



Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on: December 14, 2010

Title	Agenda Item Type
School Violence Prevention: Technical Form Revision	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
Revise form SV-120	January 2, 2011
Recommended by	Date of Report
Deborah C. Brown, Managing Attorney Patrick O'Donnell, Supervising Attorney Office of the General Counsel	December 6, 2010
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Executive Summary

An error that could result in confusion has been identified on the recently adopted Judicial Council form *Response to Petition for Orders to Stop Private Postsecondary School Violence* (form SV-120). This proposal would correct that error by restoring a missing word on page one of the form.

Recommendation

The Administrative Office of the Courts recommends that the Judicial Council, effective January 2, 2011, revise the text in the "Hearing Date" box on page one of form SV-120 to add the word "years" at the end of the last sentence.

Previous Council Action

The form was adopted by the Judicial Council on October 29, 2010.

Rationale for Recommendation

The new *Response to Petition for Orders to Stop Private Postsecondary School Violence* (form SV-120), approved by the Judicial Council on October 29, 2010, contains a technical error that needs to be corrected. In the box for “Hearing Date” on page one of the form, the word “years” was inadvertently omitted from the last sentence. As a result, it may not be clear to a respondent who is responding to temporary restraining orders that, if the respondent does not come to the hearing, the court may make orders that last up to three *years*. Staff recommends the revision of the form to include the word “years” in the text in the hearing box.

Comments, Alternatives Considered, and Policy Implications

Proposed form SV-120 was circulated in the spring 2010 with the correct text in the hearing box on page 1, including the word “years.” But in the process of finalizing this form for submission, the word “years” was omitted from the PDF version of the form prepared for and presented to the Judicial Council in October. The proposed revised form will not need recirculation for public comment because it has circulated previously, is noncontroversial, and involves a only a minor technical revision. (See Cal. Rules of Court, rule 10.22(d)(2).)

Implementation Requirements, Costs, and Operational Impacts

The proposed revision will result in standard reproduction costs.

Attachments

1. Form SV-120 at pages 3–5.

Clerk stamps date here when form is filed.

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

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

1 Petitioner (Educational Institution Officer or Employee)

Name: _____

2 Student Seeking Protection

Full Name: _____

3 Respondent (Person From Whom Protection Is Sought)

Your Name: _____

Your Address (*you may give a mailing address if you want to keep your street address private; skip this if you have a lawyer*):

City: _____ State: _____ Zip: _____

Telephone (*optional*): _____

Fax (*optional*): _____

Your Lawyer (*if you have one*):

Name: _____ State Bar No.: _____

Firm Name: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Telephone : _____ Fax: _____

E-mail: _____

4 Personal Conduct Orders

- a. I agree to the orders requested.
- b. I do not agree to the orders requested.
- c. I agree to the following orders (*specify*): _____

5 Stay-Away Orders

- a. I agree to the orders requested.
- b. I do not agree to the orders requested.
- c. I agree to the following orders (*specify*): _____

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____

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

Hearing Date → Date: _____ Time: _____
Dept.: _____ Room: _____

If you were served with a Temporary Restraining Order, you must obey it until the hearing. If you do not come to this hearing, the court may make the orders requested against you last for up to three years.



10 **No Fee for Filing**

I ask the court to waive the filing fee because the petitioner claims in Form SV-100 item **14** to be entitled to free filing.

11 **Costs**

- a. I ask the court to order the petitioner to pay my court costs.
- b. I ask the court to deny the request that I pay the petitioner's court costs.

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

Date: _____

Lawyer's name (if any)

Lawyer's signature

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

Date: _____

Type or print your name

Sign your name