

Clerk stamps date here when form is filed.

Petitioner must complete items ① and ② only.

① Petitioner

a. Your Full Name:

- I am: A family member of the Respondent
- A law enforcement officer employed by
(name of law enforcement agency):

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

Name: _____ State Bar No.: _____

Firm Name: _____

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

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

② Respondent

Full Name: _____

Description:

Sex: M F Height: _____ Weight: _____ Date of Birth: _____

Hair Color: _____ Eye Color: _____ Age: _____ Race: _____

Home Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to Petitioner: _____

The court will complete the rest of this form.

③ Expiration Date

This Order expires at:

(Time): _____ a.m. p.m. midnight on (Date): _____

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

This is a Court Order.



4 **Hearing**

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 Petitioner
- (2) The Respondent
- (3) The lawyer for the Petitioner (name): _____
- (4) The lawyer for the Respondent (name): _____

5 **Findings**

a. The court finds by clear and convincing evidence that both of the following are true:

- (1) Respondent poses a significant danger of causing personal injury to himself, herself, or another person by having in his or her custody or control, owning, purchasing, possessing, or receiving a firearm or ammunition.
- (2) A gun violence restraining order is necessary to prevent personal injury to Respondent or to another person because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the current circumstances.

b. The court has received credible information that the Respondent owns or possesses one or more firearms.

c. The facts as stated in the Petition and supporting documents, which are incorporated here by reference, establish sufficient grounds for the issuance of this Order.

and/or for the reasons set forth below.

See the attached Form MC-025, Attachment

This is a Court Order.



6 Order Prohibiting All Firearms and Ammunition

- a. You cannot have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any firearm or ammunition.
- b. You must:
 - (1) Surrender all firearms and ammunition in your custody or control or that you possess or own. If a law enforcement officer orders you to surrender all of your firearms and ammunition to him or her, you must do so immediately. If no order to surrender is made by a law enforcement officer, you must dispose of all of your firearms and ammunition within 24 hours of receiving notice of this order. You may do so by either: (1) surrendering all of your firearms and ammunition in a safe manner to the local law enforcement agency; or (2) selling all of your firearms and ammunition to a licensed gun dealer; or (3) storing all of your firearms and ammunition with a licensed gun dealer for as long as this Order is in effect.
 - (2) Within 48 hours of receiving this Order, or if the court is closed, then on the next business day, file a receipt with the court that proves that your guns or firearms have been turned in, sold, or stored. (*You may use Form GV-800, Proof of Firearms Turned In, Sold, or Stored for the receipt.*) You must also file a copy of the receipt with the law enforcement agency that served you with this order. **FAILURE TO FILE THIS RECEIPT IS A VIOLATION OF THIS ORDER.**

7 Service of Order on Respondent

- a. The Respondent personally attended the hearing. No other proof of service is needed. The clerk has provided the Respondent with a blank copy of Form GV-600, *Request to Terminate Firearms Restraining Order*.
- b. The Respondent did not attend the hearing. The Respondent must be personally served with a court file-stamped copy of this Order and a blank copy of Form GV-600, *Request to Terminate Firearms Restraining Order*, by a law enforcement officer or someone age 18 or older -- **and not a party to the action.**

8 Number of pages attached to this Order, if any: _____

Date: _____

Judicial Officer

Warnings and Notices to the Respondent

This Order is valid until the expiration date and time noted on page 1. If you have not done so already, you must surrender all firearms and ammunition that you own or possess in accordance with section 18120 of the Penal Code. You may not have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, a firearm or ammunition while this Order is in effect. Pursuant to section 18185, you have the right to request one hearing to terminate this Order at any time during its effective period. You may seek the advice of an attorney as to any matter connected with the order.

This is a Court Order.

Violation of this Order is a misdemeanor punishable by a \$1,000 fine or imprisonment for six months or both. (Pen. Code, §§ 19, 18205.) If you violate this Order, you will be prohibited from having in your custody or control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, a firearm or ammunition for a period of five years. This Order must be enforced by any law enforcement officer in the State of California who is aware of or shown a copy of this Order. The Order remains enforceable regardless of the acts of the parties; it may be terminated only by an order of the court.

Instructions for Law Enforcement

Duties of Officer Serving This Order

The officer who serves this Order on the Respondent must do the following:

- Order the Respondent to immediately surrender all firearms and ammunition to him or her.
- Issue a receipt to the Respondent for all firearms and ammunition that he or she has surrendered.
- Complete a proof of personal service and file it with the court. You may use Form GV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

Duties of Agency on Surrender of Firearms and Ammunition

The law enforcement agency that has received surrendered firearms and ammunition must do the following:

- Retain the firearms and ammunition until the expiration of this order or of any other firearms restraining order issued by the court.
- On the expiration of this order or of any later firearms restraining Order issued by the court, return the firearms and ammunition to the Respondent as provided by Chapter 2 of Division 11 of Title 4 of the Penal Code (commencing with section 33850). Firearms or ammunition that are not claimed are subject to the requirements of section 34000.
- If someone other than the Respondent claims title to any of the firearms or ammunition surrendered, determine whether that person is the lawful owner. If so, return the firearms and ammunition to him or her as provided by Chapter 2 of Division 11 of Title 4 of the Penal Code (commencing with section 33850).

Enforcing This Order

The law enforcement officer should determine if the Respondent had notice of the order. Consider the Respondent "served" (given notice) if:

- The officer sees a copy of the proof of service or confirms that the proof of service is on file; or
- The respondent was informed of the Order by an officer.
- Item 7a is checked.

This is a Court Order.



Instructions for Law Enforcement

(continued)

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the respondent cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it (see above: *Duties of Officer Serving This Order*).

The provisions in this *Firearms Restraining Order After Hearing* do not affect those of any other protective or restraining order in effect, including a criminal protective order. The provisions in another existing protective order remain in effect.

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Firearms 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.