid assical harm or mental suffering?  Yes \[ \] No (If yes, describe below what the person was deprived of and how that affected him or her):  Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 10c—Deprivation by Care Custodian" for a title.
_	
d. Ha	as the person in ② abused the person in ① at other times?  Yes □ No (If yes, describe prior incidents and provide dates below):  Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 10d—Previous Abuse" for a title.
_	
_	

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This is not a Court Order.

С	heck the orders you want.   ☑
	Personal Conduct Orders
	ask the court to order the person in <b>(2) not</b> to do any of the following things to the person in <b>(1)</b> or to any person be protected listed in <b>(6)</b> :
a.	
b.	Contact the person, either directly or indirectly, in <b>any</b> way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or b other electronic means.
c.	Other <i>specify</i> ):
	☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 11c—Other Personal Conduct Orders," for a title.
	The person in ② will be ordered not to take any action to get the addresses or locations of any protected perso unless the court finds good cause not to make the order.
	Stay-Away Orders
a.	I ask the court to order the person in <b>2</b> to stay at least yards away from (check all that apply):
	(1) $\square$ The elder or dependent adult in $\bigcirc$
	(2) $\square$ The persons in <b>6</b>
	(3) The home of the elder or dependent adult
	(4) The job or workplace of the elder or dependent adult
	(5) The vehicle of the elder or dependent adult
	(6) Other (specify):
b.	If the court orders the person in <b>2</b> 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 below):
	☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 12b—Stay-Away Orders," for a title.

Request for Elder or Dependent Adult Abuse Restraining Orders Elder or Dependent Adult Abuse Prevention)

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		Case Number:
3) 🗆 I	Move-Out Order	
ر	I ask the court to order the person in <b>2</b> to move out from and no	ot return to the residence at (address):
]	The person in ① will suffer physical or emotional harm if the person in ② is not named in the title or lease of the residence, eit in ①.  I ask for this move-out order right away to last until the hearing	ther alone or with others beside the person
L	a. The person in (2) assaulted or threatened the person in (1	•
	b. The person in (1) has the right to live at the above residen	
	Check here if there is not enough space for your answer. I of paper or Form MC-025 and write "Attachment 13—Mg	Put your complete answer on the attached shee
Gu	ns or Other Firearms and Ammunition	
. ·)	es the person in $(2)$ own or possess any guns or other firearms?	☐ Yes ☐ No ☐ I don't know
	ess the abuse is only financial, if the judge grants a protective ording, possessing, purchasing, receiving, or attempting to purchase	
amn enfo	nunition while the protective order is in effect. The person in $2$ or cement, or sell to or store with a gun dealer, any guns or fireary trol.	will also be ordered to turn in to law
amn enfo cont	nunition while the protective order is in effect. The person in $oldsymbol{2}$ orcement, or sell to or store with a gun dealer, any guns or firear	will also be ordered to turn in to law
amm enfo cont Is Imr Do y in (2)	munition while the protective order is in effect. The person in 2 procedure, or sell to or store with a gun dealer, any guns or fireary trol.  mediate Orders  you want the court to make any of these orders now that will last	will also be ordered to turn in to law ms within his or her immediate possession or until the hearing without notice to the person ow): r complete answer on the attached sheet of
amm enfo cont    5   Imr   Do y in (2)	munition while the protective order is in effect. The person in 2 or cement, or sell to or store with a gun dealer, any guns or fireary trol.  mediate Orders  you want the court to make any of these orders now that will last 2?  Yes No (If you answered yes, explain why below the check here if there is not enough space for your answer. Put you paper or Form MC-025 and write "Attachment 15—Immediate Company of the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 2 the company of these orders now that will last 3 the company of these orders now that will last 2 the company of these orders now that will last 3 the company of these orders now that will last 3 the company of these orders now that will last 4 the company of these orders now that will last 4 the company of these orders now that will last 4 the company of these orders now that will last 4 the company of these orders now that will last 4 the company of the company of these orders now that will last 4 the company of the company of the company of these orders now that will last 4 the company of these orders now that will last 4 the company of the comp	will also be ordered to turn in to law ms within his or her immediate possession or until the hearing without notice to the person ow):  r complete answer on the attached sheet of Orders" for a title.
amm enfo cont  5 Imr Do y in (2)  1 You cou	munition while the protective order is in effect. The person in 2 or cement, or sell to or store with a gun dealer, any guns or fireary trol.  mediate Orders  you want the court to make any of these orders now that will last 2?   Yes   No (If you answered yes, explain why below the court is not enough space for your answer. Put you paper or Form MC-025 and write "Attachment 15—Immediate Court is not enough space for your answer."	will also be ordered to turn in to law ms within his or her immediate possession or  until the hearing without notice to the person ow): r complete answer on the attached sheet of Orders" for a title.  t least five days before the hearing, unless the as What Is "Proof of Personal Service"? Form
amm enfo cont    5   Imr  Do y in (2)	munition while the protective order is in effect. The person in 2 procedure, or sell to or store with a gun dealer, any guns or fireary trol.  mediate Orders  you want the court to make any of these orders now that will last 2?  Yes No (If you answered yes, explain why below the Check here if there is not enough space for your answer. Put you paper or Form MC-025 and write "Attachment 15—Immediate Orders a shorter time for service. (Form EA-200-INFO explain why orders a shorter time for service. (Form EA-200-INFO explain)	will also be ordered to turn in to law ms within his or her immediate possession or  until the hearing without notice to the person ow): r complete answer on the attached sheet of Orders" for a title.  t least five days before the hearing, unless the ns What Is "Proof of Personal Service"? Form that the papers have been served.)

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) [	] Lawyer's Fees and Costs			
	I ask the court to order payment of my:	a.   Lawyer's fees	b.   Court costs	
	The amounts requested are:		T.	
	<u>Item</u>	<u>Amount</u> \$	<u>Item</u>	Amount \$
		\$		\$
		\$		\$
	☐ Check here if there are more items. I MC-025 and write "Attachment 19—			
)	Additional Orders Requested			
	I ask the court to make the following add	ditional orders (specify)	:	
	paper or Form MC-025 and write "A	Attachment 19—Additio	nal Orders Requested,"	' for a title.
	fumber of pages attached to this form, if an	y:		
	fumber of pages attached to this form, if an	y:		
Б	ate:			
_ 			ver's signature	
$\overline{L}$	ate:	Lawy		tion above and on
$\overline{L}$ I al	awyer's name (if any)  declare under penalty of perjury under the	Lawy		tion above and on

This is not a Court Order.

<b>EA-110</b>	Tempo	rary Restraining	J Order	Clerk stamps date here when form is filed.
Protected	Elder or Deper	), ② and ③ only.		
☐ Person differen	n requesting protected tent (person named)	tion for the elder or dep in item 3of Form EA-	endent adult, if 100):	
Name: _		ove (if any, for this case  State Ba	·	Fill in court name and street address:  Superior Court of California, County of
If you do i private, y	lress (If you have a not have a lawyer a	lawyer, give your lawy and want to keep your h rent mailing address in. or e-mail.):	ome address	
City:		State:	Zip:	Court fills in case number when form is filed.
Telephone		Fax:		Case Number:
E-Mail A				-
Description:		F Height:Eye Color:		Date of Birth: e: Race:
	Home Address (i	if known):		
	Relationship to P	rotected Person		
In addition to	_		ry orders indicated <u>Age Household</u>	nily or household members or below:  Member? Relation to Protected Person  No
In addition to conservator of the conservator of th	o the elder or dependent of that person are properties.  Full Name  re if there are additional Heat 3—Additional Heat 1	dent adult named in crotected by the tempora  Sex  tional protected person.  Protected Persons" as a	Age Household  Age Household  Yes  Yes  List them on an at title. You may use	below:  Member? Relation to Protected Person  No No tached sheet of paper and write  Form MC-025, Attachment.
In addition to conservator of the conservator of th	o the elder or dependent of that person are properties.  Full Name  re if there are additional Heat 3—Additional Heat 1	dent adult named in crotected by the tempora Sex  tional protected person.  Protected Persons" as a	Age Household  Age Household  Yes  Yes  List them on an at title. You may use	below:  Member? Relation to Protected Person  No No tached sheet of paper and write  Form MC-025, Attachment.

Judicial Council of California, www.courts.ca.gov **Temporary Restraining Order** Revised July 1, 2014, Mandatory Form (CLETS-TEA or TEF) (Elder or Dependent Adult Abuse Prevention)

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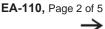


Case Number:		

### To the Person in 2:

The court has issued the temporary orders checked as granted 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 b

•	ersona	
L	_	equested   Denied Until the Hearing  Granted as Follows:
a.		ast <b>not</b> do the following things to the elder or dependent adult named in 1
		d to the other protected persons listed in 3:
	(1)	Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually otherwise), hit, harass, destroy personal property of, or disturb the peace of the person.
	(2)	Contact the person, either directly or indirectly, in <b>any</b> way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text messages, by fa or by other electronic means.
	(3)	Take any action to obtain the person's address or location. If this item 3 is not checked, the court has found good cause not to make this order.
	(4)	Other (specify):  Other personal conduct orders are attached at the end of this Order on Attachment 5a(4).
b.		Il written contact through a lawyer or a process server or other person for service of legal papers related rt case is allowed and does not violate this order. However, you may have your papers served by mail
	to a cor on the j	art case is allowed and does not violate this order. However, you may have your papers served by mail person in 1.  ay Orders
S	to a cor on the j tay-Aw	art case is allowed and does not violate this order. However, you may have your papers served by mail person in 1.  ay Orders  Requested   Denied Until the Hearing   Granted as Follows:
S	to a coron the partay-Aw  Not I	ay Orders  Requested Denied Until the Hearing Granted as Follows:  ast stay at least yards away from (check all that apply):
S	to a coron the j tay-Aw Not i You m (1)	rt case is allowed and does not violate this order. However, you may have your papers served by mail person in 1.  ay Orders  Requested Denied Until the Hearing Granted as Follows:  ast stay at least yards away from (check all that apply):  The elder or dependent adult in 1 (5) The vehicle of the person in
S	to a coron the stay-Aw  Not I  You m  (1)   (2)	ay Orders  Requested Denied Until the Hearing Granted as Follows:  Inst stay at least yards away from (check all that apply):  The elder or dependent adult in (5) The vehicle of the person in  Each person in (3) (6) Other (specify):
S	to a coron the j tay-Aw Not i You m (1)	rt case is allowed and does not violate this order. However, you may have your papers served by mail person in 1.  ay Orders  Requested Denied Until the Hearing Granted as Follows:  ast stay at least yards away from (check all that apply):  The elder or dependent adult in 1 (5) The vehicle of the person in
S	to a coron the j  tay-Aw  Not I  You m  (1)   (2)   (3)	rt case is allowed and does not violate this order. However, you may have your papers served by mail person in 1.  ay Orders  Requested Denied Until the Hearing Granted as Follows:  ast stay at least yards away from (check all that apply):  The elder or dependent adult in 1 (5) The vehicle of the person in  Each person in 3 (6) Other (specify):  The home of the elder or
<b>S</b> a.	to a coron the j  tay-Aw  Not I  You m  (1)   (2)   (3)   (4)   (4)	art case is allowed and does not violate this order. However, you may have your papers served by mail berson in 1.  ay Orders  Requested Denied Until the Hearing Granted as Follows:  ast stay at least yards away from (check all that apply):  The elder or dependent adult in 1 (5) The vehicle of the person in  Each person in 3 (6) Other (specify):  The home of the elder or dependent adult  The job or workplace of the elder or dependent adult
<b>s</b> a. b.	to a coron the stay-Aw  This sta	rt case is allowed and does not violate this order. However, you may have your papers served by mail person in 1.  ay Orders Requested Denied Until the Hearing Granted as Follows:  Ist stay at least yards away from (check all that apply):  The elder or dependent adult in 1 (5) The vehicle of the person in  Each person in 3 (6) Other (specify):  The home of the elder or dependent adult  The job or workplace of the elder or dependent adult  The job or workplace of the elder or dependent adult  y-away order does not prevent you from going to or from your home or place of employment.
<b>s</b> a. b.	to a coron the stay-Aw  Not I  You m  (1)   (2)   (3)   (4)   This statement of the stateme	ay Orders Requested Denied Until the Hearing Granted as Follows:  Inst stay at least yards away from (check all that apply):  The elder or dependent adult in (1) (5) The vehicle of the person in Each person in (3) (6) Other (specify):  The home of the elder or dependent adult  The job or workplace of the elder or dependent adult  The yaway order does not prevent you from going to or from your home or place of employment.  It Order
<b>s</b> a. b. <b>M</b>	to a coron the stay-Aw  This states to a coron the stay-Aw  You m  (1)	rt case is allowed and does not violate this order. However, you may have your papers served by mail person in 1.  ay Orders Requested Denied Until the Hearing Granted as Follows:  Ist stay at least yards away from (check all that apply):  The elder or dependent adult in 1 (5) The vehicle of the person in  Each person in 3 (6) Other (specify):  The home of the elder or dependent adult  The job or workplace of the elder or dependent adult  The job or workplace of the elder or dependent adult  y-away order does not prevent you from going to or from your home or place of employment.



□ N	ot Issued (financial abuse only) Granted as Follows:
	der must be granted unless only financial abuse is alleged.
fire	a cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, oth arms, or ammunition.  I must:
	Sell to or store with 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 w this Order.  File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearm have been turned in, sold, or stored. (You may use Form EA-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.)
c. $\square$	The court has received information that you own or possess a firearm.
_	cial Abuse
· ·····	
	se does <b>not</b> does involve <b>solely financial abuse</b> unaccompanied by force, threat, harassration, or any other form of abuse.
intimi	
intimi <b>Othe</b>	ation, or any other form of abuse.
Othe	ation, or any other form of abuse.  Orders  It Requested Denied Until the Hearing Granted as Follows (specify):
Othe	ation, or any other form of abuse.  Orders  It Requested Denied Until the Hearing Granted as Follows (specify):  ditional orders are attached at the end of this Order on Attachment 10.
Othe N	ation, or any other form of abuse.  Orders  It Requested Denied Until the Hearing Granted as Follows (specify):
Othe N	ation, or any other form of abuse.  Orders  It Requested Denied Until the Hearing Granted as Follows (specify):  ditional orders are attached at the end of this Order on Attachment 10.
Othe  N  Ad  Mane	ation, or any other form of abuse.  Orders  It Requested Denied Until the Hearing Granted as Follows (specify):  ditional orders are attached at the end of this Order on Attachment 10.  To the Person in 1:
Othe  N  Ad  Mane	ation, or any other form of abuse.  Orders  It Requested Denied Until the Hearing Granted as Follows (specify):  ditional orders are attached at the end of this Order on Attachment 10.  To the Person in 1:  atory Entry of Order Into CARPOS Through CLETS  rder must be entered into the California Restraining and Protective Order System (CARPOS) through the
Othe  N  Ad  Mane This C Califo	ation, or any other form of abuse.  Orders  It Requested Denied Until the Hearing Granted as Follows (specify):  ditional orders are attached at the end of this Order on Attachment 10.  To the Person in 1:  atory Entry of Order Into CARPOS Through CLETS  rder must be entered into the California Restraining and Protective Order System (CARPOS) through the nia Law Enforcement Telecommunications System (CLETS). (Check one):
Mane This C Califo a.   b.	ation, or any other form of abuse.  Orders  It Requested Denied Until the Hearing Granted as Follows (specify):  ditional orders are attached at the end of this Order on Attachment 10.  To the Person in 1:  atory Entry of Order Into CARPOS Through CLETS  rder must be entered into the California Restraining and Protective Order System (CARPOS) through the nia Law Enforcement Telecommunications System (CLETS). (Check one):  The clerk will enter this Order and its proof-of-service form to a law enforcement agency to be entered.

12)	No Fee to Serve (Notify) Restrained Person	
	If the sheriff or marshal serves this Order, he or she will do it for free.	
13)	Number of pages attached to this Order, if any:	
	Date:	
	Judicial Officer	

### Warnings and Notices to the Restrained Person in 2

### **Possession of Guns or Firearms**

If the court grants the orders in item (8), 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 or store with 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). The court will require you to prove that you did so.

### Notice Regarding Nonappearance at Hearing and Service of Order

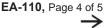
If you have been personally served with this Temporary Restraining Order and Form EA-109, Notice of Court Hearing, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that does not differ from this order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the address in item (2).

If this 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, or to find out the duration of the order, contact the clerk of the court.

### After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read Form EA-120-INFO, How Can I Respond to a Request for Elder or Dependent Adult Abuse Retraining Orders?, to learn how to respond to this Order.
- If you want to respond, fill out Form EA-120, Response to Request for Elder or Dependent Adult Abuse Restraining Orders, and file it with the court clerk. You do not have to pay any fee to file your response.
- You must have Form EA-120 served on the person in (1) (the person asking the court for protection of the elder or dependent adult or the elder or dependent adult if no other person is named in that item), or that person's attorney, by mail. You cannot do this yourself. The person who does the mailing should complete and sign Form EA-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 or at www.courts.ca.gov/forms. If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the
- At the hearing, the judge can make restraining orders against you that last for up to five years. Tell the judge why you disagree with the orders requested.

This is a Court Order.



Case Number:	

### Instructions for Law Enforcement

**Enforcing the Restraining Order** 

This order is enforceable 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 Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

#### Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item **4** on page 1.

### Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### **Notice/Proof of Service**

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

### **Conflicting Orders**

An *Emergency Protective Order* (Form EPO-001) that has been issued protecting the protected person from the restrained person and is more restrictive than other restraining orders takes precedence in enforcement over all other restraining orders. (Pen. Code, § 136.2(c)(1)(A)). A no-contact order in any protective order has precedence in enforcement over any other restraining or protective order except an EPO. If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. (Pen. Code, § 136.2(e)(2).) Any nonconflicting terms of the civil restraining order remain in effect and enforceable. If more than one family or other civil restraining order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)
—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this Temporary Restraining Order is a true and correct copy of the original on file in the court.

Date:
Clerk, by
This is a Court Order.

### EA-120

# Response to Request for Elder or Dependent Adult Abuse Restraining Orders

Use this form to respond to the <i>Request</i> (Form EA-100	U۶	se	this	form	to	respond	to	the	Reg	uest	(Form	EA-	100	)
---	----	----	------	------	----	---------	----	-----	-----	------	-------	-----	-----	---

- Read How Can I Respond to a Request for Elder or Dependent Adult Abuse Restraining Orders? (Form EA-120-INFO), to protect your rights.
- Fill out this form and take it to the court clerk.

protection i (Use Form  1 Elder  Name:	one age 18 or older—not you—serve the person request in ① by mail with a copy of this form and any attached <i>EA-250</i> , Proof of Service of Response by Mail.)  or Dependent Adult Seeking Protection	pages.	Fill in court name and street address:  Superior Court of California, County of
pers  Persor	ne of person asking for the protection, if different: (This son named in item (3) of the request (Form EA-100).)  The From Whom Protection Is Sought	is the	
a. Your		Court fills in case number when form is filed.	
Name	e: State Bar No.:		Case Number:
b. Your information information information information address e-main Address City: Teleppe E-Main Teleppe Te		hearing. Very from Form Form Hearing Date  If you we Restraining hearing.	our response and any opposition at the Write your hearing date, time, and place in EA-109 item (3) here:  Date: Time: Room: re served with a Temporary ing Order, you must obey it until the At the hearing, the court may make ainst you that last for up to three years.
b. [ c. [	☐ I do not agree to the orders requested. ☐ I agree to the following orders (specify):		
<b>4</b> □ <b>Stay</b> a. □ b. □ c. □	I agree to the orders requested.  I do not agree to the orders requested.  I agree to the following orders (specify):		



Clerk stamps date here when form is filed.

		Case Nulliber.
	ut Orders	
a. 🗌 I aş	gree to the orders requested.	
b. 🗌 I do	o not agree to the orders requested.	
c.	gree to the following orders (specify):	
 Addition	nal Protected Persons	
• , —	gree that the persons listed in item (6) of Form EA-100 may be	protected by the order requested.
b. 🗌 I de	to not agree that the persons listed in item <b>(6)</b> of Form EA-100 requested.	
Guns or Ot	ther Firearms and Ammunition	
other firearm dealer, or tur control within use Form EA a.  \[ \subseteq  I do	erved with Form EA-110, Temporary Restraining Order, you as, or ammunition. (See item 8 of Form EA-110.) You must in to a law enforcement agency, any guns or other firearm 24 hours of being served with Form EA-110. You must file a-800, Proof of Firearms Turned In or Sold, for the receipt. To not own or control any guns or firearms.  In ave turned in my guns and firearms to the police or sold them to	st sell to or store with a licensed gun ms in your immediate possession or le a receipt with the court. You may
A	copy of the receipt  is attached.  has already been fi	
8		
	gree to the orders requested.	
	lo not agree to the orders requested.	
c. <u>  l a</u>	gree to the following orders (specify):	
9 Denial I did not do ar	nything described in item (7) of Form EA-100. (Skip to (11).)	
	ation or Excuse	
If I did son	me or all of the things that the person in (1) has accused me of, ollowing reasons (explain):	my actions were justified or excused
	re if there is not enough space below for your answer. Put your and write "Attachment 10–Justification or Excuse" as a title. Yo	-

		Case Number:	
Lawyer's Fees and Costs  a.   I ask the court to order payment of	my \[ \sum \] Lawyer's	s fees  Court costs	
The amounts requested are: <u>Item</u>	Amount	<u>Item</u>	Amount \$
			\$\$
<ul> <li>MC-025 and write "Attachment 11</li> <li>b.   I ask the court to deny the request of lawyer's fees and costs.</li> </ul> Number of pages attached to this form, if any:	of the person asking t	•	at I pay his or her
Date:			
Lawyer's name (if any)	Law	vyer's signature	
I declare under penalty of perjury under the la all attachments is true and correct.	ws of the State of Ca	lifornia that the information	above and on
Date:	_		
Type or print your name	<u></u>	n your name	

### EA-120-INFO

## How Can I Respond to a Request for Elder or Dependent Adult Abuse Restraining Orders?

### What is an elder or dependent adult abuse restraining order?

It is a court order that prohibits you from doing certain things and going certain places.

### What does the order do?

The court can order you to:

- Not contact the person who is protected by the order
- Stay away from that person and the person's home and workplace
- Move out of the place where you and that person are living together
- Not have any guns as long as the order is in effect

### Who can ask for a restraining order?

A person who being:

- · Financially abused
- · Abandoned or abducted
- Harmed
- · Neglected
- Isolated

 Deprived by a caregiver of goods or services necessary to live on

A conservator may seek an order on behalf of an elder or dependent adult.

# I've been served with a request for elder or dependent adult abuse restraining orders. 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 don't 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 EA-120, Response to Request for Elder and Dependent Adult Abuse Restraining Orders, before your hearing date and file it with the court. If you need to include attachments, you can use Form MC-025. You can get the forms from legal publishers or on the Internet at www.courts.ca.gov. You also may be able to find them at your local courthouse or county law library.

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

Yes. Have someone age 18 or older—**not you**—mail a copy of completed Form EA-120 to the person who asked for the order (or that person's lawyer). (This is called "service by mail.")

The person who serves the form by mail must fill out Form EA-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 EA-109, *Notice of Court Hearing*. If you do not go to the hearing, the judge can make orders against you without hearing from you.

	A 100	of Court Hearing	
		ult in Need of Protection	
a.	Full Name:		
	different (person name	ection for the elter or dependent adult, if ad in item 3 of Form E4-100):	
	Full Name:	above (if any for this case):	
	Name:	State Bar No.:	
Ь.	Firm Name:	State Dail No.	Fill in court name and street address: Superior Court of California, Court
	lawyer's information. If yo	above (If you have a lawyer, give your nu do nothave a lawyer, give information he ordel. If you want to keep your home give a different mailing address instead, lephore, fax, or e-mail.):	
	Address:		Court fills in case number when form is fi
	City:	State: Zip:	Case Number:
	Telephone:	Fax:	
	E-Mail Address:	1	
Fu	erson You Want Prote	ction From  The court will complete the rest of this fo	em.
Fu	otice of Hearing	The court will complete the rest of this fo	ders against the person in 2:
Fu No	otice of Hearing	The court will complete the rest of this for sled on the request for restraining or Name and addr	
Fu No A	otice of Hearing	The court will complete the rest of this for alled on the request for restraining or Name and addr Time:	ders against the person in 2 :
Fu No A	otice of Hearing	The court will complete the rest of this for sled on the request for restraining or Name and addr	ders against the person in 2 :
No A	otice of Hearing court hearing is schedulearing Date: Dept.:  emporary Restraining Temporary Restraining Or Request for Elder on Depe (1)	The court will complete the rest of this for selection of the request for restraining or Name and addr Time:  Room:  Orders (Any orders granted are on Forn addrs for personal conduct and stay-away or ordent Adult Abuse Restraining Orders are	ders against the person in 2:  ess of court if different from above:  in EA-110, served with this notice.)  ders as requested in Form EA-100, (check only one bax below):  intal in b, below.)

### EA-120-INFO

## How Can I Respond to a Request for Elder or Dependent Adult Abuse Restraining Orders?

### 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 at the hearing can last for up to five years.

### Do I need a lawyer?

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

### Will I see the person who asked for the order at the court hearing?

Yes. Assume that the person who is asking for the order will attend the hearing. Do not talk to him or her unless the judge or that person's attorney 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.

### For help in your area, contact:

[Local information may be inserted.]

### 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 should ask someone age 18 or older to interpret for you.

### What if I have a gun?

If a restraining order is issued, unless the order is to prevent financial abuse only, 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 or store it with a licensed gun dealer or turn it in to a law enforcement agency.

### Can I agree with the protected person to cancel the order?

No. Once the order is issued, only the judge can change or cancel it. You or the protected person would have to file a request with the court to cancel the order.

### 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 court 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). (Civ. Code, § 54.8.)

	•	lent Adult Abuse ler After Hearing	Clerk stamps date here when form is filed.
_	complete items 1, 2	•	_
•	ident Adult Seekin	g Protection	
a. Full Name:	1: 0 1		
person nam	rson asking for the prote ed in item 3of the req		the
Lawyer for per	son named above (if any	for this case):	
Name:		State Bar No.:	Fill in court name and street address:
Firm Name:			Superior Court of California, County o
If you do not he private, you ma	ive a lawyer and want to	ve your lawyer's informati o keep your home address og address instead. You do	
Address:			Court fills in case number when form is filed.
City:		State: Zip:	Case Number:
		Fax:	I
E-Mail Address	S:		
	L E Haight:	***	D ( CD: 1)
Hair Color:	Eye Col		Date of Birth: Race:
Hair Color: Home Address (i	Eye Col	or: Age:	Race:
Hair Color: Home Address (i	Eye Col	or: Age:	Race: Zip:
Hair Color: Home Address (i City: Relationship to F	Eye Col	or: Age:	Race: Zip:
Hair Color: Home Address (in City: Relationship to P  Additional F  In addition to the econservator of the	Eye Col f known):  Protected Person: Protected Persons elder or dependent adult	named in 1, the following transed in 1 are protected	State: Zip:  In g family or household members or diby the orders indicated below:
Hair Color: Home Address (in City: Relationship to P  Additional F In addition to the econservator of the  Check here if the	Eye Col f known):  Protected Person: Protected Persons Elder or dependent adult elder or dependent adult full Name  There are additional protected.	named in 1, the following to named in 1 are protected Sex Age Line cetted persons. List them on	State: Zip:
Hair Color: Home Address (in City: Relationship to P  Additional F  In addition to the econservator of the  Check here if the "Attachment 3-"  Expiration Date	Eye Col f known):  Protected Person: Protected Persons Elder or dependent adult elder or dependent adult full Name  There are additional protected  Additional Protected	named in 1, the following to named in 1 are protected Sex Age Life and the second seco	State: Zip:
Hair Color: Home Address (in City: Relationship to P  Additional F  In addition to the econservator of the  Check here if the "Attachment 3-  Expiration Dat This Order, exceptions of the exception of the exception of the "Attachment 3-  Expiration Dat This Order, exception of the exception of t	Eye Col f known):  Protected Person: Protected Persons Idder or dependent adult elder or dependent adult full Name  Phere are additional protected Additional Protected  for any award of lawye	named in 1, the following the named in 1 are protected Sex Age Line and the second persons. List them on the persons as a title. You meet's fees, expires at:	State: Zip:
Hair Color: Home Address (in City: Relationship to P  Additional F In addition to the econservator of the Check here if the "Attachment 3-  Expiration Dat This Order, except	Eye Col f known):  Protected Person: Protected Persons Elder or dependent adult elder or dependent elder eller el	named in 1, the following the named in 1 are protected Sex Age Line and the second persons. List them on the persons as a title. You meet's fees, expires at:	State: Zip:

Elder or Dependent Adult Abuse Restraining Order After Hearing (CLETS-EAR or EAF) (Elder or Dependent Adult Abuse Prevention)

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**EA-130**, Page 1 of 5



Judicial Council of California, www.courts.ca.gov Revised July 1, 2014, Mandatory Form Welfare & Institutions Code, § 15657.03

Approved by DOJ

		Case Number:
<b>5</b> )	He	earing
<u> </u>	a.	There was a hearing on (date): at (time): in Dept.:Room: (Name of judicial officer): made the orders at the hearing.
	b.	These people were at the hearing:  (1)  The elder or dependent adult in need of protection  (2)  The lawyer for the elder or dependent adult (name):  (3)  The person in asking for protection (if not the elder or dependent adult)  (4)  The lawyer for the person in asking for protection (name):  (5)  The person in 2 (name):  Additional persons present are listed at the end of this Order on Attachment 5.
	c.	The hearing is continued. The parties must return to court on (date): at (time):
		To the Person in <b>2</b> :
		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.
<b>6</b> )		Personal Conduct Orders
	a.	You must <b>not</b> do the following things to the elder or dependent adult named in 1
		and to the other protected persons listed in 3:
		<ol> <li>Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy personal property of, or disturb the peace of the person.</li> <li>Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.</li> </ol>
		<ul> <li>(3)   Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order.</li> <li>(4)   Other (specify):</li> </ul>
		Other personal conduct orders are attached at the end of this Order on Attachment 6a(4).
	b.	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	a.	Stay-Away Orders  You must stay at least yards away from (check all that apply):  (1)
		(4) The job or workplace of the elder or dependent adult
		This is a Court Order.

9

		Move Out Order	
		You must immediately move out from and not return to (address):	
		and must take only the personal clothing and belongings you need.	
) [		No Guns or Other Firearms and Ammunition	
T	'ni.	s Order must be granted unless the abuse is financial only.	
a		You cannot own, possess, have, buy or try to buy, receive or try to receive, or in arother firearms, or ammunition.	ny other way get gui
b	).	If you have not already done so, you must:	
		<ul> <li>Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, a firearms in your immediate possession or control. This must be done within 24 hour this Order.</li> </ul>	
		• File a receipt with the court within 48 hours of receiving this Order that proves that	
		have been turned in, sold, or stored. (You may use Form EA-800, Proof of Firearms Stored for the receipt.)	Turned In, Sold, or
C.		have been turned in, sold, or stored, (You may use Form EA-800, Proof of Firearms (Stored) for the receipt.)  The court has received information that you own or possess a firearm.	Turned In, Sold, or
		Stored for the receipt.)  The court has received information that you own or possess a firearm.	Turned In, Sold, or
	Fi Th	Stored for the receipt.)	
	Fi Th	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse  his case  does not  does involve solely financial abuse unaccompanied by for	
	Fi Th int	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse  his case  does not  does involve solely financial abuse unaccompanied by for timidation, or any other form of abuse.	
	Fi Th int	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse his case  does not  does involve solely financial abuse unaccompanied by fortimidation, or any other form of abuse.  Lawyer's Fees and Costs	rce, threat, harassme
)	Fi Th int	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse his case  does not  does involve solely financial abuse unaccompanied by fortimidation, or any other form of abuse.  Lawyer's Fees and Costs  You must pay to the person in  the following amounts for: a. Lawyer's fees	rce, threat, harassme b. □ Costs
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	Fi Th int	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse his case  does not  does involve solely financial abuse unaccompanied by fortimidation, or any other form of abuse.  Lawyer's Fees and Costs  You must pay to the person in  the following amounts for:  a.  Lawyer's fees  Item	b. Costs  Amount
	Fi Th int	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse his case  does not  does involve solely financial abuse unaccompanied by fortimidation, or any other form of abuse.  Lawyer's Fees and Costs  You must pay to the person in  the following amounts for:  a.  Lawyer's fees  Item	b. Costs  Amount
	Fi Th int	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse his case  does not  does involve solely financial abuse unaccompanied by fortimidation, or any other form of abuse.  Lawyer's Fees and Costs  You must pay to the person in  the following amounts for:  a.  Lawyer's fees  Item  Amount Item  \$	b.  Costs  Amount
	Fi Th int	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse his case  does not  does involve solely financial abuse unaccompanied by fortimidation, or any other form of abuse.  Lawyer's Fees and Costs  You must pay to the person in  the following amounts for:  a.  Lawyer's fees  Item	b. Costs  Amount
)	Fi Th int	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse his case  does not  does involve solely financial abuse unaccompanied by fortimidation, or any other form of abuse.  Lawyer's Fees and Costs  You must pay to the person in  the following amounts for:  a.  Lawyer's fees  Item	b.  Costs  Amount
)	Fi Th int	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse his case  does not  does involve solely financial abuse unaccompanied by fortimidation, or any other form of abuse.  Lawyer's Fees and Costs  You must pay to the person in  the following amounts for:  a.  Lawyer's fees  Item	b.  Costs  Amount
	Fi Th int	Stored for the receipt.)  The court has received information that you own or possess a firearm.  Inancial Abuse his case  does not  does involve solely financial abuse unaccompanied by fortimidation, or any other form of abuse.  Lawyer's Fees and Costs  You must pay to the person in  the following amounts for:  a.  Lawyer's fees  Item	b.  Costs  Amount

**EA-130,** Page 3 of 5

Са	se Number:	

### To the Person in 1:

13)	Mandatory Entry of Order Into CARPOS Through CLETS
	This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). ( <i>Check one</i> ):
	a.   The clerk will enter this Order and its proof-of-service form into CARPOS.
	b.   The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
	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 the law enforcement agency listed below to enter into CARPOS:
	Name of Law Enforcement Agency Address (City, State, Zip)
	Additional law enforcement agencies are listed at the end of this Order on Attachment 13.
14)	Service of Order on Restrained Person
	a.   The person in 2 personally attended the hearing. No other proof of service is needed.
	b. The person in 1 was at the hearing. The person in 2 was not.
	(1) Proof of service of Form EA-110, <i>Temporary Restraining Order</i> , was presented to the court. The judge's orders in this form are the same as in Form EA-110 except for the end date. The person in <b>2</b> must be served with this Order. Service may be by mail.
	(2) Proof of service of Form EA-110, <i>Temporary Restraining Order</i> , was presented to the court. The judge's orders in this form are different from the orders in Form EA-110. Someone—but not anyone in ① or ③ —must personally serve a copy of this Order on the person in ②.
15)	No Fee to Serve (Notify) Restrained Person
	If the sheriff or marshal serves this Order, he or she will do so for free.
16)	Number of pages attached to this Order, if any:
	Date:
	Judicial Officer

### Warning and Notice to the Restrained Person in 2:

### You Cannot Have Guns or Firearms

If the court grants the orders in item **9** on page 3, 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 or store with 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 **9**. The court will require you to prove that you did so.

This is a Court Order.

**EA-130**, Page 4 of 5

 $\rightarrow$ 

Case Number:	

### Instructions for Law Enforcement

### **Enforcing the Restraining Order**

This Order is enforceable 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 Restraining and Protective Order System (CARPOS). 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 must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

### Start Date and End Date of Orders

This Order *starts* on the date next to the judge's signature on page 4 and *ends* on the expiration date in item (4) on page 1.

### **Arrest Required If Order Is Violated**

If an officer has probable cause to believe that the restrained person had notice of this order and has disobeyed it, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### **Notice/Proof of Service**

The law enforcement agency must first determine if the restrained person had notice of the orders. Consider the restrained person served (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the order and then enforce it.

#### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

**Conflicting Orders** 

An *Emergency Protective Order* (Form EPO-001) that has been issued protecting the protected person from the restrained person and is more restrictive than other restraining orders takes precedence in enforcement over all other restraining orders. (Pen. Code, § 136.2(c)(1)(A)). A no-contact order in any protective order has precedence in enforcement over any other restraining or protective order except an EPO. If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. (Pen. Code, § 136.2(e)(2).) Any nonconflicting terms of the civil restraining order remain in effect and enforceable. If more than one family or other civil restraining order has been issued, the one that was issued last must be enforced.

Clerk's Certificate		(Clerk will fill out this part.) —Clerk's Certificate—	
[seal]	I certify that this <i>Civil Harassment Restraining Order After Hearing</i> is a true and correct copy of the original on file in the court.		
	Date:	Clerk, by	, Deputy
		This is a Court Order.	

**EA-130**, Page 5 of 5

	EA-200 Proof of Personal Service	C	Clerk stamps date her	re when form is filed.
1	Elder or Dependent Adult in Need of Protection Name:	_		
2	Person From Whom Protection Is Sought Name:			
3	Notice to Server  The server must:  Be 18 years of age or older.  Not be listed in items 1, 3 or 6 of Form EA-100.  Give a copy of all documents checked in 4 to the person in 2. (You cannot send them by mail.) Then complete and sign this form and give or mail it to the person in 1.	)   -	Fill in court name and Superior Court of	street address: California, County of
	PROOF OF PERSONAL SERVICE	_ L	Court fills in case num	ber when form is filed.
4	I gave the person in ② a copy of the forms checked below: a.  □ EA-109, Notice of Court Hearing		Case Number:	
	b.   EA-110, Temporary Restraining Order  c.   EA-100, Request for Elder or Dependent Adult Abuse Restrain  d.   EA-120, Response to Request for Elder or Dependent Adult Abuse  e.   EA-120-INFO, How Can I Respond to a Request for Elder or I  f.   EA-130, Elder or Dependent Adult Abuse Restraining Order Abuse  g.   EA-250, Proof of Service of Response by Mail (blank form)  h.   EA-800, Proof of Firearms Turned In, Sold, or Stored (blank form)  i.   Other (specify):	buse Re Depend After He	Restraining Orders adent Adult Abuse	*
<b>5</b>	I personally gave copies of the documents checked above to the personal per	n in (2	2)	
	a. On (date): b. At (time):	a.m. 🗀	□ p.m.	
	c. At this address:			
	City: S	tate:	Zip:	
6	Server's Information Name: Address:			
	City: St	ate:	Zip:	
	Telephone:		z.p.	
	(If you are a registered process server):			
		stration	n number:	
	I declare under penalty of perjury under the laws of the State of Californic correct.			n above is true and
	Date:			
	Type or print server's name  Server to si	gn here	re	

EA-800 Proof of F	irearms Turned In, Sold	Clerk stamps date here when form is filed.
or Stored		_
Protected Person		
Name:		_
Restrained Person		
a. Your Name		
Your Lawyer (if you have one f Name:	for this case): State Bar No.:	
Firm Name:		Fill in court name and street address:
If you do not have a lawyer and private, you may give a different have to give telephone, fax, or a	wyer, give your lawyer's information I want to keep your home address nt mailing address instead. You do no e-mail.):	Superior Court of California, County of
City:	State: Zip:	_
	Fax:	
		Case Number:
To the Restrained Person:		
T. I		Talia and Orange
To Law Enforcer		To Licensed Gun Dealer
Fill out items <b>4</b> and <b>6</b> of this for copy and give the original to the turned in the firearms.	person who copy ar	items <b>5</b> and <b>6</b> of this form. Keep a and give the original to the person who sold firearms or stored them with you.
The firearms listed in <b>6</b> were tu		earms listed in <b>(6)</b> were
Date: at:		to me transferred to me for storage or
	Doto:	
To: Name and title of law enforcen	Date.	at: a.m. p.n
	ment agent To:	
Name of law enforcement agen	ment agent To:	at: a.m p.n
	nent agent To: Na	at: a.m p.n  me of licensed gun dealer  rense number Telephone
	nent agent To: Na	me of licensed gun dealer
Address	nent agent  To:  Na  Lice	me of licensed gun dealer rense number Telephone
Address  I declare under penalty of perjury of the State of California that the above is true and correct.  Signature of law enforcement agent	y under the laws e information  To:  \[ \begin{array}{c} \overline{\text{Na}} \\ \overline{\text{Lic}} \\ \overline{\text{Ad}} \\ \overline{\text{decla}} \\ \overline{\text{of the}} \\ \overline{\text{above}} \end{array}	me of licensed gun dealer

<b>6</b>	Firearms		
	<u>Make</u>	Model	Serial Number
	a		
	b.		
	c.		
	d.		
	e.		
	Check here if you turned in, sold, or stored more Item 6—Firearms Turned In, Sold, or Stored" for firearm. You may use Form MC-025, Attachment	r a title. Include make, model, a	
7	Do you have, own, possess, or control any other firearms to If you answered yes, have you turned in, sold, or stored the If yes, check one of the boxes below:		
	a.   I filed a Proof of Firearms Turned In, Sold, or Store	red for those firearms with the o	court on (date):
	b.   I am filing the proof for those firearms along with t	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 f the attached sheet of paper or Form MC-025 of		
	I declare under penalty of perjury under the laws of the Stacorrect.	ate of California that the inforn	nation above is true and
Date	:		
Type	or print your name	Sign your name	

### **EA-800-INFO** How Do I Turn In, Sell, or Store My Firearms?

### What is a firearm?

A firearm is a:

- · Handgun
- Rifle
- Shotgun
- · Assault weapon

### 2) If you own or have a firearm you must:

- · Turn it in to local law enforcement
- Sell it to a licensed firearms dealer, or
- Store it with a licensed firearms dealer

### 3 How do I sell or store my firearm?

Find a California licensed firearms dealer in your area. Look under "Firearms Dealers" in your local Yellow Pages or on the Internet. Make sure the dealer is licensed.

### (4) How do I take my firearm to law enforcement?

Call your local law enforcement agency to ask about their procedures. Take a copy of the restraining order with you. Go directly to the law enforcement agency. Do not go anywhere else with firearms in your vehicle!

### 5) If I turn my firearm in to law enforcement, how long will they keep it? Ask the law enforcement agency.

### 6 After I give my firearm to law enforcement, can I change my mind?

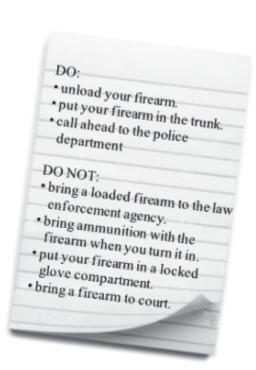
Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

### 7 Do I have to pay the law enforcement agency to keep my firearm?

You may have to pay the agency for keeping your firearm. Contact your local law enforcement agency and ask if a fee is charged. The agency will tell you how much you need to pay.

### 8 Questions?

Call your local law enforcement agency: (insert local information here.)



## Petition for Private Postsecondary

c	Petition for Private Postsecondary	Clerk stamps date here when form is filed.
5	School Violence Restraining Orders	
order: Sonfid	How do I Get a Private Postsecondary School Violence Restraining (Form SV-100-INFO) before completing this form. Also fill out ential CLETS Information (Form CLETS-001) with as much ation as you know.	
1) F	Petitioner (Educational Institution Officer or Employee)	
a	. Name:	
is	an officer or employee designated by the chief administrative officer to maintain order on the campus or facility of (name of private postsecondary educational institution):	Fill in court name and street address:  Superior Court of California, County of
	and is filing this petition on behalf of the student in <b>2</b>	
b	. Lawyer for Petitioner (if any for this case):	Court fills in case number when form is filed.
	Name: State Bar No.: Firm Name:	Case Number:
С	Petitioner's Address (if the petitioner has a lawyer, give the layer's info Address:	ormation):
	City: State: Zip:	
	Telephone: Fax:	
	E-Mail Address:	
2) 5	Student in Need of Protection	
	ull Name:	
	ex: M F Age:	
3 F	Respondent (Person From Whom Protection Is Sought)	
	ull Name:	Age:
	Address (if known):	
	City: State:	Zip:
1	Additional Protected Persons	
<b>~</b> /	Are you asking for protection for any family or household members of facility who are similarly in need of protection?   Yes  No	r any other students at the campus or If yes, list them: If yes, list them: and Member? Relationship to Student
	⊤ Ye	s $\square$ No
-		s $\square$ No
_		
	☐ Ye	s No

This is not a Court Order.

Judicial Council of California www.courts.ca.gov Revised July 1, 2014, Mandatory Form Code of Civil Procedure, §§ 527.85 and 527.9

**Petition for Private Postsecondary School Violence Restraining Orders** 

**SV-100,** Page 1 of 6



		Case Number:
b.	Why do these people need protection? (Explain):	☐ Response is stated in Attachment 4b.
Ro a.	elationship of Student and Respondent  How does the student know the respondent? (Descrite	be): Response is stated in Attachment 5a.
b.	Respondent is is not a current student of expel, or otherwise discipline the respondent.)	of petitioner's institution. (Explain any decision to retain,  Response is stated in Attachment 5b.
• )	hy are you filing in this county? (Check all that apply)  The respondent lives in this county.  The respondent has caused physical or emotional  Other (specify):	
	☐ Yes ☐ No If yes, check each kind of case an	een involved in another court case with the respondent?  nd indicate where and when each was filed: ed in (County/State) Year Filed Case Number (if known)
	(1)  Postsecondary School Violence (2)  Civil Harassment (2)  Domestic Violence (3)  Divorce, Nullity, Legal Separation (4)  Paternity, Parentage, Child Support (5)  Elder or Dependent Adult Abuse (6)  Eviction (7)  Guardianship (8)  Workplace Violence (9)  Small Claims (10)  Criminal (11)  Other (specify):	Still (County/State) Tear Flied Case Number (g known
b.	Are there now any restraining orders or criminal propersons in 4 and the respondent? No This is not a	tective orders in effect relating to the student or any of the Yes If yes, attach a copy if you have one.  Court Order.

Petition for Private Postsecondary School Violence
Restraining Orders
(Private Postsecondary School Violence Provention)

Revised July 1, 2014

**SV-100**, Page 2 of 6

	scription of Respondent's Conduct Respondent has (check one or more):
	<ul> <li>(1)  Assaulted, battered, or stalked the student</li> <li>(2)  Made a credible threat of violence against the student by making knowing or willful statements or engaging in a course of conduct that served no legitimate purpose and that would place a reasonable person in fear for his or her safety or the safety of his or her immediate family.</li> </ul>
b.	One or more of these acts were made off the school campus or facility and can reasonably be understood (check either or both):  (1)  To have been carried out at the school campus or facility  (2)  To be carried out in the future at the school campus or facility  Address of campus or facility:
c.	Describe what happened. (Provide details; include the dates of all incidents beginning with the most recent; tell who did what to whom; identify any witnesses):  Response is stated in Attachment 8c.
d.	Was the student harmed or injured? ☐ Yes ☐ No If yes, describe harm or injuries: ☐ Response is stated in Attachment 8d.
e.	Did the respondent use or threaten to use a gun or any other weapon? ☐ Yes ☐ No ( <i>If yes, describe</i> ): ☐ Response is stated in Attachment 8e.

This is not a Court Order.

				Case Number:
	$ \Box $ $ If y$ $ (1) $	r any of the incidents described above, did the yes, did the student or the respondent receive a Yes  No  I don't know yes: The order protects (check all that apply):  The student (2) The respondent tach a copy of the order if you have one.	an Emergency Protectiv	
Che	eck the	e orders you want. ☑		
9	Perso	onal Conduct Orders		
		he court to order the respondent <b>not</b> to do any ted listed in <b>(4)</b> :	of the following things	to the student or to any person to be
	a. 🗌	Harass, intimidate, molest, attack, strike, stall personal property of, or disturb the peace of t		ually or otherwise), hit, abuse, destroy
		Make threats of violence against the person.		
		Follow or stalk the person during school hour		
	d. 📙	Contact the person, either directly or indirect telephone, in writing, by public or private ma other electronic means.		
	e. 🗌	Enter the person's school campus or facility.		
	f	Other (specify):  As stated in Attachment 9f.		
		espondent will be ordered not to take any action the court finds good cause not to make the ordered	8	or locations of any protected person
10)	Stay-	-Away Order		
	a. I a	sk the court to order the respondent to stay at l	east yar	ds away from (check all that apply):
	(1)	☐ The student	(7) $\square$ The place of	child care of the student's children
	(2)	☐ The other persons listed in <b>4</b> )	(8) The student's	vehicle
	(3)	☐ The school	(9)  Other (specif	ŷ):
	(4)	☐ The student's home		
	(5)	☐ The student's job or workplace		
	(6)	☐ The school of the student's children		
		This is not	t a Court Order	

	b. If the court orders the respondent to stay aw to his or her home, school, or job?	ay from all the places listed abov  Yes No (If no, explain).	
<b>11</b> )	Guns or Other Firearms and Ammun	tion	
	Does the respondent own or possess any guns o	r other firearms?	☐ No ☐ I don't know
	If the judge grants a protective order, the response receiving, or attempting to purchase or receive in effect. The respondent will also be ordered to dealer any guns or firearms within his or her in	a gun, other firearm, and ammun turn in to law enforcement, or so	nition while the protective order is
<b>12</b> )	Request for Immediate Orders Witho	ut Notice	
	Do you want the court to make any of these ord respondent?   Yes No (If you answ Response is stated on Attachment 12.		aring without notice to the
<b>13</b> )	☐ Request for Less Than Five Days'	Notice	
	You must have your papers personally served of court orders a shorter time for service. (Form S SV-200, Proof of Personal Service, may be used	V-200-INFO explains what is pro	oof of personal service. Form
	If you want there to be fewer than five days bet	1 1	,
	Response is stated in Attachment 13.		•
<b>14</b> )	□ No Fee for Filing		
	I ask that there be no filing fee because the resp the student, or acted or spoken in a manner tha		-
	This is	not a Court Order.	

**SV-100,** Page 5 of 6

Revised July 1, 2014

	No Fee to Serve Orders  I ask the court to order the sheriff or marshal this request for orders is based on a credible to	to serve the respondent with the others for free because hreat of violence or stalking.
) 🗆	<b>Court Costs</b> I ask the court to order the respondent to pay	my court costs.
) 🗆	Additional Orders Requested	
<i>)</i> —	I ask the court to make the following additional of	orders (specify):
	☐ Additional orders requested are stated in Atta	chment 17.
) Ni	umber of pages attached to this form, if any:	_
/	umber of pages attached to this form, if any:  ate:	_
Da		Lawyer's signature
Da $\overline{La}$	wyer's name (if any)	Lawyer's signature  he State of California that the information above and on
Da $\overline{La}$ I d	ate:  www.er's name (if any)  leclare under penalty of perjury under the laws of t	, g
Da  La  I d all Da	declare under penalty of perjury under the laws of the lattachments is true and correct.	, g
Da  La  I d all Da	declare under penalty of perjury under the laws of the lattachments is true and correct.  Interpretation of the laws of the la	he State of California that the information above and on
$\overline{La}$ I deall Da $\overline{Na}$	declare under penalty of perjury under the laws of the lattachments is true and correct.  Interpretation of the laws of the la	he State of California that the information above and on
$\overline{La}$ I deall Da $\overline{Na}$ I c	declare under penalty of perjury under the laws of the lattachments is true and correct.	he State of California that the information above and on
Da  La  I d all Da  No  Tin  I c Da	declare under penalty of perjury under the laws of the lattachments is true and correct.  The attachments is true and correct.  The attachments is true and correct.  The attachments is true and correct.	he State of California that the information above and on

Petition for Private Postsecondary School Violence Restraining Orders

Revised July 1, 2014

**SV-100**, Page 6 of 6

SV-110	Temporary Res	training Ord	er	Clerk stamps date here when form is filed.
_	ucational Institution			
	::::(:f			
	citioner (if any, for this ca			
	(If you have a lawyer, giv			-
Address:			,	
		State: Zin		Fill in court name and street address:  Superior Court of California, County
	s:			
Student (Prote				
				Court fills in case number when form is filed.
. `	Restrained Person)			Case Number:
Full Name:				
Description:				
				f Birth:
Hair Color:	Eye Color	<del></del>	_ Age:	Race:
Home Address (ij	cknown):			
City:			State	: Zip:
Relationship to S	tudent:			
☐ <b>Additional</b> In addition to the	Protected Persons student, the following far			other students are protected by the
temporary orders	indicated below: full Name	Sex Age	e Household	l Member? Relation to Student
1_	un Name	Sex Age	_	No Relation to Student
			— ☐ Yes	□ No
				□ No
Additional pro	otected persons are listed	at the end of this		
raunonar pro	persons are instead	sie eile of tillo	JII I I I I I I I I I I I I I I I	
<b>Expiration Da</b>				
This Order expire	es at the end of the heari	ng scheduled for	the date and i	time below:

This is a Court Order.

Case Nu	mber:		

### To the Person in 2:

The court has issued the temporary orders checked as granted 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 .

D	rsonal Conduct Orders		
§) P€	Not Requested Denied Until the Hearing Denied		
a.	You are ordered <b>not</b> do the following things to the student and to the other protected persons listed in (4):		
	1) $\square$ Harass, molest, strike, assault (sexually or otherwise), batter, abuse, destroy personal property of, or disturb the peace of the person.		
	2)  Commit acts of violence or make threats of violence against the person.		
	3)  Follow or stalk the person during school hours or to or from the school.		
	4) Contact the person, either directly or indirectly, in <b>any</b> way, including, but not limited to, in person, telephone, in writing, by public or private mail, by e-mail, by fax, or by other electronic means.		
	5) Enter the person's school.		
	6) Take any action to obtain the person's address or locations. If this item is not checked, the court has found good cause not to make this order.		
	7) $\square$ Other (specify):		
Other personal conduct orders are attached at the end of this Order on Attack			
b.	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. However, you may have your papers served by main the petitioner.		
St	y-Away Order		
	Not Requested   Denied Until the Hearing  Granted as Follows:		
a.	You must stay at least yards away from (check all that apply):		
	1) The student (7) The student's children's place of child care		
	2)   Each other protected person listed in (4) (8)   The student's vehicle		
	3) The school (9) Other (specify):		
	4) The student's home		
	4)  The student's home  5)  The student's job or workplace  6)  The student's children'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.



8	a. b.	<ul> <li>Guns or Other Firearms and Ammunition</li> <li>You cannot own, possess, have, buy or try to buy, receive or try to receive ammunition.</li> <li>You must: <ol> <li>Sell to or store with a licensed gun dealer or turn in to a law enfor in your immediate possession or control. This must be done with Order.</li> <li>File a receipt with the court within 48 hours of receiving this Orden have been turned in, sold, or stored. (You may use Form SV-800, Stored for the receipt.)</li> </ol> </li> <li>The court has received information that you own or possess a firean end.</li> </ul>	cement agency any guns or other firearms in 24 hours of being served with this er that proves that your guns or firearms Proof of Firearms Turned In, Sold, or		
	<b>C</b> . [				
9	Other Orders				
	☐ Not Requested ☐ Denied Until the Hearing ☐ Granted as Follows (specify):				
		Additional orders are attached at the end of this Order on Attachment 9	).		
		To the Person in 1:			
10)	Mandatory Entry of Order Into CARPOS Through CLETS				
		Order must be entered into the California Restraining and Protective fornia Law Enforcement Telecommunications System (CLETS). (Che	• • • • • • • • • • • • • • • • • • • •		
	a. [	☐ The clerk will enter this Order and its proof-of-service form into C	ARPOS.		
	b. [	The clerk will transmit this Order and its proof-of-service form to into CARPOS.	a law enforcement agency to be entered		
	c. [	By the close of business on the date that this Order is made, the pe deliver a copy of the Order and its proof-of-service form to the law enter into CARPOS:	*		
		Name of Law Enforcement Agency	Address (City, State, Zip)		
		☐ Additional law enforcement agencies are listed at the end of th	is Order on Attachment 10		
	<ul> <li>☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 10.</li> <li>No Fee to Serve (Notify) Restrained Person</li> <li>☐ Ordered</li> <li>☐ Not Ordered</li> </ul>				
11)		Fee to Serve (Notify) Restrained Person   Order  Sheriff or marshal will serve this Order without charge because:	red   Not Ordered		
	a.	The Order is based on a credible threat of violence or stalking.			
	b. [	The petitioner is entitled to a fee waiver.			
	_	This is a Court Order.			
		This is a court order.			

**SV-110,** Page 3 of 6

	Case Number:
Number of pages attached to this Order, if any:	
Date:	
Judicial Officer	

### Warnings and Notices to the Restrained Person in 2

### 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 or store with 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.

### 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 address in item (2).

If this 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, or to find out the duration of the order, contact the clerk of the court.

### 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 Private Postsecondary School 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 Private Postsecondary School 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 threatened violence against or stalked the student, or placed the student in reasonable fear of violence.
- You must have Form SV-120 served on the petitioner or the petitioner's attorney by mail. 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 or at <a href="https://www.courts.ca.gov/forms">www.courts.ca.gov/forms</a>. If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to three years. Tell the judge why you disagree with the orders requested.

This is a Court Order.

Case	Number:		

#### Instructions for Law Enforcement

#### **Enforcing the Restraining Order**

This order is enforceable 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 Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

#### Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item 5 on page 1.

#### **Arrest Required if Order Is Violated**

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### **Notice/Proof of Service**

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

#### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

Case Number:		

#### **Conflicting Orders**

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following order: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

- 1. *EPO*: If one of the orders is an *Emergency Protective Order* (Form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. *No Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
- 3. *Criminal Order:* If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- 4. *Family or Civil Order:* If more than one family or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)

#### -Clerk's Certificate-

Clerk's Certificate [seal]

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

, Deputy

#### **SV-120**

# Response to Petition for Private Postsecondary School Violence Restraining Orders

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

• Read How Can I Respond to a Petition for Private Postsecondary School Violence Restraining Orders (Form SV-120-INFO)?, to protect your rights.

rights.  • Fill out this form and take it to the  • Have someone age 18 or older—n petitioner's lawyer by mail with a pages. (Use Form SV-250, Proof of  1 Petitioner (Educational Inst Name:	ot you—serve the petitioner copy of this form and any at f Service of Response by Ma	tached ail.)  Fill in court name and street address:  Superior Court of California, County of
2 Student Seeking Protection Full Name:		E'll in a second and
a. Your Name: Your Lawyer (if you have one your Name:	for this case):  State Bar No.:	:
Telephone:	mailing address if you want vate; skip this if you have a  State: Zip:	
E-Mail Address:  Personal Conduct Order  a.	quested. ders requested.	If you were served with a Temporary Restraining Order, you must obey it until the hearing. At the hearing, the court may make orders against you that last for up to three years.
5 Stay-Away Orders  a.	ders requested.	

Judicial Council of California, www.courts.ca.gov Revised July 1, 2014, Mandatory Form Code of Civil Procedure, §§ 527.85 and 527.9 Response to Petition for Private Postsecondary School Violence Restraining Orders (Private Postsecondary School Violence Prevention)

**SV-120,** Page 1 of 3

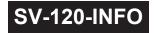
Clerk stamps date here when form is filed.

		Case Number:
<b>6</b> □	Additional Protected Persons	
	a.   I agree that the persons listed in item (4) of the Petition m	
	b.   I do not agree that the persons listed in item 4 of the P	tition may be protected by the order requested.
	rearms Prohibition and Relinquishment	
ot en be	you were served with Form SV-110, Temporary Restraining Or her firearms, or ammunition. You must sell to or store with a laforcement agency, any guns or other firearms in your immediating served with Form SV-110. (See Item (8) of Form SV-110.) You use Form CH-800, Proof of Firearms Turned In, Sold, or Sto	icensed gun dealer, or turn in to a law ate possession or control within 24 hours of You must file a receipt with the court. You
	a . $\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ $	
	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 be	een filed with the court.
8 🗆	Other Orders	
	a.   I agree to the orders requested.	
	<ul> <li>b.</li></ul>	
9 🗆	Denial	
_	I did not do anything described in item (8) of Form SV-100. (Ski)	ip to (1).)
10) $\square$	Justification or Excuse	
	If I did some or all of the things that the petitioner has accused me the following reasons (explain):	ne of, my actions were justified or excused for
	☐ Check here if there is not enough space below for your answer sheet of paper and write "SV-120, item 10—Justification or I	

76

Revised July 1, 2014

<ul> <li>a.    I ask the court to waive the filing fee because the entitled to free filing. b.     I request that I not be required to pay the filing FW-001, Request to Waive Court Fees, must be Costs a.     I ask the court to order the petitioner to pay my The amounts requested are: Item Amount </li> </ul>	fee because I am eligible for a filed separately.)	
FW-001, Request to Waive Court Fees, must be  Costs  a.   I ask the court to order the petitioner to pay my  The amounts requested are:	e filed separately.)	fee waiver. (Form
a.   I ask the court to order the petitioner to pay my  The amounts requested are:	court costs.	
The amounts requested are:	court costs.	
	Item	Amount
\$	<u>rtem</u>	\$
		\$
		\$
Check here if there are more items. Put the item		1.1
Lawyer's name (if any)	Lawyer's signature	
Early of Shame (if any)		
I declare under penalty of perjury under the laws of the St correct.  Date:	, c	mation above is true a
I declare under penalty of perjury under the laws of the St correct.	, c	mation above is true a



# How Can I Respond to a Petition for Private Postsecondary School Violence Restraining Orders?

# What is a private postsecondary school violence restraining order?

It is a court order that prohibits you from doing certain things and going 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 the student and the student's home, school and other places
- Not have any guns as long as the order is in effect

# Who can ask for a private postsecondary school 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 for private postsecondary school violence restraining orders. 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 don't 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 Private Postsecondary School Violence Restraining Orders, before your hearing date and file it with the court. If you need to include attachments, you can use Form MC-025. You can get the forms from legal publishers or on the Internet at www.courts.ca.gov. You also may be able to find them at your local courthouse or county law library.

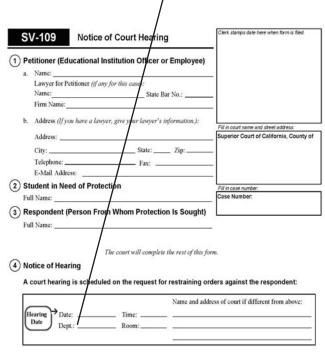
# Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older—**not you**—mail a copy of completed Form SV-120 to the person named in item ① of the petition Form SV-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 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 the hearing, the judge can make orders against you without hearing from you.



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

- Temporary Restraining Orders for personal conduct and stay away orders as requested in Form SV-100, Request for Private Postsecondary School Violence Restraining Orders, are (check only one box below):
   (1) All GRANTED until the court hearing.
  - (2) All DENIED until the court hearing. (Specify reasons for denial in b, below.)
  - (3) Partly GRANTED and partly DENIED until the court hearing. (Specify reasons for denial in b, below.)

Liddox Clauses of California, www.ensett to a prelevened ainary 1, 2011. Mentitory from cone of California, 52718 (Private Postsecondary School Violence Prevention)









# How Can I Respond to a Petition for Private Postsecondary School Violence Restraining Orders?

#### 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 at the hearing can last for up to three years.

#### Do I need a lawyer?

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

#### 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 that person's attorney 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.

#### For help in your area, contact:

[Local information may be inserted.]

#### 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 should ask someone age 18 or older 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 or store it with a licensed gun dealer, or turn it in to a law enforcement agency.

## Can I agree with the protected person to cancel the order?

No. Once the order is issued, only the judge can change or cancel it. You or the school official would have to file a request with the court to cancel the order.

#### 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 court 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). (Civ. Code, § 54.8.)

	te Postseconda nce Restraining ng	•		Clerk stamps o	date here when tori	n is filed.
Petitioner (Educationa		_	_			
a. Name:						
Lawyer for Petitioner (if	•	. D. M				
Name:	Sta	ate Bar No.:_				
Firm Name:				Fill in court nar	me and street addr	ess:
b. Your Address (If you ha Address:	ve a lawyer, give you	r lawyer's inj	formation.):	Superior Co	ourt of Californi	a, County
City:	State:	Zip:				
Telephone:						
E-Mail Address:						
				Court fills in ca	se number when f	orm is filed.
Student (Protected Perfull Name:	erson)			Case Numb	er:	
Description:  Sex:  M F Heig  Hair Color:	Eye Color:	ght:	Date			
Home Address (if known):			C	,	7.	
City:						
Relationship to Protected	Person:					
Additional Protect In addition to the student, the temporary orders indicated Full Name	he following family o below:		Household		Relation to	student
				□ No		
				□ No		
☐ Additional protected pe	rsons are listed at the	end of this O		_		
<b>Expiration Date</b>						
This Order expires at the e	nd of the hearing sch	heduled for th	he date and i	time below:		
Date:	7	Гіте:		a.m.	p.m.	
				<del></del>		

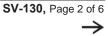


		Case Number	:
Hearing			
a. There was a hearing on (date):  (Name of judicial officer):	at (time):		Room:
b. These people were at the hearing:  (1)	tative (name): chool (name): ne lawyer for the student (name) the lawyer for the responder	name): nt (name):	
c. The hearing is continued. The parti	es must return to court on	(date):	at (time):
The court has granted the orders charrested and charged with a crime.	_	not obey these o	
to \$1,000, or both.			
Personal Conduct Orders  a. You are ordered <b>not</b> do the following the standard to the other protected persons	listed in (4):		
(1) Harass, molest, strike, assault (disturb the peace of the person.			rsonal property of, or
<ul><li>(2) ☐ Commit acts of violence or ma</li><li>(3) ☐ Follow or stalk the person duri:</li></ul>	•	•	
<ul> <li>(4) Contact the person, either direct telephone, in writing, by public or by other electronic means.</li> </ul>	ctly or indirectly, in <b>any</b> wa	ay, including, but not	, 1
<ul> <li>(5)  Enter the person's school.</li> <li>(6)  Take any action to obtain the p found good cause not to make</li> </ul>		s. If this item is not c	hecked, the court has
(7) ☐ Other (specify): ☐ Other personal conduct ord		of this Order on Atta	chment 7a(7).
b. Peaceful written contact through a lawy to a court case is allowed and does not			e of legal papers related

**Private Postsecondary School Violence** 

Restraining Order After Hearing (CLETS-SVO) (Private Postsecondary School Violence Prevention)

Revised July 1, 2014



8	Stay-Away Order				
•		Denied Until the	Hearing   Gr	anted as Follo	ows:
	a. You <b>must</b> stay at least	yards away :	from (check all that a	apply):	
	(1) The student			s children's place	of child care
	(2)   Each other protected	person listed in <b>4</b>	(8) The vehicle	of the person in	
	(3) The school		(9)  Other (speci	fy):	
	(4) $\square$ The student's job or v	vorkplace			
	(5) $\square$ The student's job or v	vorkplace			
	(6) The student's children	ı's school			
	b. This stay-away order does no	t prevent you from go	oing to or from your l	nome or place of e	employment.
	<ul> <li>a. You cannot own, possess, ha other firearms, or ammunities.</li> <li>b. If you have not already done is (1) Sell to or store with a lice in your immediate posses. Order.</li> <li>(2) File a receipt with the conturned in, sold, or stored. receipt.)</li> <li>c.   The court has received information.</li> </ul>	on. so, you must: ensed gun dealer or to ssion or control. This urt within 48 hours of (You may use Form	urn in to a law enforce must be done within freceiving this Order SV-800, Proof of Fire	ement agency any 24 hours of being that proves that y earms Turned In, S	guns or other firearms served with this your guns have been
		j	•		
(10)		mounts for easts to the	na natitionar		
	You must pay the following a Item	Amount	ie petitioner <u>Ite</u>	n	Amount
		\$		\$	
		_ \$		\$	
		\$	_	\$	
	☐ Additional amounts are at	ached at the end of the	his Order on Attachm	ent 10.	
11	Other Orders (specify):				
	Additional orders are attac		o Order on Attachmen	t 11.	
Revised	July 1, 2014 <b>Pri</b>		dary School Viole	nce	<b>SV-130</b> , Page 3 of

**Private Postsecondary School Violence** Restraining Order After Hearing (CLETS-SVO) (Private Postsecondary School Violence Prevention) **SV-130,** Page 3 of 6



Case Number:	

#### To the Person in 1 :

	To the resonant.				
2)	Mandatory Entry of Order Into CARPOS Through CLETS				
ノ -	This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (Check one):				
	a.   The clerk will enter this Order and its proof-of-service form into CARPOS.				
	b.   The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.				
	c.   By the close of business on the date that this Order is made, the petitioner or the petitioner's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:				
	Name of Law Enforcement Agency Address (City, State, Zip)				
	Additional law enforcement agencies are listed at the end of this Order on Attachment 12.				
3)	Service of Order on Respondent				
	a.   The petitioner personally attended the hearing. No other proof of service is needed.				
	b. The respondent did not attend the hearing.				
	(1) Proof of service of Form SV-110, <i>Temporary Restraining Order</i> , was presented to the court. The judge's orders in this form are the same as in Form SV-110 except for the expiration date. The respondent must be served with this Order. Service may be by mail.				
	(2) The judge's orders in this form are different from the temporary restraining orders in Form SV-110. Someone—but not the petitioner or anyone protected by this order—must personally serve a copy of this Order on the respondent.				
1	No Fee to Serve (Notify) Restrained Person				
シ	If the sheriff or marshal will serve this Order without charge because the Order is based on a credible threat of violence or stalking.				
5	Number of pages attached to this Order, if any:				
9)	The Order is based on actual violence, a credible threat of violence, or stalking.  The petitioner is entitled to a fee waiver.				
	Date:				
	Judicial Officer				

This is a Court Order.

**SV-130**, Page 4 of 6

Case Number:	

#### 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 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 or store with 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 (9). The court will require you to prove that you did so.

#### Instructions for Law Enforcement

#### **Enforcing the Restraining Order**

This Order is enforceable 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 Restraining and Protective Order System (CARPOS). 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 must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

#### **Start Date and End Date of Orders**

This Order starts on the date next to the judge's signature on page 4 and ends on the expiration date in item (5) on page 1.

#### Arrest Required If Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of this order and has disobeyed it, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### **Notice/Proof of Service**

The law enforcement agency must first determine if the restrained person had notice of the orders. Consider the restrained person served (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the order and then enforce it.

#### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

**Conflicting Orders** 

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following order: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

- 1. *EPO*: If one of the orders is an *Emergency Protective Order* (Form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. *No Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
- 3. *Criminal Order:* If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- 4. *Family or Civil Order:* If more than one family or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Clerk's Certificate	(Clerk will fill out this part.
[seal]	—Clerk's Certificate—

I certify that this *Civil Harassment Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date:	Clerk, by	, Deputy
Date.	Clerk, by	, Deputy

	SV-200 Proof of Personal Service	е	Clerk stamps date here when form is filed.
$\smile$	Petitioner (Educational Institution Officer or Name:	Employee)	
	Student in Need of Protection Name:		
	Respondent (Person From Whom Protection Name:	Is Sought)	
< /	Notice to Server The server must:  • Be 18 years of age or older.  • Not be listed in items 1, 2 or 4 of Form SV-100	).	Fill in court name and street address:  Superior Court of California, County of
	• Give a copy of all documents checked in <b>5</b> below to (You cannot send them by mail.) Then complete and s and give or mail it to the petitioner.		
	PROOF OF PERSONAL	SERVICE	Court fills in case number when form is filed.  Case Number:
	<ul> <li>a.  SV-109, Notice of Court Hearing</li> <li>b.  SV-110, Temporary Restraining Order</li> <li>c.  SV-100, Petition for Private Postsecondary School</li> <li>d.  SV-120, Response to Petition for Private Postsecole</li> <li>e.  SV-120-INFO, How Can I Respond to a Petition for Orders?</li> <li>f.  SV-130, Private Postsecondary School Violence Reg.  SV-800, Proof of Firearms Turned In, Sold, or Stolenton (Specify):</li> </ul>	ndary School Vior Private Postse estraining Order	olence Restraining Orders (blank form) econdary School Violence Restraining r After Hearing
6	I personally gave copies of the documents checked above	to the resondent	
	a. On (date): b. At (time):		
	c. At this address:	State:	Zip:
•	Server's Information Name:		
	Address:City:		Zip:
	(If you are a registered process server):  County of registration:	Registra	ation number:
	I declare under penalty of perjury under the laws of the St correct.  Date:	ate of California	that the information above is true and
	Type or print server's name	Server to sign	here

or Stored	s Turned In, Sold,	Clerk stamps date here when form is filed.
Protected Person Name:		-
Restrained Person		
a. Your Name		
Your Lawyer (if you have one for this cas	re):	
Name: Firm Name:	State Bar No.:	-
b. Your Address (If you have a lawyer, give If you do not have a lawyer and want to ke private, you may give a different mailing a have to give telephone, fax, or e-mail.):  Address:	eep your home address address instead. You do not	Fill in court name and street address:  Superior Court of California, County
City: Stat		
Telephone: Fax		Court fills in case number when form is filed.
E-Mail Address:		Case Number:
licensed gun dealer to complete item (4) or (5) Keep a copy for yourself. For help, read Form	<b>5</b> ) and item <b>6</b> ). After the for	sk the law enforcement officer or the m is signed, file it with the court clerk <i>Turn in, Sell, or Store my Firearms?</i>
Keep a copy for yourself. For help, read Forn	<b>5</b> ) and item <b>6</b> ). After the for	m is signed, file it with the court clerk
Icensed gun dealer to complete item (4) or (5) Keep a copy for yourself. For help, read Form  To Law Enforcement	and item <b>6</b> . After the form CH-800-INFO, <i>How do I T</i>	m is signed, file it with the court clerk
Keep a copy for yourself. For help, read Form	5 and item 6. After the form CH-800-INFO, How do 17  5 Fill out ite copy and	m is signed, file it with the court clerk Furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer  ems 5 and 6 of this form. Keep a
To Law Enforcement  Fill out items 4 and 6 of this form. Keep copy and give the original to the person who turned in the firearms.	5 and item 6. After the form CH-800-INFO, How do 17  5 Fill out ite copy and you the firm	m is signed, file it with the court clerk Furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer  ems 5 and 6 of this form. Keep a give the original to the person who sol
To Law Enforcement  Fill out items 4 and 6 of this form. Keep copy and give the original to the person whe turned in the firearms.  The firearms listed in 6 were turned in on	5 and item 6. After the form CH-800-INFO, How do IT  a Fill out ite copy and you the fire.  The firear	m is signed, file it with the court clerk Furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer  ems 5 and 6 of this form. Keep a give the original to the person who sol rearms or stored them with you.
To Law Enforcement  Fill out items 4 and 6 of this form. Keep copy and give the original to the person whe turned in the firearms.  The firearms listed in 6 were turned in on Date: at: a.m. [	5 and item 6. After the form CH-800-INFO, How do IT  a Fill out ite copy and you the firm the firm and point item.  p.m. Date:	m is signed, file it with the court clerk Furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer  ems 5 and 6 of this form. Keep a give the original to the person who solve the original to t
To Law Enforcement  Fill out items 4 and 6 of this form. Keep copy and give the original to the person who turned in the firearms.  The firearms listed in 6 were turned in on Date: at: a.m. [	5 and item 6. After the form CH-800-INFO, How do I 7  a Fill out ite copy and you the firm the firear sold to Date:	m is signed, file it with the court clerk Furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer  ems 5 and 6 of this form. Keep a give the original to the person who so rearms or stored them with you.  ms listed in 6 were  me transferred to me for storage  at: a.m p
To Law Enforcement  Fill out items 4 and 6 of this form. Keep copy and give the original to the person whe turned in the firearms.  The firearms listed in 6 were turned in on Date: at: a.m. [	a  o  p.m.  5 and item 6. After the form CH-800-INFO, How do I To the fire are possible to the	m is signed, file it with the court clerk furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer  ems (5) and (6) of this form. Keep a give the original to the person who solve the original
To Law Enforcement  Fill out items 4 and 6 of this form. Keep copy and give the original to the person whe turned in the firearms.  The firearms listed in 6 were turned in on Date: at: a.m. [  To:	5 and item 6. After the form CH-800-INFO, How do IT  a Fill out ite copy and you the firm sold to Date:  To:  \[ \begin{array}{cccccccccccccccccccccccccccccccccccc	m is signed, file it with the court clerk Furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer  ems 5 and 6 of this form. Keep a give the original to the person who solve rearms or stored them with you.  ms listed in 6 were  o me  transferred to me for storage  at: a.m p  of licensed gun dealer  see number Telephone
To Law Enforcement  Fill out items 4 and 6 of this form. Keep copy and give the original to the person whe turned in the firearms.  The firearms listed in 6 were turned in on Date: at: a.m. [  To: Name and title of law enforcement agent  Name of law enforcement agency  Address	a copy and you the fire sold to Date:  To:  After the form CH-800-INFO, How do IT  Fill out its copy and you the fire archive in the fire archive	m is signed, file it with the court clerk Furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer  ems 5 and 6 of this form. Keep a give the original to the person who solve rearms or stored them with you.  ms listed in 6 were  me transferred to me for storage  at: a.m p  of licensed gun dealer  se number Telephone
To Law Enforcement  Fill out items 4 and 6 of this form. Keep copy and give the original to the person whe turned in the firearms.  The firearms listed in 6 were turned in on Date: at: a.m. [  To:	5 and item 6. After the form CH-800-INFO, How do IT  a Fill out ite copy and you the firm The firear sold to Date:  To:  Name  Licentary  Address  I declare	m is signed, file it with the court clerk Furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer  ems 5 and 6 of this form. Keep a give the original to the person who solve rearms or stored them with you.  ms listed in 6 were  o me  transferred to me for storage  at: a.m p  of licensed gun dealer  see number Telephone
To Law Enforcement  Fill out items 4 and 6 of this form. Keep copy and give the original to the person whe turned in the firearms.  The firearms listed in 6 were turned in on Date: at: a.m. [  To: atemplot at and	5 and item 6. After the form CH-800-INFO, How do I To a copy and you the firm The firear sold to Date:  To:  Name  Licent  Addre  a laws on I declare of the Sta above is	m is signed, file it with the court clerk Furn in, Sell, or Store my Firearms?  To Licensed Gun Dealer  ems 5 and 6 of this form. Keep a give the original to the person who so rearms or stored them with you.  ms listed in 6 were  o me transferred to me for storage  at: a.m p  of licensed gun dealer  see number Telephone

Signature of gun dealer

<u>6</u>	Firearms		
$\cup$	Make	Model	Serial Number
	a		
	b.		
	c.		
	d.		
	e.		
	☐ Check here if you turned in, sold, or stored more Item 6—Firearms Turned In, Sold, or Stored" for firearm. You may use Form MC-025, Attachmen	r a title. Include make, model, c	
7	Do you have, own, possess, or control any other firearms If you answered yes, have you turned in, sold, or stored the <i>If yes, check one of the boxes below:</i>	_	
	a.   I filed a Proof of Firearms Turned In, Sold, or Sto.	red for those firearms with the c	court on (date):
	b. I am filing the proof for those firearms along with		,
	c.   I have not yet filed the proof for the other firearms	•	
	☐ Check here if there is not enough space below the attached sheet of paper or Form MC-025		
	I declare under penalty of perjury under the laws of the Scorrect.	tate of California that the inform	nation above is true and
Date	:		
		•	
Туре	or print your name	Sign your name	

### SV-800-INFO How Do I Turn In, Sell, or Store My Firearms?

#### What is a firearm?

A firearm is a:

- · Handgun
- Rifle
- Shotgun
- · Assault weapon

#### 2) If you own or have a firearm you must:

- · Turn it in to local law enforcement
- Sell it to a licensed firearms dealer, or
- Store it with a licensed firearms dealer

#### 3 How do I sell or store my firearm?

Find a California licensed firearms dealer in your area. Look under "Firearms Dealers" in your local Yellow Pages or on the Internet. Make sure the dealer is licensed.

#### (4) How do I take my firearm to law enforcement?

Call your local law enforcement agency to ask about their procedures. Take a copy of the restraining order with you. Go directly to the law enforcement agency. Do not go anywhere else with firearms in your vehicle!

#### 5) If I turn my firearm in to law enforcement, how long will they keep it? Ask the law enforcement agency.

#### 6 After I give my firearm to law enforcement, can I change my mind?

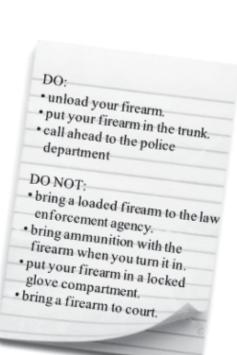
Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

#### 7 Do I have to pay the law enforcement agency to keep my firearm?

You may have to pay the agency for keeping your firearm. Contact your local law enforcement agency and ask if a fee is charged. The agency will tell you how much you need to pay.

#### 8 Questions?

Call your local law enforcement agency: (insert local information here.)



	WV-100 Petition for Workplace Violence Restraining Orders	Clerk stamps date here when form is filed.
	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 Confidential CLETS Information (Form CLETS-001) with as much information as you know.	
1	Petitioner (Employer)	
	a. Name:	
	is a corporation sole proprietorship	Fill in court name and street address:  Superior Court of California, County of
	$\square$ (specify):	Superior Court of Camornia, County of
	and is filing this suit on behalf of the employee identified in item <b>2</b> ).	
	b. Lawyer for Petitioner (if any for this case):  Name:  State Bar No.:	
	Firm Name:	Court fills in case number when form is filed.
	Petitioner's Address ( <i>If the petitioner has a lawyer, give the lawyer's information</i> ):	Case Number:
	c. Address:	
	City: State: Zip:	
	Telephone: Fax: E-Mail Address:	
2)	Employee in Need of Protection  Full Name:	
	Sex:	
3	Respondent (Person From Whom Protection Is Sought)	
	Full Name:	Age:
	Address (if known):	
	City: State:	Zip:
4	Additional Protected Persons	
	a. Are you asking for protection for any family or household members of employees at the employee's workplace or at other workplaces of the period of the pe	
	☐ Yes ☐ No If yes, list them:  Full Name Sex Age Househo	old Member? Relationship to Employee
	Yes	
		s 🔲 No
		s 🗌 No
	Additional protected persons are listed in Attachment 4a.	

	Response is stated in Attachment 4b.		
/	Relationship of Employee and Responde How does the employee know the respondent? (I		e is stated in Attachment 5a.
b.	Respondent  is  is not a current employ or otherwise discipline the respondent.)		in any decision to retain, terminate, e is stated in Attachment 5b.
/	The respondent has caused physical or emotion.  Other (specify):		r's employee in this county.
•	other Court Cases		
/	Has the employee or any of the persons named in	n (4) been involved in anot!	her court case with the respondent?
	☐ No ☐ Yes If yes, check each kind of cas	se and indicate where and	when each was filed:
	<ol> <li>Workplace Violence</li> <li>Civil Harassment</li> <li>Domestic Violence</li> <li>Divorce, Nullity, Legal Separation</li> </ol>	Filed in (County/State)	Year Filed Case Number (if known
	<ul> <li>(5)  Paternity, Parentage, Child Support</li> <li>(6)  Eviction</li> <li>(7)  Guardianship</li> <li>(8)  Small Claims</li> <li>(9)  Postsecondary School Violence</li> </ul>		
	(10)  Criminal (11) Other (specify):		

WV-100, Page 2 of 6

Respondent has (check one or more):  (1) Assaulted, battered, or stalked the employee  (2) Made a credible threat of violence against the employee engaging in a course of conduct that would place a reason safety of his or her immediate family.  One or more of these acts (check either or both):	
One or more of these acts (check either or both)	
(1)  Took place at the employee's workplace (2)  Can reasonably be construed to be carried out in the future Address of workplace:	1 2 1
Describe what happened. (Provide details; include the dates of all recent; tell who did what to whom; identify any witnesses):  Response is stated in Attachment 8c.	l incidents beginning with the most
	Address of workplace:  Describe what happened. (Provide details; include the dates of al recent; tell who did what to whom; identify any witnesses):

This is not a Court Order.

☐ Yes ☐ No (If yes, describe):

Response is stated in Attachment 8d.

Response is stated in Attachment 8e.

e. Did the respondent use or threaten to use a gun or any other weapon?

	If	or any of the incidents described above, did the Tyes, did the employee or the respondent received Yes  No  I don't know Tyes: The order protects (check all that apply):  1) The employee (2) The respondent teach a copy of the order if you have one.	e an E			ive Orde	r?	on't know	
9	☐ <b>P</b> I ask	ck the orders you want  rersonal Conduct Orders the court to order the respondent not to do any otected listed in 4:  Harass, intimidate, molest, attack, strike, stalk							
	b c d	personal property of, or disturb the peace of the Commit acts of unlawful violence on or make Follow or stalk the person during work hours Contact the person, either directly or indirectly telephone, in writing, by public or private main other electronic means.	threator to	rson. ats o or fr <b>any</b>	f violence to the com the place of means, include	he person of work.	n.	ed to, in per	son, by
	e f	<ul><li>☐ Enter the person's workplace.</li><li>☐ Other (specify):</li><li>☐ As stated in Attachment 9f.</li></ul>							
		espondent will be ordered not to take any action s the court finds good cause not to make the ord	_	et th	e addresses o	r locatioi	is of any	protected p	erson
10)	Stay	r-Away Order							
	a. Ia	ask the court to order the respondent to stay at le	east_		yard	ls away f	rom (che	eck all that o	apply):
	(1)	)   The employee	(8)		The student's	vehicle			
	(2)	) $\square$ The other persons listed in $\bigcirc$	(9)		Other (specify	·):			
	(3)								
	(4)	, , , , , , , , , , , , , , , , , , , ,							
	(5) (6)								
	(7)	The place of child care of the employee's children							

b.	If the court orders the respondent to stay away from all the places listed above, will he or she still be able to g to his or her home, school, or job?   Yes No (If no, explain):  Response is stated on Attachment 10b.
) G	Suns or Other Firearms and Ammunition
	oes the respondent own or possess any guns or other firearms?
If re in	the judge grants a protective order, the respondent will be prohibited from owning, possessing, purchasing, eceiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order a effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a licensed gue aler any guns or firearms within his or her immediate possession or control.
) <b>R</b>	equest for Immediate Orders Without Notice
D	o you want the court to make any of these orders now that will last until the hearing without notice to the spondent?   Yes No (If you answered yes, explain why):  Response is stated on Attachment 12.
Yo CO W	Request for Less Than Five Days' Notice ou must have your papers personally served on the respondent at least five days before the hearing, unless the ourt orders a shorter time for service. (Form WV-200-INFO explains what is proof of personal service. Form VV-200, Proof of Personal Service, may be used to show the court that the papers have been served.) Evolution of the papers have been served.
Yo CO W	ou must have your papers personally served on the respondent at least five days before the hearing, unless the ourt orders a shorter time for service. (Form WV-200-INFO explains what is proof of personal service. Form
co W	ou must have your papers personally served on the respondent at least five days before the hearing, unless the ourt orders a shorter time for service. (Form WV-200-INFO explains what is proof of personal service. Form VV-200, Proof of Personal Service, may be used to show the court that the papers have been served.) Syou want there to be fewer than five days between service and the hearing, explain why:
Ye cee W Iff □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □	ou must have your papers personally served on the respondent at least five days before the hearing, unless the ourt orders a shorter time for service. (Form WV-200-INFO explains what is proof of personal service. Form VV-200, Proof of Personal Service, may be used to show the court that the papers have been served.) Syou want there to be fewer than five days between service and the hearing, explain why:

5) 🗆	No Fee to Serve Orders  ask the court to order the sheriff or marshal to serve the respondent with the others for free because his request for orders is based on a credible threat of violence or stalking.
<b>6</b> ) □	ask the court to order the respondent to pay my court costs.
7) [	Additional Orders Requested
·) _	I ask the court to make the following additional orders (specify):
	Additional orders requested are stated in Attachment 17.
8) Ni	nber of pages attached to this form, if any:
8) Ni	
Da	
Da Ta	yer's name (if any)  Lawyer's signature  clare under penalty of perjury under the laws of the State of California that the information above and on ttachments is true and correct.
Da La	yer's name (if any)  Lawyer's signature  clare under penalty of perjury under the laws of the State of California that the information above and on ttachments is true and correct.
Da La	yer's name (if any)  Lawyer's signature  clare under penalty of perjury under the laws of the State of California that the information above and on ttachments is true and correct.  Example of petitioner  Signature
$\overline{La}$ $\overline{La}$ $\overline{I}$ $\overline{C}$	yer's name (if any)  Lawyer's signature  clare under penalty of perjury under the laws of the State of California that the information above and on ttachments is true and correct.  Example of petitioner  Signature
$\overline{La}$ $\overline{La}$ $\overline{I}$ $\overline{C}$	yer's name (if any)  Lawyer's signature  clare under penalty of perjury under the laws of the State of California that the information above and on ttachments is true and correct.  Example of petitioner  Signature  see of petitioner
$\overline{La}$ I contains $\overline{Na}$ $\overline{Ti}$ I contains $\overline{Ti}$	yer's name (if any)  Lawyer's signature  clare under penalty of perjury under the laws of the State of California that the information above and on ttachments is true and correct.  Example of petitioner  Signature  see of petitioner

	Temporary R	ostrainir	a Ord	lor .	Clerk stamps	date here when for	n is nied.
WV-110	remporary iv	CStrainin	ıg Old				
Petitioner (Em	ployer)						
a. Name:							
Lawyer for Pet	itioner (if any, for this o	case):					
Name:		State Ba	ar No.:				
Firm Name: _							
b. Your Address	(If you have a lawyer, g	ive your law	yer's info	ormation.):			
Address:					Fill in court na	ame and street addr	966.
City:		State:	Zip:			ourt of California	
	s:						
Employee (Pro	tected Person)						
ruii Name:					Court fills in c	ase number when fo	orm is filed.
	Restrained Person				Case Numl	ber:	
2 voviip mom.							
Sex: \( \sum M \)	F Height	Weight:		Date of	f Rirth:		
	F Height:						
Hair Color:	Eye Col	or:		Age:	Race:		
Hair Color: Home Address (ij	Eye Col	or:		Age:	_ Race:		
Hair Color: Home Address (it) City:	Eye Col	or:		Age: State:	Race:	Zip:	
Hair Color: Home Address (it) City:	Eye Col	or:		Age: State:	Race:	Zip:	
Hair Color: Home Address (i) City: Relationship to St	Eye Col	or:		Age: State:	Race:	Zip:	
Hair Color: Home Address (it) City: Relationship to St  Additional In addition to the	Eye Col  Fknown):  Tudent:  Protected Persons employee, the following	or:		Age:State:	Race:	Zip:	
Hair Color: Home Address (in City: Relationship to Solution Additional In addition to the temporary orders	Eye Col  Fknown):  Tudent:  Protected Persons employee, the following	or:	ousehold	Age:State:	Race:	Zip:	cted by the
Hair Color: Home Address (in City: Relationship to Solution Additional In addition to the temporary orders	Eye Col fixnown):  Trudent:  Protected Persons employee, the following indicated below:	or:	ousehold	Age:State:	Race:	Zip:loyees are prote	cted by the
Hair Color: Home Address (in City: Relationship to Solution Additional In addition to the temporary orders	Eye Col fixnown):  Trudent:  Protected Persons employee, the following indicated below:	or:	ousehold	State:    Mousehold   Yes	r other emp	Zip:loyees are prote	cted by the
Hair Color: Home Address (in City: Relationship to Solution Additional In addition to the temporary orders	Eye Col fixnown):  Trudent:  Protected Persons employee, the following indicated below:	or:	ousehold	State:    State:	r other emp	Zip:loyees are prote	cted by the Student
Hair Color: Home Address (interpretation of the temporary orders)  Hair Color:  Address (interpretation of the temporary orders)	Eye Col fixnown):  Trudent:  Protected Persons employee, the following indicated below:	or:	ousehold Age	State:    State:	r other emp?  Member?  No No No	Zip:loyees are prote	cted by the Student
Hair Color: Home Address (ij) City: Relationship to St  Additional In addition to the temporary orders  Additional  Additional	Eye Col  fknown):  mudent:  Protected Persons employee, the followin indicated below: full Name  otected persons are liste	or:	ousehold Age	State:    State:	r other emp?  Member?  No No No	Zip:loyees are prote	cted by the
Hair Color: Home Address (ij) City: Relationship to So  Additional In addition to the temporary orders  Additional  Additional pro  Expiration Da	Eye Col fknown):  mudent:  Protected Persons employee, the following indicated below: full Name  otected persons are liste  te	g family or h	ousehold Age  of this Or	State:    State:	r other employment and the second sec	Zip:loyees are prote	cted by the
Hair Color: Home Address (ij) City: Relationship to So  Additional In addition to the temporary orders  Additional  Additional pro  Expiration Da	Eye Col  fknown):  mudent:  Protected Persons employee, the followin indicated below: full Name  otected persons are liste	g family or h	ousehold Age  of this Or	State:    State:	r other employment and the second sec	Zip:loyees are prote	cted by the Student

Case Number:	

#### To the Person in 2:

The court has issued the temporary orders checked as granted 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  $\,$ .

∐ No	ot Requested	Denied Until the	Hearing	☐ Granted as Follows:
a. You		the following things to the rotected persons listed in (		
(1)	-	, strike, assault (sexually oce of the person.	or otherwise), l	batter, abuse, destroy personal property of, or
(2)	☐ Commit acts o	f violence or make threats	of violence ag	gainst the person.
` ′		the person during work h		*
	telephone, in w	vriting, by public or private		way, including, but not limited to, in person, lail, by fax, or by other electronic means.
` ′	Enter the work	• •		
(6)	•	n to obtain the person's ad use not to make this order.	dress or locati	ions. If this item is not checked, the court has
(7)	Other (specify)			
	Other person	onal conduct orders are att	ached at the en	nd of this Order on Attachment 6a(7).
h Dag	pooful written conto	ot through a lawyar or a pr	ogges sarvar o	r other person for service of legal papers relat
to a on a	a court case is allow the petitioner.  -Away Order	ed and does not violate thi	s order. Howe	ever, you may have your papers served by mai
to a on a	a court case is allow the petitioner.		s order. Howe	
to a on a	a court case is allow the petitioner.  -Away Order	ed and does not violate thi	s order. Howe	r other person for service of legal papers relatever, you may have your papers served by mai  Granted as Follows:  all that apply):
to a on a Stay-  Stay-  a. You	a court case is allow the petitioner.  -Away Order  ot Requested	ed and does not violate thi	s order. Howe • <b>Hearing</b> from (check	ever, you may have your papers served by mai
to a on a  Stay- □ No  a. You  (1)	Acourt case is allow the petitioner.  Away Order ot Requested u must stay at least  The employee	ed and does not violate thi	• Hearing from (check (7)  The	ever, you may have your papers served by mai  Granted as Follows:  all that apply):
to a on a  Stay- □ No  a. You  (1)	A court case is allow the petitioner.  Away Order ot Requested u must stay at least  The employee  Each other pro	Denied Until the yards away tected person listed in 4	Hearing from (check (7)   The	Granted as Follows:  all that apply): e employee's children's place of child care
to a on a  Stay-  ■ No  a. You  (1)  (2)  (3)	A court case is allow the petitioner.  Away Order ot Requested u must stay at least  The employee  Each other pro	Denied Until the yards away tected person listed in 4	Hearing from (check (7)   The	Granted as Follows:  all that apply): e employee's children's place of child care e student's vehicle
to a on a  Stay-  ■ No  a. You  (1)  (2)  (3)	A court case is allow the petitioner.  Away Order ot Requested u must stay at least  The employee Each other pro The employee' The employee'	Denied Until the yards away tected person listed in 4 s workplace s home	Hearing from (check (7)   The	Granted as Follows:  all that apply): e employee's children's place of child care e student's vehicle

This is a Court Order.

b. This stay-away order does not prevent you from going to or from your home or place of employment.

8	a.	Yo fire Yo (1)	Guns or Other Firearms and Ammunition You cannot own, possess, have, buy or try to buy, receive or try to receive arms, or ammunition. You must:  1) Sell to or store with a licensed gun dealer or turn in to a law enforce in your immediate possession or control. This must be done within Order.  2) File a receipt with the court within 48 hours of receiving this Order have been turned in, sold, or stored. (You may use Form WV-800, P. Stored for the receipt.)  The court has received information that you own or possess a firearm.	ement agency any guns or other firearm 24 hours of being served with this that proves that your guns or firearms troof of Firearms Turned In, Sold, or
	C.	Ш	The court has received information that you own or possess a meaning	ш.
9	Otl	her	er Orders	
٥		No	lot Requested ☐ Denied Until the Hearing ☐ Gra	nted as Follows (specify):
	_	۸ ۵	Additional orders are attached at the end of this Order on Attachment 9.	
	Ш	Au	duffional orders are attached at the end of this Order on Attachment 9.	
			To the Person in 1:	
10)	Ma	nd	idatory Entry of Order Into CARPOS Through CLETS	
	Thi	s O	Order must be entered into the California Restraining and Protective Or Fornia Law Enforcement Telecommunications System (CLETS). (Check	
	a.		The clerk will enter this Order and its proof-of-service form into CA	RPOS.
	b.		The clerk will transmit this Order and its proof-of-service form to a into CARPOS.	law enforcement agency to be entered
	c.		By the close of business on the date that this Order is made, the emp deliver a copy of the Order and its proof-of-service form to the law enter into CARPOS:	
			Name of Law Enforcement Agency Ad	dress (City, State, Zip)
				0.1 44 1 410
			Additional law enforcement agencies are listed at the end of this	
11)			Fee to Serve (Notify) Restrained Person	d Not Ordered
		she	sheriff or marshal will serve this Order without charge because:	
	a. 1		The Order is based on a credible threat of violence or stalking.	
	b.		The petitioner is entitled to a fee waiver.	
			This is a Court Order.	

Temporary Restraining Order (CLETS-TWH)
(Workplace Violence Prevention)

			Case number:	
12)	Number of pages attached to this Order, if any:  Date:	Officer		_

#### Warnings and Notices to the Restrained Person in 2

#### 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 or store with 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.

#### 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 address in item (2).

If this 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, or to find out the duration of the order, contact the clerk of the court.

#### After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read Form WV-120-INFO, *How Can I Respond to a Petition 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 Workplace Violence Restraining Orders*, 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 threatened violence against or stalked the employee, or placed the employee in reasonable fear of violence.
- You must have Form WV-120 served on the petitioner or the petitioner's attorney by mail. 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 or at *www.courts.ca.gov/forms*. If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to three years. Tell the judge why you disagree with the orders requested.

Case Number:	

#### **Instructions for Law Enforcement**

#### **Enforcing the Restraining Order**

This order is enforceable 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 Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

#### Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item 5 on page 1.

#### Arrest Required if Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### **Notice/Proof of Service**

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

#### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

Case Number:

#### **Conflicting Orders**

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following order: (See Pen. Code, § 136.2, Fam. Code, § 6383(h)(2), 6405(b).)

- 1. *EPO*: If one of the orders is an *Emergency Protective Order* (Form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. *No Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
- 3. *Criminal Order:* If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- 4. *Family or Civil Order:* If more than one family or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

(Clerk will fill out this part.)

#### -Clerk's Certificate-

Clerk's Certificate
[seal]

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

Date:	Clerk, by	, D	eputy	ý
				8

### WV-120

# Response to Petition for Workplace Violence Restraining Orders

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

- Read How Can I Respond to a Petition for Private Postsecondary School Violence Restraining Orders (Form WV-120-INFO)?, to protect your rights.
- Fill out this form and take it to the court clerk.

•	pe	ave someone age 18 or older—not you—serve the petitioner etitioner's lawyer by mail with a copy of this form and any attages. ( <i>Use Form WV-250</i> , Proof of Service of Response by M	ached	Fill in court name and street address:
1		etitioner (Employer) me:		Superior Court of California, County of
<b>2</b>	En	nployee Seeking Protection		
	Ful	Il Name:		Fill in case number:
3		espondent (Person From Whom Protection Is So Your Name:  Your Lawyer (if you have one for this case):  Name:  Firm Name:  State Bar No.:	ought)	Case Number:
4	b.	Your Address (you may give a mailing address if you want to keep your street address private; skip this if you have a lawyer):  Address:  City: State: Zip:  Telephone: Fax:  E-Mail Address:  Personal Conduct Orders  a.	hearing place f Hearing Date If you w Restrain hearing. orders ag	purt will consider your response at the g. Write your hearing date, time, and from Form WV-109, item here:  Date: Time: Room:  ere served with a Temporary aing Order, you must obey it until the the hearing, the court may make gainst you that last for up to three years.
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):		

Response to Petition for Workplace Violence Restraining Orders

**WV-120,** Page 1 of 3

Clerk stamps date here when form is filed.

				Case Number:
6		a. 🗌	ional Protected Persons I agree that the persons listed in item (4) of the Petition may be I do not agree that the persons listed in item (4) of the Petition n	
<u> </u>				
]	If yoth	ou were er firea orceme ng serve	Prohibition and Relinquishment e served with Form WV-110, Temporary Restraining Order, y rms, or ammunition. You must sell to or store with a licensed int agency, any guns or other firearms in your immediate pose and with Form WV-110. (See Item 8) of Form WV-110.) You is form WV-800, Proof of Firearms Turned In, Sold, or Stored for	d gun dealer, or turn in to a law session or control within 24 hours of must file a receipt with the court. You
		a . 🔲	I do not own or control any guns or other firearms.	
		b. П	I have turned in my guns and firearms to the police or to a licent A copy of the receipt $\square$ is attached. $\square$ has already been filed	
8 [		Other  a.   b.   c.    c.	Orders I agree to the orders requested. I do not agree to the orders requested. I agree to the following orders (specify):	
9 [		<b>Denia</b> I did no	t do anything described in item (8) of Form WV-100. (Skip to (1	1).)
10)		Justif	ication or Excuse	
		If I did	some or all of the things that the petitioner has accused me of, moving reasons (explain):	ny actions were justified or excused for
			eck here if there is not enough space below for your answer. Put et of paper and write "WV-120, item 10—Justification or Excusor	

No Fee for Filing     ■			
a. I ask the court to ventitled to free fili	waive the filing fee because ng.	the petitioner claims in For	rm WV-100 item (14) to be
	be required to pay the filing to Waive Court Fees, <i>must l</i>		for a fee waiver. (Form
☐ Costs			
a.   I ask the court to o	order the petitioner to pay m	y court costs.	
The amounts requ	uested are:		
<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
	\$		<b>\$</b>
	\$		\$
	\$		<u> </u>
fees and costs.	his form, if any:	n asking for protection tha	t I pay his or her lawyer's
fees and costs.  Number of pages attached to the		n asking for protection tha	t I pay his or her lawyer's
fees and costs.  Number of pages attached to the		Lawyer's signature	t I pay his or her lawyer's
fees and costs.  Number of pages attached to the Date:  Lawyer's name (if any)	his form, if any:	Lawyer's signature	
fees and costs.  Number of pages attached to the distance of pages.	his form, if any:	Lawyer's signature	
fees and costs.  Number of pages attached to the Date:  Lawyer's name (if any)  I declare under penalty of pe	his form, if any:	Lawyer's signature	
fees and costs.  Number of pages attached to the Date:  Lawyer's name (if any)  I declare under penalty of percorrect.	his form, if any:	Lawyer's signature  State of California that the	



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

## What is a workplace violence restraining order?

It is a court order that prohibits you from doing certain things and going 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 the student and the student's home, school and other places
- Not have any guns as long as the order is in effect

# Who can ask for a workplace violence restraining order?

An employer can ask for an order on behalf of an employee who has suffered violence or a credible threat of violence at the workplace.

# I've been served with a petition for private workplace violence restraining orders. 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 don't 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 Workplace Violence Restraining Orders*, before your hearing date and file it with the court. If you need to include attachments, you can use Form MC-025. You can get the forms from legal publishers or on the Internet at *www.courts.ca.gov*. You also may be able to find them at your local courthouse or county law library.

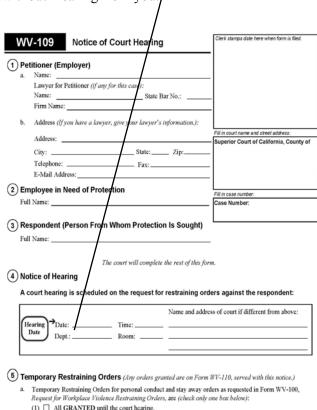
# Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older—**not you**—mail a copy of completed Form WV-120 to the person named in item ① of the petition Form 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 the hearing, the judge can make orders against you without hearing from you.

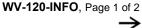


- (1) All GRANTED until the court hearing
- (2)  $\square$  All DENIED until the court hearing. (Specify reasons for denial in b, below.)
- (3) Partly GRANTED and partly DENIED until the court hearing. (Specify reasons for denial in b, below.)

Judicial Council of California, www.courfs.ca.gov Revised January 1, 2012, Mandatory Form Code of Civil Procedure, § 527.8

Notice of Court Hearing (Workplace Violence Preventio

WV-109, Page 1 of 3





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

#### 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 at the hearing can last for up to three years.

#### Do I need a lawyer?

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

#### 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 that person's attorney 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.

#### For help in your area, contact:

[Local information may be inserted.]

#### 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 should ask someone age 18 or older 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 or store it with a licensed gun dealer, or turn it in to a law enforcement agency.

## Can I agree with the protected person to cancel the order?

No. Once the order is issued, only the judge can change or cancel it. You or the employer would have to file a request with the court to cancel the order.

#### 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 court 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). (Civ. Code, § 54.8.)

WV-130	_	e Violence Re er Hearing	straining	Clerk stamps o	date here when form is filed.
	(Employer)			_	
-	for Petitioner (if any, formula) me:	,			
b. Your Ad Address:	dress ( <i>If you have a la</i>			\	me and street address: ourt of California, County
	ne:		Zip:		
Employee	Address:e (Protected Perso	-		Court fills in ca	ase number when form is filed.
Responde	ent (Restrained Po	erson)			
Hair Color Home Add City:		Eye Color:	Age:	Race:	Zip:
In addition	onal Protected Per to the employee, the forders indicated below	ollowing family or h	ousehold mem	bers or other stude	ents are protected by the
	Full Name	<u>Sex</u>		ehold Member? Yes \( \subseteq \text{No} \) Yes \( \subseteq \text{No} \) Yes \( \subseteq \text{No} \)	Relation to Employe
Addition	nal protected persons a	are listed at the end of			
Expiratio	n Date expires at the end of t	tha haarina sahadul	ed for the date	and time helow	
This Order	expires at the ena of	me nearing scheaui	ea jor ine aaie	ana time below.	

Hearing			
a. There was a hearing on (date):	at (time):	in Dept.:	Room:
(Name of judicial officer):		made the orders a	nt the hearing.
b. These people were at the hearing:			
(1) The petitioner/employer representa			
(2) The lawyer for the petitioner/emplo			
(3) $\square$ The employee (4) $\square$ The large			
(5) $\square$ The respondent (6) $\square$ The law			
☐ Additional persons present are listed at			
c. The hearing is continued. The parties m	nust return to court on	(date):	at (time):
To	the Respondent		
13	the Respondent	•	
The court has granted the orders check arrested and charged with a crime. You to \$1,000, or both.		_	
Personal Conduct Orders			
a. You are ordered <b>not</b> do the following thing	s to the student		
and to the other protected persons liste	ed in <b>4</b> ):		
(1) Harass, molest, strike, assault (sexu disturb the peace of the person.	nally or otherwise), ba	atter, abuse, destroy per	rsonal property of, or
(2) Commit acts of violence or make the	nreats of violence aga	inst the person.	
(3)  Follow or stalk the person during w	ork hours or while go	oing to or from the place	ce of work.
(4) Contact the person, either directly of telephone, in writing, by public or por by other electronic means.	•	J / U/	, ,
(5)  Enter the person's workplace.			
(6) Take any action to obtain the perso found good cause not to make this		ns. If this item is not cl	necked, the court has
(7) $\square$ Other (specify):			
☐ Other personal conduct orders a	are attached at the end	l of this Order on Attac	chment 7a(7).
b. Peaceful written contact through a lawyer of		other person for service	e of legal papers related
to a court case is allowed and does not viola	ate this order.		

Workplace Violence Restraining Order
After Hearing (CLETS-WHO)
(Workplace Violence Prevention)

			L		
) <b>S</b>	tay-Away Order				
	☐ Not Requested ☐ Denied Until the	he Hearii	ng 🔲 Granted as	Follo	ws:
a.	You <b>must</b> stay at least yards aw	ay from (a	heck all that apply):		
	(1) The employee	(7)	The employee's children	ı's place	e of child care
	(2)   Each other protected person listed in	(8)	The employee's vehicle		
	(3)   The employee's workplace	(9)	Other (specify):		
	(4) The employee's home				
	(5) The employee's school				
	(6) The employee's children's school				
b.	This stay-away order does not prevent you from	n going to	or from your home or pla	ce of en	nployment.
c.	<ul> <li>in your immediate possession or control. To Order.</li> <li>(2) File a receipt with the court within 48 hour turned in, sold, or stored. (You may use Foreceipt.)</li> <li>The court has received information that you</li> </ul>	rs of receiv	ing this Order that proves 0, Proof of Firearms Turn	s that yo	our guns have been
) [	Costs				
	You must pay the following amounts for costs t	to the petiti	oner		
	<u>Item</u> <u>Amount</u>		<u>Item</u>	ф	<u>Amount</u>
	\$			\$	
	\$ \$			\$ \$	
			on on Attachment 10	¥	
	Additional amounts are attached at the end of	or uns Ord	er on Auachment 10.		
) [	Other Orders (specify):				
		4: 0.1	A.u. 1		
	Additional orders are attached at the end of				
	This is	a Court	Order.		

Workplace Violence Restraining Order
After Hearing (CLETS-WHO)
(Workplace Violence Prevention)

Case Number:	

### To the Person in 1 :

Mandatory Entry of Order Into CARPOS Through CLETS  This Order must be entered into the California Restraining and Protective Order System (CARPOS) through					
California Law Enforcement Telecommunications System (CLETS). (Check one):  a.   The clerk will enter this Order and its proof-of-service form into CARPOS.					
c.   By the close of business on the date that this Order is made, the petitioner or the petitioner's law deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed be enter into CARPOS:					
	Name of Law Enforcement Agency Address (City, State, Zip)				
	Additional law enforcement agencies are listed at the end of this Order on Attachment 12.				
3	Service of Order on Respondent				
	a.   The petitioner personally 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 Order</i> , was presented to the court. The judge's orders in this form are the same as in Form WV-110 except for the expiration date. The respondent must be served with this Order. Service may be by mail.				
	(2) The judge's orders in this form are different from the temporary restraining orders in Form WV-110. Someone—but not the petitioner or anyone protected by this order—must personally serve a copy of this Order on the respondent.				
4	No Fee to Serve (Notify) Restrained Person				
	If the sheriff or marshal will serve this Order without charge because the Order is based on a credible threat of violence or stalking.				
5	Number of pages attached to this Order, if any:				
	The Order is based on actual violence, a credible threat of violence, or stalking.  The petitioner is entitled to a fee waiver.				
	Date:				
	Judicial Officer				

Case Number:		

#### **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 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 or store with 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 (9). The court will require you to prove that you did so.

#### Instructions for Law Enforcement

#### **Enforcing the Restraining Order**

This Order is enforceable 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 Restraining and Protective Order System (CARPOS). 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 must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

#### **Start Date and End Date of Orders**

This Order *starts* on the date next to the judge's signature on page 4 and *ends* on the expiration date in item (5) on page 1.

#### Arrest Required If Order Is Violated

If an officer has probable cause to believe that the restrained person had notice of this order and has disobeyed it, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

#### **Notice/Proof of Service**

The law enforcement agency must first determine if the restrained person had notice of the orders. Consider the restrained person served (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the order and then enforce it.

#### If the Protected Person Contacts the Restrained Person

Even if the protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

Case Number:	

#### **Conflicting Orders**

If more than one restraining order has been issued protecting the protected person from the restrained person, the orders must be enforced in the following order: (See Pen. Code, § 136.2, Fam. Code, § 6383(h)(2), 6405(b).)

- 1. *EPO*: If one of the orders is an *Emergency Protective Order* (Form EPO-001) and is more restrictive than other restraining or protective orders, it has precedence in enforcement over all other orders.
- 2. *No Contact Order:* If there is no EPO, a no-contact order that is included in a restraining or protective order has precedence over any other restraining or protective order.
- 3. *Criminal Order:* If none of the orders includes a no contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. Any nonconflicting terms of the civil restraining order remain in effect and enforceable.
- 4. *Family or Civil Order:* If more than one family or other civil restraining or protective order has been issued, the one that was issued last must be enforced.

Clerk's Certificate	(Clerk will fill out this part.)
[seal]	-Clerk's Certificate-

I certify that this *Civil Harassment Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Data	Clark ber	Domuter
Date:	Clerk, by	, Deputy

	WV-200 Proof of Personal Service	Clerk stamps date here when form is filed.
1	Petitioner (Employer) Name:	
2	Employee in Need of Protection Name:	
3	Respondent (Person From Whom Protection Is Sought) Name:	
4	Notice to Server The server must:  • Be 18 years of age or older.  • Not be listed in items 1, 2 or 4 of Form WV-100.	Fill in court name and street address:  Superior Court of California, County of
	• Give a copy of all documents checked in (5) below to the respondent. (You cannot send them by mail.) Then complete and sign this form and give or mail it to the petitioner.	Court fills in case number when form is filed.
	PROOF OF PERSONAL SERVICE	Case Number:
5)	I gave the respondent a copy of the forms checked below:  a.   WV-109, Notice of Court Hearing  b.   WV-110, Temporary Restraining Order  c.   WV-100, Petition for Workplace Violence Restraining Orders  d.   WV-120, Response to Petition for Workplace Violence Restraining  e.   WV-120-INFO, How Can I Respond to a Petition for Workplace V  f.   WV-130, Workplace Violence Restraining Order After Hearing  g.   WV-800, Proof of Firearms Turned In, Sold, or Stored (blank form  h.   Other (specify):	iolence Restraining Orders?
6	I personally gave copies of the documents checked above to the resondent	
	a. On (date): b. At (time): a.1 c. At this address:	m.
	City: State:	Zip:
7	Server's Information Name: Telephone:	
	Address: State:	Zip:
	(If you are a registered process server):	
		ation number:
	I declare under penalty of perjury under the laws of the State of California correct.	
	Date:	
	Type or print server's name  Server to sign	here

or Sto	1 Gu		_
<b>Protected Person</b>			
Name:			
Restrained Person			
a. Your Name			_
	one for this case): Sta	te Bar No.:	_
Firm Name:			Fill in court name and street address:
b. Your Address (If you have If you do not have a lawyed private, you may give a dephave to give telephone, fa. Address:	er and want to keep yo ifferent mailing addres	ur home address ss instead. You do not	Superior Court of California, Count
	State:		-
Telephone:			
E-Mail Address:			Case Number:
If the court has ordered you t you have obeyed its orders. ' licensed gun dealer to comple	to turn in, sell, or store When you deliver your ete item <b>4</b> or <b>5</b> and	r unloaded weapons, ε item <b>6</b> . After the fo	nay use this form to prove to the court of ask the law enforcement officer or the rm is signed, file it with the court clerk Turn in, Sell, or Store my Firearms?
If the court has ordered you t you have obeyed its orders. I licensed gun dealer to comple Keep a copy for yourself. For	o turn in, sell, or store When you deliver your ete item <b>4</b> or <b>5</b> and r help, read Form CH-8	r unloaded weapons, a item <b>6</b> . After the fo 800-INFO, <i>How do I</i>	ask the law enforcement officer or the rm is signed, file it with the court clerl Turn in, Sell, or Store my Firearms?
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<b>6</b> )	Firearms			
$\cup$	<u>Make</u>	Model	Serial Number	
	a			
	b.			
	c.			
	d.			
	e.			
	Check here if you turned in, sold, or stored more j Item 6—Firearms Turned In, Sold, or Stored" for firearm. You may use Form MC-025, Attachment.	a title. Include make, model, a		
Do you have, own, possess, or control any other firearms besides the firearms listed in <b>(6)</b> ?				
	a.   I filed a Proof of Firearms Turned In, Sold, or Store	ed for those firearms with the o	court on ( <i>date</i> ):	
	b. \( \sum \) I am filing the proof for those firearms along with the	_	,	
	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 the attached sheet of paper or Form MC-025 at			
	I declare under penalty of perjury under the laws of the Stacorrect.	te of California that the inform	nation above is true and	
Date	:			
		•		
Type	or print your name	Sign your name		

#### WV-800-INFO How Do I Turn In, Sell, or Store My Firearms?

#### What is a firearm?

- A firearm is a: · Handgun
- Rifle
- Shotgun
- · Assault weapon

#### 2) If you own or have a firearm you must:

- · Turn it in to local law enforcement
- Sell it to a licensed firearms dealer, or
- Store it with a licensed firearms dealer
- 3 How do I sell or store my firearm?

Find a California licensed firearms dealer in your area. Look under "Firearms Dealers" in your local Yellow Pages or on the Internet. Make sure the dealer is licensed.

(4) How do I take my firearm to law enforcement?

Call your local law enforcement agency to ask about their procedures. Take a copy of the restraining order with you. Go directly to the law enforcement agency. Do not go anywhere else with firearms in your vehicle!

- 5) If I turn my firearm in to law enforcement, how long will they keep it? Ask the law enforcement agency.
- 6 After I give my firearm to law enforcement, can I change my mind?

Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

7 Do I have to pay the law enforcement agency to keep my firearm?

You may have to pay the agency for keeping your firearm. Contact your local law enforcement agency and ask if a fee is charged. The agency will tell you how much you need to pay.

8 Questions?

Call your local law enforcement agency: (insert local information here.)

