

**JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS**

455 Golden Gate Avenue
San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Administrative Office of the Courts
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DATE: October 6, 2006

SUBJECT: Civil Harassment and Workplace Violence Prevention: Technical Revisions to Judicial Council Forms (revise forms CH-100, CH-120, CH-140, WV-100, WV-120, WV-140, and WV-150-INFO) (Action Required)

Issue Statement

Seven Judicial Council forms previously adopted for use in cases involving civil harassment and workplace violence should be revised to reflect recent legislation. In particular, the statutes regarding the relinquishment of firearms by persons restrained by court orders have been amended. As a result, the restraining order forms need to be revised, effective January 1, 2007, to show the new statutory times for relinquishing firearms and for filing proofs with the court that firearms have been turned in or sold.

Recommendation

Administrative Office of the Courts staff recommends that the Judicial Council revise the following forms, effective January 1, 2007, so that they are consistent with amended statutes regarding protective orders:

1. *Request for Orders to Stop Harassment* (form CH-100);
2. *Notice of Hearing and Temporary Restraining Order (CLETS)* (form CH-120);
3. *Restraining Order After Hearing to Stop Harassment (CLETS)* (form CH-140);
4. *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* (WV-100);

5. *Order to Show Cause and Temporary Restraining Order (CLETS)* (form WV-120);
6. *Order After Hearing on Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee (CLETS)* (form WV-140);
and
7. *Instructions for Petitions to Prohibit Workplace Violence* (form WV-150-INFO).

Copies of the forms are attached at pages 4–37.

Rationale for Recommendation

Assembly Bill 2129 (Spitzer)

Assembly Bill 2129 changes the law regarding firearms relinquishment by a person who is the subject of a temporary restraining order prohibiting certain kinds of harassment, violence, harm, intimidation, or abuse. Currently, if the restrained person is present in court at a noticed hearing, the court must order the person to relinquish firearms within 24 hours of the order. If the person is not present in court, the person must relinquish firearms within 48 hours of being served with the order. Finally, the restrained person must file with the court a receipt showing relinquishment of firearms within 72 hours after receipt of the order. (Code Civ. Proc., § 527.9.)

AB 2129 changes the times for relinquishing firearms and for filing proof of relinquishment, so that, effective January 1, 2007, restrained persons will be required to relinquish firearms within 24 hours of being served with a protective order without regard to whether the person was present in court. The legislation will also require restrained persons to file a receipt with the court within 48 hours showing that firearms were turned in or sold.

To show the new times effective January 1, 2007, the civil harassment and workplace violence prevention forms should be revised. The revisions have been made to the attached forms. (See form CH-120, item 8; form CH-140, item 9; form WV-120, item 9; form WV-140, item 8; and form WV-150-INFO, page 11.)

Assembly Bill 978 (Runner)

Last year, Assembly Bill 978 was enacted. It provides that persons restrained by certain types of restraining orders are prohibited from taking any action to obtain the address or location of a protected person or the protected person's family, caretakers, or guardians. The orders covered by the legislation include restraining

orders in civil harassment and workplace violence prevention cases. (See Code Civ. Proc., § 527.10.)

Accordingly, to reflect the new prohibitions contained in Assembly Bill 978, several forms related to restraining orders should be revised. The revisions have been made to the attached forms. (See form CH-100, item 7; form CH-120, item 5; form CH-140, item 6; form WV-100, item 9b; form WV-120, item 6e; and form WV-140, item 6e.)

Other Changes

In addition to the revisions described above, some other changes have been made to the forms so that they will be stylistically consistent with other more recently adopted or revised Judicial Council forms, particularly those used in the area of restraining orders.

Alternative Actions Considered

Because the restraining order forms need to be changed to be consistent with recent legislation, no alternatives to revising the forms were considered.

Comments From Interested Parties

The forms were not circulated for public comment because the revisions are technical, reflect statutory changes, and are noncontroversial. For the benefit of the public, the forms should be revised at this time so that they will accurately state new times for firearms relinquishment, effective January 1, 2007.

Implementation Requirements and Costs

Courts may incur some costs in providing the revised forms to the public.

Attachments

Clerk stamps date here when form is filed.

1 Your name (person asking for protection):

Your address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):

City: _____ State: _____ Zip: _____

Your telephone number (optional): (_____) _____

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number):

Fill in court name and street address:

Superior Court of California, County of

2 Name of person you want protection from:

Describe the person: Sex: M F Weight: _____

Height: _____ Race: _____ Hair Color: _____

Eye Color: _____ Age: _____ Date of Birth: _____

Home Address (if you know): _____

City: _____ State: _____ Zip: _____

Work Address (if you know): _____

City: _____ State: _____ Zip: _____

3 Besides you, who needs protection? (Family or household members)

Full Name	Sex	Age	Lives with you?	How are they related to you?
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Check here if you need more space. Attach a sheet of paper and write "CH-100, item 3—Describe Protected Persons" at the top of the page.

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

The person in 2 lives in this county.

I was hurt (physically or emotionally) by the person in 2 here.

Other (specify): _____

5 How do you know the person in 2? (Describe):

This is not a Court Order.



Your name: _____

- 6 Describe how the person in 2 has harassed you:
- a. Date of most recent harassment: _____
 - b. Who was there? _____
 - c. Did the person in 2 commit any acts of violence or threaten to commit any acts of violence against you? Yes No
If yes, describe those acts or threats: _____
 - d. Did the person in 2 engage in a course of conduct that harassed you and caused substantial emotional distress? Yes No
If yes, describe: _____
 - e. Did the conduct of the person in 2 described above seriously alarm, annoy, or harass you? Yes No
 Check here if you need more space. Attach a sheet of paper and write "CH-100, item 6—Describe Harassment" at the top of the page.

Check the orders you want

- 7 **Personal Conduct Orders**
- I ask the court to order the person in 2 to **not** do the following things to me or anyone listed in 3 :
- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
 - b. Contact (either directly or indirectly), or telephone, or send messages or mail or e-mail.
- The person in 2 will also be ordered not to take any action to get the addresses or locations of any protected persons, their family members, or their caretakers unless the court finds good cause not to make the order.

- 8 **Stay-Away Orders**
- I ask the court to order the person in 2 to stay at least (specify): _____ yards away from me and the people listed in 3 and the places listed below: (Check all that apply):
- a. My home
 - b. My job or workplace
 - c. My children's school or child care
 - d. My vehicle
 - e. Other (specify): _____
- If the court orders the person in 2 to stay away from all the places listed above, will that person still be able to get to his or her home, school, or job? Yes No
If no, explain: _____

This is not a Court Order.



Your name: _____

9 **Others to Be Protected**

Should the other people listed in **(3)** also be covered by the orders described above?

Yes No Does not apply

If yes, explain: _____

10 **Order About Guns or Other Firearms**

I ask the court to order the person in **(2)** to be prohibited from owning, possessing, purchasing, or receiving, or attempting to purchase or receive firearms **and** to sell or turn in any guns or firearms that he or she controls.

11 **Other Orders**

I ask the court to order the person in **(2)** to (specify): _____

12 **Temporary Orders**

Do you want the court to make orders now on the matters listed in **(7)**, through **(11)** that will last until the hearing? Yes No

If yes, explain why you need these orders right now: _____

Check here if you need more space. Attach a sheet of paper and write "CH-100, item 12—Temporary Orders" at the top of the page.

13 **Delivery of Orders to Law Enforcement**

My lawyer or I will give copies of the orders to the following law enforcement agencies:

a. Name of Agency: _____

Address: _____

City: _____ State: _____ Zip: _____

b. Name of Agency: _____

Address: _____

City: _____ State: _____ Zip: _____

14 **Other Court Cases**

Have you ever asked any court for other restraining orders against the person in **(2)**? Yes No

If yes, specify the counties and case numbers if you know them: _____

This is not a Court Order.



Your name: _____

15 **Time for Service**

You must have your papers personally served on (notify) the person in ② at least 5 days before the hearing, unless the court orders a different time for service. (*Form CH-135 explains "What is Proof of Service?" Form CH-130 may be used to show the court that the papers have been served.*) If your papers cannot be served at least 5 days before the hearing and you need more time, explain why:

16 **No Fee for Filing**

I ask the court to waive the filing fee because the person in ② has used or threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence. I am asking for a restraining order to stop this conduct.

17 **No Fee to Serve Orders**

I ask the court to order the sheriff or marshal to serve (notify) the person in ② about the orders for free because that person has stalked me or threatened me with sexual assault.

(*To get free service of the court's orders without paying a fee, you must fill out and file the Request and Order for Free Service of Restraining Order (Form CH-101), and if you qualify for a fee waiver, you must also fill out and file the Application for Waiver of Court Fees and Costs (Form FW-001).*)

18 **Lawyer's Fees and Costs**

I ask the court to order payment of my:

- a. Lawyer's fees
- b. Out-of-pocket expenses

The amounts requested are:

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

Check here if you need more space. Attach a sheet of paper and write "CH-100, item 18—Lawyer's Fees and Costs" at the top of the page.

19 **Additional Relief**

I ask the court for additional relief as may be proper.

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

Date: _____

Lawyer's name

▶ _____
Lawyer's signature

I declare under penalty of perjury under the laws of the State of California that the information above and on all attachments is true and correct.

Date: _____

Type or print your name

▶ _____
Sign your name

This is not a Court Order.

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

1 Name of person asking for protection:

Address (skip this if you have a lawyer): (If you want your address to be private, give a mailing address instead):

City: _____ State: _____ Zip: _____

Your telephone number (optional): (_____) _____

Your lawyer (if you have one): (Name, address, telephone number, and State Bar number): _____

2 Name of person to be restrained:

Description of that person:

Sex: M F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

Home Address (if known): _____

City: _____ State: _____ Zip: _____

Work Address (if known): _____

City: _____ State: _____ Zip: _____

To the person in ②:

3 **Notice of Hearing**

A court hearing is scheduled on the request for orders against you to stop harassment:

Name and address of court if different from above:

Hearing Date →

Date: _____ Time: _____

Dept.: _____ Rm.: _____

If you do not want the court to make orders against you, file Form CH-110. Then go to the hearing and tell the court why you disagree. You may bring witnesses and other evidence. If you do not go to this hearing, the court may make restraining orders against you that could last up to 3 years.

4 **Court Orders**

The court (check a or b):

- a. Has scheduled the hearing stated in ③. No orders are issued against you at this time.
- b. Has scheduled the hearing stated in ③ **and** has issued the temporary orders against you specified on page 2. If you do not obey these orders, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1,000, or both.

This is a Court Order.



Your name: _____

Temporary Orders Against the Restrained Person

(Write the name of the person in ②): _____

The court has made the temporary orders indicated below against you. You must obey all these orders. These orders will expire on the date of the hearing listed in ③ unless they are extended by the court.

5 **Personal Conduct Orders**

You must **not** do the following things to the people listed in ① and ⑩:

- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- b. Contact (directly or indirectly), telephone, send messages, mail, or e-mail.
- c. Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ⑩. (If item c is not checked, the court has found good cause not to make this order.)

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.

6 **Stay-Away Order**

You **must** stay at least (specify): _____ yards away from:

- a. The person listed in ①
- b. The people listed in ⑩
- c. The home of the persons in ① and ⑩
- d. Jobs or workplaces of the persons in ① and ⑩
- e. Vehicle of person in ①
- f. The protected children's school or child care
- g. Other (specify): _____
- Vehicles of persons in ⑩

This stay-away order does not prevent the person in ② from going to or from that person's home or place of employment.

7 **No Guns or Other Firearms**

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

8 **Turn In or Sell Guns or Firearms**

You must:

- Sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 24 hours of being served with this order.
- File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (You may use Form CH-145 for this.)

9 **Other Orders (specify):** _____

This is a Court Order.



Your name: _____

10 **Other Protected Persons**

List of the full names of all family or household members protected by these orders:

Instructions for the Protected Person

To the person in ①: (Write the name of the person in ①): _____

11 **Service of Order on Law Enforcement**

If the court issues temporary restraining orders, by the close of business on the date the orders are made, you or your lawyer should deliver a copy of this Order and any proof of service forms to each law enforcement agency listed below.

Name of Law Enforcement Agency:

Address (City, State, Zip)

12 **Service of Documents**

You must have someone personally deliver to the person in ② a copy of all the documents checked below:

- a. CH-120, *Notice of Hearing and Temporary Restraining Order (CLETS)* (completed and file-stamped)
- b. CH-100, *Request for Orders to Stop Harassment* (completed and file-stamped)
- c. CH-110, *Answer to Request for Orders to Stop Harassment* (blank form)
- d. CH-145, *Proof of Firearms Turned In or Sold* (blank form)
- e. CH-151, *How Can I Answer a Request for Orders to Stop Harassment?*
- f. Other (specify): _____

You must file with the court before the hearing a proof of service of these documents on the person in ②.

13 **Time for Service** (check a, b, or c)

- a. A copy of the documents listed in ⑫ must be served in person to the person in ② at least 5 days before the hearing.
- b. A copy of the documents listed in ⑫ must be served in person to the person in ② at least 2 days before the hearing.
- c. A copy of the documents listed in ⑫ must be served in person to the person in ② at least _____ days before the hearing.

14 **No Fee for Filing**

Filing fees are waived.

This is a Court Order.



Your name: _____

15 **No Fee for Service of Order by Law Enforcement**

The sheriff or marshal will serve this Order without charge because the order is based on a credible threat of violence resulting from a threat of sexual assault or on stalking.

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 a gun while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control in accordance with item ⑧ above. The court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

Instructions for Law Enforcement

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



Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for *Request for Accommodations by Persons With Disabilities and Order* (Form MC-410). (Civil Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

Clerk stamps date here when form is filed.

1 Your name (*person asking for protection*):Your address (*skip this if you have a lawyer*): (*If you want your address to be private, give a mailing address instead*):

City: _____ State: _____ Zip: _____

Your telephone (*optional*): (_____) _____Your lawyer (*if you have one*): (*Name, address, telephone number, and State Bar number*): _____

Fill in court name and street address:

Superior Court of California, County of**2** Name of person to be restrained:

Fill in case number:

Case Number:

Description:

Sex: M F Height: _____ Weight: _____ Race: _____

Hair Color: _____ Eye Color: _____ Age: _____ Date of Birth: _____

3 **Hearing**

There was a hearing:

on (*date*): _____ at (*time*): _____ a.m. p.m. Dept.: _____ Rm: __________ made the orders at the hearing.
(*Name of judicial officer*)

These people were at the hearing:

- a. Plaintiff (*the person in ①*) c. Plaintiff's lawyer (*name*): _____
- b. Defendant (*the person in ②*) d. Defendant's lawyer (*name*): _____

4 **This Is a Court Order**

You must obey all the orders indicated below. If you do not obey this Order, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1,000, or both.

5 **Expiration Date**

This Order, except for an award of lawyer's fees, expires at:

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

If no date is present, this Order expires three years from the date of issuance.

This is a Court Order.

Your name: _____

6 **Personal Conduct Orders**

You must *not* do the following things to the people listed in ① and ⑪:

- a. Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- b. Contact (directly or indirectly), telephone, send messages, mail, or e-mail.
- c. Take any action, directly or through others, to obtain the addresses or locations of the persons in ① and ⑪. (If item c is not checked, the court has found good cause not to make this order.)

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case does not violate these orders.

7 **Stay-Away Order**

You must stay at least (specify): _____ yards away from:

- a. The person listed in ①
- b. The people listed in ⑪
- c. The home of the persons in ① and ⑪
- d. Jobs or workplaces of the persons in ① and ⑪
- e. Vehicle of person in ①
- f. The protected children’s school or child care
- g. Other (specify): _____

This stay-away order does not prevent the person in ② from going to or from that person’s home or place of work.

8 **No Guns or Other Firearms**

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

9 **Turn In or Sell Guns or Firearms**

You must:

- Sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control. This must be done within 24 hours of being served with this order.
- File a receipt with the court within 48 hours of receiving this order that proves guns have been turned in or sold. (You may use CH-145 for this.)

10 **Other Orders** (specify): _____

11 **Other Protected Persons**

List of the full names of all family and household members protected by these orders:

This is a Court Order.



Case Number: _____

Your name: _____

Instructions for the Protected Person

To the person in ① (Write the name of the person in ①): _____

⑫ **Delivery to Law Enforcement**

If the court issues restraining orders, by the close of business on the date this Order is made, you or your attorney must deliver a copy of this Order and any proof of service forms to each law enforcement agency listed below:

Name of Law Enforcement Agency:	Address (City, State, Zip)
_____	_____
_____	_____
_____	_____

⑬ **No Fee for Service of Order by Law Enforcement**

The sheriff or marshal will serve this Order without charge because the Order is based on stalking or a credible threat of violence resulting from a threat of sexual assault or stalking.

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 a gun while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control in accordance with item ⑨ above. The court will require you to prove that you did so. If you do not obey this Order, you can be charged with a crime.

Instructions for Law Enforcement

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

(Clerk will fill out this part)

Clerk's Certificate

Clerk's Certificate
[seal]

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT: EMPLOYEE:	
PETITION OF EMPLOYER FOR INJUNCTION PROHIBITING VIOLENCE OR THREATS OF VIOLENCE AGAINST EMPLOYEE AND <input type="checkbox"/> APPLICATION FOR TEMPORARY RESTRAINING ORDER	CASE NUMBER:

Read the Instructions for Petitions to Prohibit Workplace Violence (form WV-150) before completing this form. NOTE: Plaintiff **must** be an employer with standing to bring this action under Code of Civil Procedure section 527.8.

1. **Plaintiff (name):** _____ is a corporation sole proprietorship
 other (specify): _____ and is filing this suit on behalf of the employee identified in item 2.

2. **Employee (name):** _____
 Sex: M F Date of birth: _____ (Use a separate petition for each employee you are seeking to protect. Identify related actions in item 5.)

3. **Defendant (name):** _____
 Sex: M F Ht.: _____ Wt.: _____ Hair color: _____ Eye color: _____ Race: _____ Age: _____ Date of birth: _____

- a. Resides at (address, if known): _____
- b. Works at (address, if known): _____
- c. Is Is not a current employee of plaintiff (explain if defendant is still an employee): _____

4. This suit is filed in this county because
 a. defendant resides in this county.
 b. defendant has caused physical or emotional injury to plaintiff's employee in this county.
 c. other (specify): _____

5. **Related Actions**

- a. Plaintiff has asked, or is asking, for restraining orders against the defendant in (specify): _____ County,
 case no. (specify): _____
- b. Employee has asked, or is asking, for restraining orders against defendant in (specify): _____ County,
 case no. (specify): _____
- c. Other related actions (describe): _____

(This is not a Court Order.)

PLAINTIFF (Name): DEFENDANT (Name): EMPLOYEE (Name):	CASE NUMBER:
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6. Defendant has assaulted battered stalked made a credible threat of violence against the employee by knowing or willing statements or a course of conduct that would place a reasonable person in fear for his or her safety, or the safety of his or her immediate family.
- a. One or more of these acts can reasonably be construed to be carried out or to have been carried out at the employee's workplace at (address):
- b. Describe what happened (including the dates, who did what to whom, and any injuries):

Continued on Attachment 6b.

7. Employee will suffer great and irreparable harm before this petition can be heard in court unless the court makes those orders requested below effective now and until the hearing. (Specify the harm and why it will occur before the hearing):

Continued on Attachment 7.

8. Defendant's conduct has been directed against employee and is knowing and willful, is not constitutionally protected, and does not constitute lawful acts of self-defense or defense of others.

PLAINTIFF REQUESTS THE COURT TO MAKE THE ORDERS INDICATED BY THE CHECK MARKS IN THE BOXES BELOW.

9. **PERSONAL CONDUCT ORDERS** **To be ordered now and effective until the hearing**
- a. **Defendant shall not engage in unlawful violence or make threats of violence against the employee and the following members of employee's family or household who reside with the employee:**

(1) (Name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

(2) (Name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

(3) (Name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

Continued on Attachment 9a.

b. Specifically, defendant

- (1) shall not assault, batter, or stalk the employee and other protected persons.
- (2) shall not follow or stalk the employee and other protected persons to or from the place of work.
- (3) shall not follow the employee and other protected persons during hours of employment.
- (4) shall not telephone or send correspondence to the employee and other protected persons by **any** means including, but not limited to, the use of the public or private mails, interoffice mail, fax, or e-mail.
- (5) shall not enter the workplace of the employee and other protected persons.
- (6) other (specify):

The court shall order that the defendant is prohibited from taking any action to obtain the address or location of the employee, or of any of the employee's family members or caretakers, unless the court finds that there is good cause not to make that order.

(This is not a Court Order.)

PLAINTIFF (Name): DEFENDANT (Name): EMPLOYEE (Name):	CASE NUMBER:
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10. **STAY-AWAY ORDERS** **To be ordered now and effective until the hearing**

a. Defendant shall stay at least (specify): _____ yards away from the following places and persons (the addresses of the places are optional and may be kept confidential):

- (1) Employee and other protected persons identified in item 9a.
- (2) Residence of employee and other protected persons (address optional):
- (3) Place of work of employee and other protected persons (address optional):
- (4) School or place of child care of children of employee or other protected persons (address optional):
- (5) Vehicle of employee or other protected persons (specify):
- (6) Other (specify):

b. Will granting of any of the stay-away orders in item 10a deprive defendant of access to his or her residence or place of employment?
 Yes No (If yes, explain):

11. **FIREARMS PROHIBITION AND RELINQUISHMENT ORDER**

Plaintiff requests an order under section 527.9 of the Code of Civil Procedure that the restrained person is prohibited from owning, possessing, purchasing, or receiving, or attempting to purchase or receive a firearm, and must relinquish any firearm that he or she owns or possesses.

12. **OTHER ORDERS** (specify other orders you request to help carry out the orders previously requested):

13. **DELIVERY TO LAW ENFORCEMENT**

Plaintiff requests that copies of orders be given to the following law enforcement agencies:

<u>Law enforcement agency</u>	<u>Address</u>
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14. **TIME FOR SERVICE**

Plaintiff requests that time for service of the Order to Show Cause and Temporary Restraining Order (CLETS) (form WV-120) and accompanying papers be no less than (check one): 5 days (specify number): _____ days before the date set for the hearing. (If you need an order shortening the time to fewer than 5 days, explain the reasons):

(This is not a Court Order.)

PLAINTIFF (Name): DEFENDANT (Name): EMPLOYEE (Name):	CASE NUMBER:
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15. **COSTS**
 Defendant should be ordered to pay costs as follows (*specify*):

16. Plaintiff requests additional relief as may be proper.

17. **NO FEE FOR FILING**
 Plaintiff is not required to pay a fee for filing this petition because the petition alleges that the defendant has inflicted or threatened violence against an employee of the plaintiff, or stalked the employee, or acted or spoke in any other manner that has placed the employee in reasonable fear of violence, and seeks protective or restraining orders or injunctions restraining stalking or future violence or threats of violence in an action brought under Code of Civil Procedure § 527.8.

18. Plaintiff understands that if the court issues an *Order to Show Cause* (form WV-120), a hearing will be held on the date shown in item 2 of the *Order to Show Cause*. At that hearing, plaintiff will be prepared to present evidence supporting the petition.

19. Number of pages attached: _____

 (TYPE OR PRINT NAME OF ATTORNEY)

▶

 (SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that I am aware of the facts stated,

- a. on the basis of my own personal knowledge.
- b. on the basis that I have been informed and believe that the facts stated are true. (*NOTE: If this petition is made solely on the basis of plaintiff's information and belief, plaintiff must attach declarations by one or more persons who have personal knowledge of the facts stated.*)

Date:

 (TYPE OR PRINT NAME)

▶

 (SIGNATURE OF PLAINTIFF)

Title of person signing:

(This is not a Court Order.)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <hr/> TELEPHONE NO.: _____ FAX NO. (Optional): _____ E-MAIL ADDRESS (Optional): _____ ATTORNEY FOR (Name): _____	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT: EMPLOYEE:	
ORDER TO SHOW CAUSE AND <input type="checkbox"/> TEMPORARY RESTRAINING ORDER (CLETS)	CASE NUMBER:

THIS ORDER SHALL EXPIRE AT THE DATE AND THE TIME OF THE HEARING SHOWN IN THE BOX BELOW UNLESS EXTENDED BY THE COURT.

1. **TO DEFENDANT** (name):
2. **YOU ARE ORDERED** to appear in this court at the date, time, and place shown in the box below to give any legal reason why the order sought and the other relief requested in the petition should not be granted.

NOTICE OF HEARING

a. Date:	Time:	Dept.:	Room:
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- b. The address of the court where the hearing will be held is shown above is (specify):
3. You have the right to attend the hearing to oppose the petition, with or without an attorney. If you do not attend the hearing, the court may grant the requested orders without any further notice to you. The court may make these orders enforceable for a period not to exceed three years, after which they may be renewed by the filing of a new petition. You should read the instructions on page 2 of this form. A complete instruction booklet (form WV-150) is available from the clerk's office located at the court shown above.
4. **IT IS FURTHER ORDERED** that
- a. Plaintiff shall serve this *Order to Show Cause*, the attached *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* (form WV-100), and any other supporting papers by (specify manner of service):
no later than (date):
 - b. Any opposition papers shall be filed and served on plaintiff by (specify manner of service):
no later than (date):
 - c. Any reply papers shall be filed and served by (specify manner of service):
no later than (date):
 - d. Proof of service of plaintiff's papers shall be delivered to the court hearing the *Order to Show Cause* no later than (date):

Date: _____

JUDICIAL OFFICER

SIGNATURE FOLLOWS LAST ATTACHMENT

PLAINTIFF (Name): DEFENDANT (Name): EMPLOYEE (Name):	CASE NUMBER:
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TEMPORARY RESTRAINING ORDER

THE COURT FINDS

5. a. The defendant is (name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Ht.: _____ Wt.: _____ Hair color: _____ Eye color: _____ Race: _____ Age: _____ Date of birth: _____

b. The protected employee is (name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

c. Protected family or household members who reside with employee are:

(1) (Name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

(2) (Name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

(3) (Name):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

Continued on Attachment 5c.

UNTIL THE TIME OF HEARING, IT IS ORDERED

6. **PERSONAL CONDUCT ORDERS**

Defendant is prohibited from further violence or threats of violence against the protected persons **and SPECIFICALLY THE COURT ORDERS THAT DEFENDANT**

- a. shall not assault, batter, or stalk the employee and other protected persons
- b. shall not follow or stalk the employee and other protected persons to or from the place of work
- c. shall not follow the employee and other protected persons during hours of employment
- d. shall not telephone or send correspondence to the employee and other protected persons by **any** means including, but not limited to, the use of the public or private mails, interoffice mail, fax, or computer e-mail
- e. shall not take any action to obtain the address or location of the employee or any of the employee's family members or caretakers
- f. shall not enter the workplace of the employee and other protected persons
- g. other (specify):

7. **STAY-AWAY ORDERS**

Defendant is ordered to stay at least (specify): _____ yards away from the following persons and places (the addresses of the places are optional and may be kept confidential):

- a. Employee and other protected persons named in item 5.
- b. Residence of employee and other protected persons (address optional):
- c. Place of work of employee and other protected persons (address optional):
- d. School or place of child care of children of employee and other protected persons (address optional):
- e. The employee's and other protected persons' vehicles
- f. Other (specify):
(address optional):

PLAINTIFF (Name): DEFENDANT (Name): EMPLOYEE (Name):	CASE NUMBER:
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INSTRUCTIONS FOR THE DEFENDANT

1. If you are served with an *Order to Show Cause [OSC]* (form WV-120) and a *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee [Petition]* (form WV-100), you should promptly seek legal advice. If you have no attorney, the attorney's reference service of your local bar association may be of assistance.
2. Read the papers served on you very carefully. The **OSC** tells you when to appear in court and may contain a temporary restraining order forbidding you from doing certain things. **If you disobey the court's orders, criminal charges may be filed against you.**
3. If you wish to oppose the **Petition**, or make your own request for court orders, you should file a *Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee [Response]* (form WV-110).

In addition to the **Response**, you may file and serve declarations signed by persons who have personal knowledge of the facts. A declaration form (form MC-031) is available from the clerk's office of the court shown on page 1 of this form. If you do not know how to prepare a declaration, you should see an attorney. After you have filed the **Response** with the clerk of the court, a copy must be delivered personally or by mail to the plaintiff or the plaintiff's attorney.

You cannot serve the plaintiff yourself. The person who serves the plaintiff should complete and sign a *Proof of Service by Mail of Completed Response* (form WV-131). You should take the completed form back to the court clerk or bring it with you to the hearing.

4. If you wish to oppose the petition, in addition to filing a **Response** you should be present at the hearing. If you have any witnesses, they must also be present.
5. An instruction booklet entitled *Instructions for Petitions to Prohibit Workplace Violence* (form WV-150) is available from the clerk's office at the court shown on page one of this form.

Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office or go to www.courtinfo.ca.gov/forms for *Requests for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8.)



ATTORNEY OR PARTY WITHOUT ATTORNEY (<i>Name, State Bar number, and address</i>): <hr/> <p style="text-align: center;">TELEPHONE NO.: _____ FAX NO. (<i>Optional</i>): _____</p> <p>E-MAIL ADDRESS (<i>Optional</i>): _____</p> <p>ATTORNEY FOR (<i>Name</i>): _____</p>	FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: MAILING ADDRESS: CITY AND ZIP CODE: BRANCH NAME:	
PLAINTIFF: DEFENDANT: EMPLOYEE:	
ORDER AFTER HEARING ON PETITION OF EMPLOYER FOR INJUNCTION PROHIBITING VIOLENCE OR THREATS OF VIOLENCE AGAINST EMPLOYEE (CLETS)	CASE NUMBER: _____

1. **THIS ORDER SHALL EXPIRE AT MIDNIGHT ON (*date*):**
IF NO DATE IS PRESENT, THIS ORDER EXPIRES THREE YEARS FROM THE DATE OF ISSUANCE.

2. This proceeding came on for hearing as follows:

Date: _____	Time: _____	Dept.: _____	Room: _____
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3. Judge (*name*): _____ Temporary judge
4. a. Plaintiff present Attorney present (*name*): _____
- b. Defendant present Attorney present (*name*): _____

THE COURT FINDS

5. a. The defendant is (*name*):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Ht.: _____ Wt.: _____ Hair color: _____ Eye color: _____ Race: _____ Age: _____ Date of birth: _____

b. The protected employee is (*name*):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

c. Protected family or household members who reside with employee are:

(1) (*Name*):

Sex <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____
--

(2) (*Name*):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

(3) (*Name*):

Sex: <input type="checkbox"/> M <input type="checkbox"/> F Date of birth: _____

Continued on Attachment 5c.

PLAINTIFF (Name): DEFENDANT (Name): EMPLOYEE (Name):	CASE NUMBER:
--	--------------

THE COURT ORDERS

6. **PERSONAL CONDUCT ORDERS**

Defendant is prohibited from further violence or threats of violence against the employee listed in item 5b and the protected persons listed in item 5c. Specifically, defendant

- a. shall not assault, batter, or stalk the employee and other protected persons
- b. shall not follow or stalk the employee and other protected persons to or from the place of work
- c. shall not follow the employee and other protected persons during hours of employment
- d. shall not telephone or send correspondence to the employee and other protected persons by **any** means including, but not limited to, the use of the public or private mails, interoffice mail, fax, or computer e-mail
- e. shall not take any action to obtain the address or location of the employee or any of the employee's family members or caretakers
- f. shall not enter the workplace of the employee and other protected persons
- g. other (*specify*):

7. **STAY AWAY ORDERS**

a. Defendant is ordered to stay at least (*specify*): _____ **yards** away from the following persons and places (*the addresses of the places are optional and may be kept confidential*):

- (1) Employee and other protected persons named in item 5c.
- (2) Residence of employee and other protected persons (*address optional*):
- (3) Place of work of employee and other protected persons (*address optional*):
- (4) School or place of child care of children of employee or other protected persons (*address optional*):
- (5) Vehicles of employee and other protected persons.
- (6) Other (*specify*):

b. Contacts relating to pickup and delivery of children under a court order or a court-approved stipulation of the parties arrived at during mediation are permitted, unless a criminal protective or other restraining order prohibits such contacts.

PLAINTIFF (Name): DEFENDANT (Name): EMPLOYEE (Name):	CASE NUMBER:
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8. **MANDATORY FIREARM RELINQUISHMENT ORDER**

The restrained person must surrender to local law enforcement or sell to a licensed gun dealer any firearms in, or subject to, his or her immediate possession or control within 24 hours of being served with this order.

If the restrained person owns, possesses, or controls any firearms, he or she **must** file a receipt with the court showing compliance with this order within 48 hours of receiving this order. (Form WV-145 is available for this purpose.)

9. **OTHER ORDERS** (specify):

Continued on Attachment 9.

10. **DELIVERY TO LAW ENFORCEMENT**

By the close of business on the date of this order, a copy of this order and any proof of service shall be given to the law enforcement agencies listed below as follows:

- a. Plaintiff shall deliver.
- b. Plaintiff's attorney shall deliver.

Law enforcement agency

Address

Date: _____
JUDICIAL OFFICER

INSTRUCTIONS FOR LAW ENFORCEMENT

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). Violations of this restraining order are subject to criminal penalties.

NOTICE REGARDING FIREARMS

Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment. The person must surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate possession or control in accordance with item 8 above.

INSTRUCTIONS FOR PETITIONS TO PROHIBIT WORKPLACE VIOLENCE

Under California law (Code of Civil Procedure section 527.8), courts can make orders to protect an employee from suffering unlawful violence or credible threats of violence. These orders can be requested by the employer of a person who is suffering unlawful violence or credible threats of violence, and will be enforced by law enforcement agencies.

The employer asking for these orders is called the "plaintiff." The plaintiff needs to file a petition in superior court, on behalf of his or her employee, against the other person ("defendant") to get these orders. There will be a court hearing within 15 days of the filing. The plaintiff can sometimes get a temporary court order against the defendant even before the hearing.

This instruction booklet tells what court orders an employer can get and how to get them. It also includes directions for a defendant who wants to oppose the employer's petition.

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

Please note: These forms can be used only by an **employer** of a person who is suffering unlawful violence or a credible threat of violence. If anyone other than the employer wishes to apply to the court for an order prohibiting harassment, see the Judicial Council's *Instructions for Lawsuits to Prohibit Civil Harassment* (form CH-150).

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8.)



GENERAL INFORMATION

Who can get a court order under this law?

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

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

Before completing the forms needed to obtain court orders under this statute, make certain you meet the definition of "employer" as stated.

Whom can an employer protect under this law?

Under this statute, employers can obtain court orders which last up to 3 years on behalf of their employees only and up to 15 days on behalf of employees and certain family or household members. California law defines employees as:

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

An employer may seek protection under this law if:

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

What do you need to get the court orders or to object to them?

1. Workplace violence forms, available from the court clerk's office or legal publishers. The clerk of the court can tell you where to get the forms. You can also obtain them on the California Courts Web site (www.courtinfo.ca.gov/forms). Fillable forms are available on the Web site.
2. Someone other than yourself, 18 years of age or older, to deliver (**serve**) certain papers to the other party.

What forms must be used for petitioning under the workplace violence law and for opposing those petitions?

1. *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* [**Petition**] (form WV-100). This four-page form tells the judge the facts of the plaintiff's case and what orders the plaintiff wants the court to make. This form is **mandatory**, i.e., it must be used to petition for injunctive relief.
2. *Order to Show Cause* [**OSC**] and *Temporary Restraining Order* [**TRO**] (form WV-120). The **OSC**, when signed by the judge, tells the defendant to come to court for the hearing. It may include one or more **TROs** that take effect immediately and stay in effect until the hearing.
3. *Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* [**Response**] (form WV-110). The defendant files this form to state objections to the orders the plaintiff has asked the court to make and to give his or her side. This form is **mandatory**, i.e., it must be used by defendants to respond to a petition.
4. *Order After Hearing on Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* [**Order**] (form WV-140). This is the form signed by the court following the hearing. The order will stay in effect for up to three years depending on what the judge rules.
5. *Proof of Personal Service* (form WV-130) and *Proof of Service By Mail of Completed Response* (form WV-131). These forms are used to show that the other party has been **served** with the legal documents as required by law.

Should you see a lawyer?

You have the right to file a petition or defend against one and to go to court with or without an attorney, unless you are a corporation in which case you must be represented by a lawyer. Because your situation may involve technical problems that cannot be explained in a printed form, you may want to consult with an attorney. Whether or not you have an attorney, the other party may have one.

INSTRUCTIONS FOR THE PLAINTIFF

What steps need to be taken to get the court orders?

1. You will need at least five copies of each workplace violence form: one for a worksheet, the original to file with the court, a copy to be personally delivered (**served**) to the defendant, and two copies for yourself. In addition, you will need extra copies of the **OSC** (form WV-120), the **Order** (form WV-120), and the *Proof of Service* (forms WV-130 and WV-131). Get at least three extra copies for yourself.
2. Fill in the **Petition** (form WV-100), and fill in the **OSC** (form WV-120) except for the dates for the court hearing and service and the judge's signature.
 - a. If you are not represented by an attorney, fill in your name, mailing address, and phone number at the top of each form. You may, but are not required to, provide a fax number and an e-mail address where you may be contacted.
 - b. Fill in the name of the county where the case will be filed and the address of the superior court.
 - c. Type your full name, the defendant's full name, and the employee's full name. If you are seeking an order protecting more than one employee, you should fill out a separate set of forms for each employee to be protected. If you need more space, attach additional pages and refer to the additional pages in item 19 of the **Petition** form.
 - d. Check ("X") all boxes that apply to your case. Read each item carefully and fill in the necessary information. Be specific.
 - e. Remember to date and sign the **Petition**.
3. If you are applying for a **TRO**, you must give the details of the recent acts of violence or credible threats of violence and the problems they have caused your employee. Place an "X" in the caption of the **Petition** next to "Application for Temporary Restraining Order."

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

 - a. It appears from facts shown by affidavit, declaration, or verified complaint that great or irreparable injury will result before the matter can be heard on notice.
 - b. You or your attorney certifies one of the following to the court under oath:
 - (1) That within a reasonable time prior to the petition you informed the defendant or the defendant's attorney at what time and where the petition would be made.
 - (2) That you in good faith attempted but were unable to inform the defendant and the defendant's attorney, specifying the efforts made to contact them.
 - (3) That for reasons specified you should not be required to so inform the defendant or the defendant's attorney.
4. If you are seeking court orders on the basis of information given to you by other persons (e.g., the affected employee or other employees), and not on the basis of what you have personally observed, you **must** attach to the **Petition** declarations or affidavits by the persons who have personal knowledge of the facts that support the granting of the order. You may use form MC-031 for the declarations.
5. Take all your completed forms and all copies to the clerk's office in the superior court. The clerk will tell you where to take your papers.
6. If the judge signs the **OSC** (form WV-120), take the original and all copies back to the court clerk. The clerk will stamp all the papers with a case number. The copies will be stamped with an "Endorsed-Filed" stamp (showing the date of filing), the judge's signature, and the date of signing. The clerk will file the originals and give you the copies. **Ask for at least three endorsed-filed copies.** Keep at least one for yourself and give the others to the employee and other persons, if any, who are to be protected. The copies may be needed if you have to call the police.
7. Have the defendant personally **served** with copies of the **Petition** (form WV-100) and the **OSC** (form WV-120), a blank **Response** (form WV-110), and a blank *Proof of Service By Mail of Completed Response* (form WV-131). You **cannot** serve the defendant yourself. Service may be made by a licensed process server, the sheriff's department, or any person 18 years of age or older, other than you.

Service is very important. It tells the defendant about the order and the hearing. Without it there will not be a court hearing and your temporary orders will no longer be good unless they are extended by the court. The defendant must be personally **served** immediately after the orders are signed by the judge, unless the court specifies a different time for service (see item 4a on the **OSC**).

8. If you have requested any temporary orders and the judge has granted them, get copies of the **TRO** stamped with an "Endorsed-Filed" stamp and immediately deliver an Endorsed-Filed copy of the **TRO** to each law enforcement agency (police, marshal, or sheriff's office) that you want to enforce the order.
 9. After the defendant has been personally **served**, the person who served the defendant must complete and sign the original *Proof of Personal Service* (form WV-130). You should take the signed original and the copies back to the court clerk. The clerk will file the original and stamp "Endorsed-Filed" on the copies. Take one of the Endorsed-Filed copies to each of the law enforcement agencies where you filed your **TRO**. Keep three Endorsed-Filed copies for yourself.
 10. Go to the court hearing with any evidence you might have. The **Order** (form WV-140) should be filled in and given to the judge for signing. If there are any witnesses to the defendant's conduct, they should also be there.
 11. If the judge signs the **Order** (form WV-140), file the original with the clerk, get copies stamped with an "Endorsed-Filed" stamp, and immediately deliver copies to law enforcement agencies.
- If the defendant was not present in court for the hearing, arrange to have the defendant personally **served** with a copy of the **Order**. File the completed *Proof of Personal Service* (form WV-130) with the court. **Keep at least three copies for yourself.** Give one copy to your employee, give one to any other protected person, and keep at least one for yourself.

INSTRUCTIONS FOR THE DEFENDANT

1. If you are served with an *Order to Show Cause (Workplace Violence)* [**OSC**] (form WV-120) and a *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* [**Petition**] (form WV-100), you should promptly seek legal advice. If you have no attorney, the attorney's referral service of your local bar association may be of assistance.
2. Read the papers served on you very carefully. The **OSC** tells you when to appear in court and may contain a temporary restraining order forbidding you from doing certain things. **If you disobey the court's orders, criminal charges may be filed against you.**
3. If you wish to oppose the **Petition**, or make your own request for court orders, you must file a *Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* [**Response**] (form WV-110). These forms are available at the court clerk's office or at the California Courts Web site: www.courtinfo.ca.gov/forms.

In addition to the **Response** (form WV-110), you may file and serve declarations signed by persons who have personal knowledge of the facts. A declaration (form MC-031) is available from the clerk's office or on the California Courts Web site. If you do not know how to prepare a declaration, you should see an attorney. After you have filed the **Response** with the clerk of the court, a copy must be delivered personally or by mail to the plaintiff or the plaintiff's attorney.

You cannot serve the plaintiff yourself. The person who does serve your papers should complete and sign a *Proof of Service By Mail of Completed Response* (form WV-131). You should take the completed form back to the court clerk or bring it with you to the hearing.

4. If you wish to oppose the **Petition**, in addition to filing a **Response**, you should be present at the hearing. If you have any witnesses, they must also be present.

The next three pages show a **Petition** that has been completed, with examples of the kind of information a court is likely to want

If you are not represented by an attorney, fill in your name, mailing address, and phone number at the top of each form.

After this form is filed, the clerk will stamp this box on the copies so everyone knows it is a copy of an official paper. This is the place for the "Endorsed-Filed" stamp.

The court clerk will give you this number. Use it on all forms you file later.

The county where you are filing your case. Call the clerk of the court if you do not know the address of the court.

Your full name.

The full name of the person you want the orders against.

The full name of the employee to be protected.

Check this box if you are asking for orders to go into effect immediately when the **TRO** is signed by the judge. You will also need to check the box at item 7 and give the necessary information.

Insert your name and check the box for the type of business in item 1.

Insert the employee's name in item 2.

Provide a description of the defendant to be restrained in item 3.

If you are seeking to protect more than one employee, use a separate **Petition** for each employee.

Put an "X" in the box that applies in item 4. You must check one box.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Sarah Jones 110 Main Street Anytown, California 91234 TELEPHONE NO: (123) 555-1234 FAX NO: (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name):	WV-100 FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF ANY COUNTY	
STREET ADDRESS: 1 Court Street MAILING ADDRESS: P.O. Box 123 CITY AND ZIP CODE: Anytown, California 91234 BRANCH NAME:	
PLAINTIFF: Sarah Jones DEFENDANT: John Roe EMPLOYEE: Michael Smith	
PETITION OF EMPLOYER FOR INJUNCTION PROHIBITING VIOLENCE OR THREATS OF VIOLENCE AGAINST EMPLOYEE (Workplace Violence) AND <input checked="" type="checkbox"/> APPLICATION FOR TEMPORARY RESTRAINING ORDER	
CASE NUMBER:	

Read the Instructions for Petitions to Prohibit Workplace Violence (form WV-150) before completing this form. NOTE: Plaintiff must be an employer with standing to bring this action under Code of Civil Procedure section 527.8.

1. **Plaintiff (name):** _____ is a corporation sole proprietorship
 other (specify): _____ and is filing this suit on behalf of the employee identified in item 2.
2. **Employee (name):** _____
 Sex: M F Date of birth: 12/22/65 (Use a separate petition for each employee you are seeking to protect.)
3. **Defendant (name):** _____
 Sex: M F Ht.: _____ Wt.: _____ Hair color: _____ Eye color: _____ Race: _____ Age: _____ Date of birth: _____

a. Resides at (address, if known): 33 Third Street, #106, Anytown, California 94124

b. Works at (address, if known): Apex Industries, 9420 Commercial Street, Anytown, California 94125

c. Is Is not a current employee of plaintiff (explain if defendant is still an employee):

4. This suit is filed in this county because
 - a. defendant resides in this county.
 - b. defendant has caused physical or emotional injury to plaintiff's employee in this county.
 - c. other (specify): _____ made a credible threat of violence against

5. **Related Actions**
 - a. Plaintiff has asked, or is asking, for restraining orders against the defendant in (specify): _____ County, case no. (specify): _____
 - b. Employee has asked, or is asking, for restraining orders against the defendant in (specify): _____ County, case no. (specify): _____
 - c. Other related actions (describe): _____

(This is not a Court Order.) Page 1 of 4

Form Adopted for Mandatory Use
 Judicial Council of California
 WV-100 [Rev. January 1, 2007] **PETITION OF EMPLOYER FOR INJUNCTION PROHIBITING VIOLENCE OR THREATS OF VIOLENCE AGAINST EMPLOYEE (Workplace Violence)** Code of Civil Procedure, §§ 527.8 and 527.9

Fill this in.

Leave this blank.

Item 6b is the most important part of your petition. This information is all the judge will know about your case until the hearing. Give details of the most recent incidents.

If you have so many facts that they will not all fit, put an "X" in this box, write the facts on a separate piece of paper, and attach it to the end of your Petition. Use white paper the same size as this form.

If you are asking for the orders to go into effect immediately, as soon as the judge signs the TRO, you must check this box and state the reasons. State what harm would result to the employee if the orders were not made immediately.

Indicate the orders that you are requesting by checking the appropriate boxes in item 9.

Identify the members of the employee's family or household to be protected in item 9a.

Put an "X" in the boxes that apply to your case. Leave the boxes empty if they do not apply to your case.

PLAINTIFF (Name): Sarah Jones
 DEFENDANT (Name): John Roe

CASE NUMBER:

6. Defendant has assaulted battered stalked or made a credible threat of violence against the employee by knowing or willing statements or a course of conduct that would place a reasonable person in fear for his or her safety, or the safety of his or her immediate family.

a. One or more of these acts can reasonably be construed to be carried out or to have been carried out at the employee's workplace at (address): 110 Main Street
Anytown, California 91234

b. Describe what happened (including the dates, who did what to whom, and any injuries):
 I own and operate a small cafe, called Sarah's Cafe, in Anytown. Michael Smith has worked for me as a waiter for a long time. About three weeks ago John Doe, a customer, got into an argument with another customer and started shouting. When Michael Smith asked John Doe to leave, he refused and pushed Michael against the counter. Michael called the police. When they came, John Roe started shouting and threatened to beat Michael up for calling the police. The police took John Roe away, but he came back a week later and Michael asked him to leave. He threatened to "get" Michael and his family (whose residence he knows) and left. Last week, on March 11, at about 11:30 a.m., John Roe came in, sat down at the counter, and demanded that Michael serve him. Michael said he would call the police if John Roe did not leave, and John Roe picked up a ketchup bottle and threw it at Michael, hitting him on the arm. John Roe again threatened to "get" Michael and his family, and then he left. We called the police and made a report. I understand he was arrested and shortly will be released pending trial.

Continued on Attachment 6b.

7. Employee will suffer great and irreparable harm before this petition can be heard in court unless the court makes those orders requested below effective now and until the hearing. (Specify the harm and why it will occur before the hearing):
 When John Roe is released, he is likely to carry out his threats against Michael Smith and his family. Roe tends to be violent. He knows where Smith and his family live.

Continued on Attachment 7.

8. Defendant's conduct has been directed against employee and is knowing and willful, is not constitutionally protected, and does not constitute lawful acts of self-defense or defense of others.

PLAINTIFF REQUESTS THE COURT TO MAKE THE ORDERS INDICATED BY THE CHECK MARKS IN THE BOXES BELOW.

9. PERSONAL CONDUCT ORDERS To be ordered now and effective until the hearing

a. Defendant shall not engage in unlawful violence or make threats of violence against the employee and the following members of employee's family or household who reside with the employee:

(1) (Name): Jane Smith
 Sex: M F Date of birth: 3/27/66

(2) (Name): Mary Smith
 Sex: M F Date of birth: 1/17/95

(3) (Name):
 Sex: M F Date of birth:

Continued on Attachment 9a.

b. Specifically, defendant

(1) shall not assault, batter, or stalk the employee and other protected persons.
 (2) shall not follow or stalk the employee and other protected persons to or from the place of work.
 (3) shall not follow the employee and other protected persons during hours of employment.
 (4) shall not telephone or send correspondence to the employee and other protected persons by any means including, but not limited to, the use of the public or private mails, interoffice mail, fax, or computer e-mail.
 (5) shall not enter the workplace of the employee and other protected persons.
 (6) other (specify):

The court shall order that the defendant is prohibited from taking any action to obtain the address or location of the employee or any of the employee's family members or caretakers unless the court finds that good cause not to make that order.

(This is not a Court Order.)

WV-100 [Rev. January 1, 2007] PETITION OF EMPLOYER FOR INJUNCTION PROHIBITING VIOLENCE OR THREATS OF VIOLENCE AGAINST EMPLOYEE (Workplace Violence) Page 2 of 4

Whenever you check this box, you are asking for the order to go into effect immediately, as soon as the TRO is signed by the judge. You will also need to check the box at item 6 and give the necessary information.

Check the box if your Petition contains the allegations stated in item 17.

PLAINTIFF (Name): DEFENDANT (Name):	CASE NUMBER:
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15. **COSTS**
 Defendant should be ordered to pay costs as follows (specify):

16. Plaintiff requests additional relief as may be proper.

17. **NO FEE FOR FILING**
 Plaintiff is not required to pay a fee for filing this petition because the petition alleges that the defendant has inflicted or threatened violence against an employee of the plaintiff, or stalked the employee, or acted or spoke in any other manner that has placed the employee in reasonable fear of violence, and plaintiff seeks protective or restraining orders or injunctions restraining stalking or future violence or threats of violence in an action brought under Code of Civil Procedure section 527.8.

18. Plaintiff understands that if the court issues an *Order to Show Cause* (form WV-120), a hearing will be held on the date shown in item 2 of the *Order to Show Cause*. At that hearing, plaintiff will be prepared to present evidence supporting the petition.

19. Number of pages attached: 0

 (TYPE OR PRINT NAME OF ATTORNEY)

 (SIGNATURE OF ATTORNEY)

I declare under penalty of perjury under the laws of the State of California that I am aware of the facts stated,

a. on the basis of my own personal knowledge.

b. on the basis that I have been informed and believe that the facts stated are true. (NOTE: If this petition is made solely on the basis of plaintiff's information and belief, plaintiff must attach declarations by one or more persons who have personal knowledge of the facts stated.)

Date: March 18, 2005

 Sarah Jones
 (TYPE OR PRINT NAME)

 Sarah Jones
 (SIGNATURE OF PLAINTIFF)

Title of person signing: Proprietor, Sarah's Cafe

(This is not a Court Order)

WV-100 [Rev. January 1, 2007] Page 4 of 4

**PETITION OF EMPLOYER FOR INJUNCTION PROHIBITING
 VIOLENCE OR THREATS OF VIOLENCE AGAINST EMPLOYEE
 (Workplace Violence)**

VERY IMPORTANT

1. The date you sign. 2. Your signature.

DO NOT FORGET THESE OR ALL YOUR WORK WILL BE WASTED.

THIS FORM IS CALLED THE *ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER* ("OSC/TRO" OR "TRO"). THIS IS THE ORDER YOU WANT THE JUDGE TO SIGN. AFTER THE JUDGE SIGNS THE ORDER, YOU CAN HAVE THE ORDER ENFORCED BY LAW ENFORCEMENT AGENCIES.

Note: Fill in the **OSC** in the same way as your **Petition** except as follows:

1. Leave items 2a–b and 4a–d on the **OSC** blank. The clerk of the court or the judge will insert the date. Your hearing will be within 15 days after the filing of the **Petition**.
2. Do not date or sign the **OSC**.

The county where you are filing your case. Call the clerk of the court if you do not know the court's address.

Leave this blank. The clerk or the judge will put the information in or tell you what information to insert here.

The orders that follow are good only until the hearing. At the hearing, the court can make the orders last for as long as three years.

The clerk will give you this number after the judge signs the **TRO**. Use it on all the forms you file later.

After this form is filed, the clerk will stamp this box on each copy so everyone knows it is a copy of an official paper. This is the place for the "Endorsed-Filed" stamp.

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Sarah Jones 100 Main Street Anytown, California 91234 TELEPHONE NO.: (123) 555-1234 E-MAIL ADDRESS (Optional): sjoney@e-mail.com ATTORNEY FOR (Name): in pro per FAX NO. (Optional): (123) 555-1235	WV-120 FOR COURT USE ONLY
SUPERIOR COURT OF CALIFORNIA, COUNTY OF STREET ADDRESS: 1 Court Street MAILING ADDRESS: P.O. Box 123 CITY AND ZIP CODE: Anytime, California 91234 BRANCH NAME:	
PLAINTIFF: Sarah Jones DEFENDANT: John Roe EMPLOYEE: Michael Smith	
ORDER TO SHOW CAUSE (Workplace Violence) AND <input checked="" type="checkbox"/> TEMPORARY RESTRAINING ORDER (CLETS)	
CASE NUMBER:	

THIS ORDER SHALL EXPIRE AT THE DATE AND THE TIME OF THE HEARING SHOWN IN THE BOX BELOW UNLESS EXTENDED BY THE COURT.

1. **TO DEFENDANT** (name): John Roe
2. **YOU ARE ORDERED** to appear in this court at the date, time, and place shown in the box below to give any legal reason why the order sought and the other relief requested in the petition should not be granted.

NOTICE OF HEARING

a. Date:	Time:	Dept.:	Room:
----------	-------	--------	-------

b. The address of the court where the hearing will be held is shown above is (specify):

3. You have the right to attend the hearing to oppose the petition, with or without an attorney. If you do not attend the hearing, the court may grant the requested orders without any further notice to you. The court may make these orders enforceable for a period not to exceed three years, after which they may be renewed, by filing a new *Petition for Injunction*. You should read the instructions on page two of this form. A complete instruction booklet (form WV-150) is available from the clerk's office located at the court shown above.

4. **IT IS FURTHER ORDERED** that

- a. Plaintiff shall serve this *Order to Show Cause*, the attached *Petition of Employer for injunction Prohibiting Violence or Threats of Violence Against Employee (Workplace Violence)* (form WV-100), and any other supporting papers by (specify manner of service):
no later than (date):
- b. Any opposition papers shall be filed and served on plaintiff by (specify manner of service):
no later than (date):
- c. Any reply papers shall be filed and served by (specify manner of service):
no later than (date):
- d. Proof of service of plaintiff's papers shall be delivered to the court hearing the *Order to Show Cause*
no later than (date):

Date: _____

JUDICIAL OFFICER
 SIGNATURE FOLLOWS LAST ATTACHMENT

Page 1 of 4

Form Approved for Optional Use
Judicial Council of California
WV-120 [Rev. January 1, 2007]

ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER (CLETS)
(Workplace Violence)

Code of Civil Procedure, §§ 527.8
and 527.9; Penal Code, § 273.6(a)

Fill this in.

Leave this blank.

Fill in the defendant's name and other information to help the law enforcement officer locate and identify him or her.

Put an "X" in the boxes that apply to your case. Leave boxes empty if they do not apply to your case.

You do not need to give specific addresses in item 7. However, it may be easier for the police to enforce your orders if they know the defendant knows the addresses to stay away from.

PLAINTIFF (Name): Sarah Jones DEFENDANT (Name): John Roe	CASE NUMBER:
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TEMPORARY RESTRAINING ORDER

THE COURT FINDS

5 a. The defendant is (name):

Sex: M F Ht.: ___ Wt.: ___ Hair color: ___ Eye color: ___ Race: ___ Age: ___ Date of birth: ___

b. The protected employee is (name):

Sex: M F Date of birth: 1/17/95

c. Protected family or household members who reside with employee are:

(1) (Name):

Sex: M F Date of birth: ___

(2) (Name):

Sex: M F Date of birth: 3/27/66

(3) (Name):

Sex: M F Date of birth: 1/17/95 Continued on Attachment 5c.

UNTIL THE TIME OF HEARING, IT IS ORDERED

6. **CONDUCT ORDERS**

Defendant is prohibited from further violence or threats of violence against the protected persons and **SPECIFICALLY IT IS ORDERED THAT DEFENDANT**

a. shall not assault, batter, or stalk the employee and other protected persons

b. shall not follow or stalk the employee and other protected persons to or from the place of work

c. shall not follow the employee and other protected persons during hours of employment

d. shall not telephone or send correspondence to the employee and other protected persons by any means including, but not limited to, the use of the public or private mails, interoffice mail, fax, or computer e-mail

e. shall not take any action to obtain the address or location of the employee or the employee's family members or caretakers

f. shall not enter the workplace of the employee and other protected persons.

g. other (specify):

7. **STAY AWAY ORDER**

Defendant shall stay at least (specify): 100 yards away from the following places and persons (the addresses of the places are optional and may be kept confidential):

a. Employee and other protected person named in item 5.

b. Residence of employee and other protected persons (address optional):

c. Place of work of employee and other protected persons (address optional):

d. School or place of child care of children of employee and other protected persons (address optional):

e. The employee's and other protected persons' vehicles

f. Other (specify):
(address optional):

8. Contacts relating to pickup and delivery of children under a court order or a court-approved stipulation of the parties arrived at during mediation shall be permitted, unless a criminal domestic protective or restraining order prohibits such contacts.

WV-120 [Rev. January 1, 2007] **ORDER TO SHOW CAUSE AND TEMPORARY RESTRAINING ORDER (CLETS)** Page 2 of 4
(Workplace Violence)

Fill this in.

Leave this blank.

PLAINTIFF (Name): Sarah Jones DEFENDANT (Name): John Roe	CASE NUMBER:
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9. **MANDATORY FIREARMS RELINQUISHMENT**
 The restrained person must surrender to local law enforcement or sell to a licensed gun dealer any firearms in, or subject to, his or her immediate possession or control within 24 hours of being served with this order.
 If the restrained person owns, possesses, or controls any firearms, he or she **must** file a receipt with the court showing compliance with this order within 48 hours of receiving this order. (Form WV-145 is available for this purpose.)

10. **OTHER ORDERS** (specify):
 Continued on Attachment 10.

11. **SERVICE ON DEFENDANT**
 The documents listed below must be personally served on the defendant:
 a. Order to Show Cause and Temporary Restraining Order (CLETS) (Workplace Violence) (form WV-120)
 b. Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee (Workplace Violence) (WV-100)
 c. Blank Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee (Workplace Violence) (WV-110)
 d. Blank Proof of Service By Mail of Completed Response (Workplace Violence) (form WV-131)
 e. Blank Proof of Sale or Turning In of Firearms (form WV-145)
 f. Other (specify):

12. **ORDER SHORTENING TIME**
 Application for an order shortening time is granted and the documents listed in item 11 shall be personally served on the defendant by the date specified in item 4a.

13. **DELIVERY TO LAW ENFORCEMENT**
 By the close of business on the date of this order, a copy of this order and any proof of service shall be given to the law enforcement agencies listed below as follows:
 a. Plaintiff shall deliver.
 b. Plaintiff's attorney shall deliver.

Law enforcement agency	Address
Anytown Police Department	100 Tuft Street, Anytown, California 91234
Anytown Police Department	Government Hall, Big City, California 91235

Date: _____

 JUDICIAL OFFICER
 SIGNATURE FOLLOWS LAST ATTACHMENT

This order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an order of that jurisdiction by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Law Enforcement Telecommunications System (CLETS). Violations of this restraining order are subject to criminal penalties.

NOTICE REGARDING FIREARMS

Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a \$1,000 fine and imprisonment. The person must surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate control in accordance with item 9 above.

Item 11 lists the papers that must be personally served on the defendant.

Courts generally require that the defendant be served at least 5 days before the hearing. But the court may shorten the time.

List the addresses of all law enforcement agencies that enforce the law where harassment has occurred or is likely to occur in the future.

After this order is signed by the judge, you or your attorney must take a copy of this order to the law enforcement agencies immediately if you want them to be able to enforce it.

PLAINTIFF (Name):	CASE NUMBER:
DEFENDANT (Name):	

INSTRUCTIONS FOR THE DEFENDANT

1. If you are served with an *Order to Show Cause (Workplace Violence) [OSC]* (form WV-120) and a *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee [Petition]* (form WV-100), you should promptly seek legal advice. If you have no attorney, the attorney's reference service of your local bar association may be of assistance.
2. Read the papers served on you very carefully. The **OSC** tells you when to appear in court and may contain a temporary restraining order forbidding you from doing certain things. **If you disobey the court's orders, criminal charges may be filed against you.**
3. If you wish to oppose the **Petition**, or make your own request for court orders, you should file a *Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee [Response]* (form WV-110).

In addition to the **Response**, you may file and serve declarations signed by persons who have personal knowledge of the facts. A declaration form (form MC-031) is available from the clerk's office of the court shown on page one of this form. If you do not know how to prepare a declaration, you should see an attorney. After you have filed the **Response** with the clerk of the court, a copy must be delivered personally or by mail to the plaintiff or the plaintiff's attorney.

You cannot serve the plaintiff yourself. The person who serves the plaintiff should complete and sign a *Proof of Service of Completed Response (Workplace Violence)* (form WV-131). You should take the completed form back to the court clerk or bring it with you to the hearing.

4. If you wish to oppose the petition, in addition to filing a **Response** you should be present at the hearing. If you have any witnesses, they must also be present.
5. An instruction booklet entitled *Instructions for Petitions to Prohibit Workplace Violence* (form WV-150) is available from the clerk's office at the court shown on page one of this form.

Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available upon request if at least 5 days notice is provided. Contact the clerk's office for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code section 54.8.)

