

Judicial Council of California · Administrative Office of the Courts

455 Golden Gate Avenue · San Francisco, California 94102-3688 www.courts.ca.gov

REPORT TO THE JUDICIAL COUNCIL

For business meeting on April 25, 2014

Title

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

Rules, Forms, Standards, or Statutes Affected Revise Forms CH-100, CH-100-INFO, CH-109, CH-110, CH-120, CH-120-INFO, CH-130, CH-200, CH-800, CH-800-INFO, EA-100, EA-110, EA-120, EA-120-INFO, EA-130, EA-200, EA-800, EA-800-INFO, SV-100, SV-110, SV-120, SV-120-INFO, SV-130, SV-200, SV-800, SV-800-INFO, WV-100, WV-110, WV-120, WV-120-INFO, WV-130, WV-200, WV-800, and WV-800-INFO

Recommended by

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

Agenda Item Type

Action Required

Effective Date

July 1, 2014

Date of Report

April 14, 2014

Contact

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Executive Summary

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

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective July 1, 2014, revise the following restraining order forms so that they will be consistent with recent changes in the law:

- 1. Civil harassment prevention forms CH-100, CH-100-INFO, CH-109, CH-110, CH-120, CH-120-INFO, CH-130, CH-200, CH-800, CH-800-INFO;
- 2. Elder and dependent adult abuse prevention forms EA-100, EA-110, EA-120, EA-120-INFO, EA-130, EA-200, EA-800, EA-800-INFO;
- 3. Private postsecondary violence prevention forms SV-100, SV-110, SV-120, SV-120-INFO, SV-130, SV-200, SV-800, SV-800-INFO; and
- 4. Workplace violence prevention formsWV-100, WV-110, WV-120, WV-120-INFO, WV-130, WV-200, WV-800, and WV-800-INFO.

Copies of the revised forms are attached at pages 7–119.

Previous Council Action

The Judicial Council has adopted forms for use in preventing civil harassment, workplace violence, private postsecondary school violence, and elder and dependent adult abuse. These restraining forms are required by statute. The forms have been revised from time to time to reflect changes in the law. The most significant recent change to the forms occurred in 2011 when virtually all of these forms were revised to implement Assembly Bill 1596 (Stats. 2010, ch. 572), Judicial Council—sponsored legislation to improve and harmonize the restraining order statutes and forms.

Rationale for Recommendation

During 2013, the Legislature enacted a number of bills that change the law regarding petitions for restraining orders to prevent civil harassment, workplace violence, private postsecondary school violence, and elder and dependent adult abuse. To reflect these changes, the Civil and Small Claims Advisory Committee recommends revising 34 existing Judicial Council restraining order forms.³

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¹ In a separate report, the Family and Juvenile Law Advisory Committee is recommending revisions to many of the domestic violence prevention and juvenile law restraining order forms.

² See Code Civ. Proc., § 527.6(v)(1), Code Civ. Proc., § 527.8(u)(1), Code Civ. Proc., § 527.85(u)(1) and Wel. & Inst. Code, § 15657.03(w).

³ In developing the revised forms, the committee was assisted by the Protective Orders Working Group which consists of members from the committee as well as from the Criminal Law Advisory Committee, the Probate and Mental Health Advisory Committee, the Family and Juvenile Law Advisory Committee, and the Violence Against Women Education Project Planning Committee.

Assembly Bill 539: Addition of Option to Store Firearms

Assembly Bill 539 (Stats. 2013, ch. 739)⁴ added section 29830 to the Penal Code effective January 1, 2014. It allows a person who is required to relinquish a firearm under any law to pay a gun dealer to hold the firearm during the duration of the order. Thus, persons subject to a restraining order to prevent civil harassment, workplace violence, private postsecondary school violence, or elder and dependent adult abuse may store their weapons with a licensed firearms dealer.

To reflect this change in the law, revisions have been made to the statements about firearms relinquishment on forms CH-100, CH-110, CH-120, CH-120-INFO, CH-130, CH-200, CH-800, CH-800-INFO, EA-100, EA-110, EA-120, EA-120-INFO, EA-130, EA-200, EA-800, EA-800-INFO, SV-100, SV-110, SV-120, SV-120-INFO, SV-130, SV-200, SV-800, SV-800-INFO, WV-100, WV-110, WV-120, WV-120-INFO, WV-130, WV-200, WV-800, and WV-800-INFO.

Assembly Bill 176: Priority of Enforcement of Conflicting Orders

Assembly Bill 176 (Stats. 2013, ch. 263)⁵ amends several code sections effective July 1, 2014 to change the enforcement priority of protective orders. The bill provides that an *Emergency Protective Order* (Form EPO-001) that is in effect between the same parties and is more restrictive than other restraining orders takes precedence over all other restraining orders. (Pen. Code, § 136.2(c)(1)(A)). A no-contact order in any protective order has precedence over any other restraining or protective order except an EPO and if none of the restraining orders includes a no-contact order, a domestic violence protective order issued in a criminal case takes precedence in enforcement over any conflicting civil court order. (Pen. Code, § 136.2(e)(2).) In addition, any nonconflicting terms of the civil restraining order remain in effect and enforceable and if more than one civil restraining order has been issued, the one that was issued last must be enforced.

To reflect this legal change, the following language has been added in appropriate places on the civil harassment, elder and dependent adult abuse, workplace violence, and private postsecondary school violence restraining order forms:

CONFLICTING ORDERS – PRIORITIES FOR ENFORCEMENT

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

⁴ The text of AB 539, as chaptered, may be viewed at http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB539

⁵ The text of AB 176, as chaptered, may be viewed at http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB176

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

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

Assembly Bill 499: Change in the Duration of Civil Harassment Protective Orders

Assembly Bill 499 (Stats. 2013, ch. 158)⁶ changes the duration of civil harassment protective orders from up to 3 years to up to 5 and extends the order renewal period for up to an additional 5 years. The amended statute states: "In the discretion of the court, an order issued after notice and hearing under this section may have a duration of not more than five years, subject to termination or modification by further order of the court either on written stipulation filed with the court or on the motion of a party. These orders may be renewed, upon the request of a party, for a duration of not more than five additional years, without a showing of any further harassment since the issuance of the original order, subject to termination or modification by further order of the court either on written stipulation filed with the court or on the motion of a party...." (Code Civ. Proc, 527.6(j)(1), as amended effective July 1, 2014.)

To reflect these changes, the following Judicial Council forms have been revised: form CH-100-INFO, CH-109, CH-110, CH-120, CH-120-INFO, and CH-130.

Comments, Alternatives Considered, and Policy Implications

This forms proposal was circulated during the regular winter comment cycle from December 13, 2013 to January 24, 2014. Eight comments were received of this forms proposal, most of which addressed issues and concerns outside of the scope of the invitation to comment. A chart presenting the comments and the committee's responses is attached at pages 120–126.

http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB499&search_keywords

⁶ See AB 499 at

Because revisions to the restraining order forms are necessary for the forms to comply accurately with recent changes in the law, no alternatives to making the statutorily required changes were considered.

There was, however, consideration of various alternative formulations of the new information provided about the priority of orders. In the Instructions to Law Enforcement section of the forms, a basic version of the Conflicting Orders text was included in the invitation to comment. A shorter version of the Conflicting Orders text was also suggested for forms EA-110 and EA-130 (for elder and dependent adult abuse) in order to avoid having to add another page to the forms. Comments were received from several judges during informal discussions. The judges thought that the shortened version of the text was inadequate and that adding a page was preferable to presenting confusing language. The judges also suggested some revisions to improve the wording of the longer version. In response to these comments, the shorter version is not being used on any of the forms and some changes have been made to the wording of the longer version.

Based on the public comments, some technical corrections were also made to the forms. (See comments 1 and 6, and responses.) Because some of the comments made in response to the invitation to comment on the Family and Juvenile protective order forms, which were circulated at the same time as this proposal, were possibly also applicable to these civil forms proposed for revision, these comments and the committee's responses have been reviewed and are included in the comment chart. (See comments 9 and 10 and responses.)

In the end, all of the proposed changes to the forms that were legislatively compelled are recommended in the final version of the forms being submitted with this report, along with a few technical corrections. However, no additional substantive changes to the forms are recommended at this time.

Implementation Requirements, Costs, and Operational Impacts

For those courts that still provide commercially printed paper versions of the forms to the public, there will be implementation costs to reprint the forms. This cost is unavoidable as the changes are legislatively compelled. There should be minimal or no cost to those courts that provide forms to the public only electronically, online, or printed from a work station on site.

The new priorities for enforcement of conflicting orders are complex and not totally clear. There will be some training time needed for court and law enforcement personnel in implementing these changes. This, however, is an impact related to the underlying change in the law, not to the forms themselves. All other changes to the forms are relatively minor and should cause little or no impact on court operations. None of the changes actually involve the fillable components of the forms.

Attachments

- Revised forms CH-100, CH-100-INFO, CH-109, CH-110, CH-120, CH-120-INFO, CH-130, CH-200, CH-800, CH-800-INFO, EA-100, EA-110, EA-120, EA-120-INFO, EA-130, EA-200, EA-800, EA-800-INFO, SV-100, SV-110, SV-120, SV-120-INFO, SV-130, SV-200, SV-800, SV-800-INFO, WV-100, WV-110, WV-120, WV-120-INFO, WV-130, WV-200, WV-800, and WV-800-INFO, at pages 7–119
- 2. Comment chart, at pages 120–127

CH	4	\mathbf{O}	n
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Request for Civil Harassment

	Resu	aining Orders		
(FO)	Can a Civil Harassment Res before completing this for ation (Form CLETS-001) v	n. Also fill out <i>Confidentio</i>	al CLETS	
	Person Seeking Prote	ection		
) 8	. Your Full Name:		Age:	
	Your Lawyer (if you hav Name:		Bar No.:	Fill in court name and street address:
	Firm Name:			Superior Court of California, County of
ł	home address private, yo	ve a lawyer, give your law ot have a lawyer and want ou may give a different ma to give telephone, fax, or	to keep your iling address	
	Address:			Court fills in case number when form is filed.
	City:	State:	Zip:	Case Number:
	Telephone:	Fax:	_	
	E-Mail Address:			

Clerk stamps date here when form is filed.

Full Name:		Age:
Address (if known):		
City:	State:	Zip:

Additional Protected Persons 3

a. Are you asking for protection for any other f	amily or ho	usehold	members? \(\subseteq \text{ Ye}	es \square No If yes, list them:
Full Name	<u>Sex</u>	<u>Age</u>	Lives with you?	How are they related to you?
			☐ Yes ☐ No	
			☐ Yes ☐ No	
			☐ Yes ☐ No	
			☐ Yes ☐ No	
☐ Check here if there are more persons. Attack Persons" for a title. You may use Form MC-			nd write "Attachm	ent 3a—Additional Protected
b. Why do these people need protection? (Explo	ain below):			
☐ Check here if there is not enough space for y paper or Form MC-025 and write "Attachm		•	•	· ·

This is not a Court Order.

Relationship of Parties How do you know the person in ②? (Explain below):
Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 4—Relationship of Parties" for a title.
Venue Why are you filing in this county? (Check all that apply): a. □ The person in ② lives in this county. b. □ I was harassed by the person in ② in this county.
c. Other (specify):
Other Court Cases a. Have you or any of the persons named in 3 been involved in another court case with the person in 2?
Yes No If yes, check each kind of case and indicate where and when each was filed: Kind of Case Filed in (County/State) Year Filed Case Number (if known) (1) Civil Harassment
b. Are there now any protective or restraining orders in effect relating to you or any of the persons in (3) and the person in (2)? No Yes If yes, attach a copy if you have one.
Description of Harassment Harassment means violence or threats of violence against you, or a course of conduct that seriously alarmed, annoyed, or harassed you and caused you substantial emotional distress. A course of conduct is more than one act a. Tell the court about the last time the person in 2 harassed you.

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

This is not a Court Order.

		Case Number:
	Check the orders you want. ✓	
8	 □ Personal Conduct Orders I ask the court to order the person in ② not to do any of the following thir protected listed in ③: a. □ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sex personal property of, or disturb the peace of the person. b. □ Contact the person, either directly or indirectly, in any way, including telephone, in writing, by public or private mail, by interoffice mail, by other electronic means. c. □ Other specify): □ Check here if there is not enough space for your answer. Put you sheet of paper or Form MC-025 and write "Attachment 8c—Other title. 	ually or otherwise), hit, abuse, destroy ng, but not limited to, in person, by by e-mail, by text message, by fax, or by aur complete answer on the attached
9	The person in ② will be ordered not to take any action to get the address unless the court finds good cause not to make the order. Stay-Away Orders a. I ask the court to order the person in ② to stay at least yards aw (1)	vay from (check all that apply):
10	b. If the court orders the person in ② to stay away from all the places listed to get to his or her home, school, or job? ☐ Yes ☐ No (If no, exp. ☐ Check here if there is not enough space for your answer. Put your compaper or Form MC-025 and write "Attachment 9b—Stay-Away Order Guns or Other Firearms and Ammunition	plain below): Implete answer on the attached sheet of
	Does the person in ② own or possess any guns or other firearms? If the judge grants a protective order, the person in ② will be prohibited freezeiving, or attempting to purchase or receive a gun, other firearm, and an is in effect. The person in ② will also be ordered to turn in to law enforced licensed gun dealer, any guns or firearms within his or her immediate posses. This is not a Court Order.	nmunition while the protective order ment, or sell to or store with a
	This is not a Court Order.	

Revised July 1, 2014

	Immediate Orders					
1)	Do you want the court to make any of these	vered yes, explain why b e for your answer. Put y	pelow): our complete answer on th	-		
2)	☐ Request to Give Less Than Fiv	ve Days' Notice				
<i>)</i>	You must have your papers personally service court orders a shorter time for service. (For CH-200, Proof of Personal Service, may be	orm CH-200-INFO explo	ains What Is "Proof of Per	rsonal Service"? Form		
	If you want there to be fewer than five day	s between service and th	ne hearing, explain why be	elow:		
	If you want there to be fewer than five days between service and the hearing, explain why below: Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 12—Request to Give Less Than Five-Days Notice" for a title.					
			Give Less Than Five-Day	ys Nouce for a time.		
			o Give Less Than Five-Day	ys Nouce for a time.		
3)			o Give Less Than Five-Day	ys Nouce for a time.		
3	paper or Form MC-025 and write "Atta	se the person in 2 has	used or threatened to use	violence against me,		
3	paper or Form MC-025 and write "Atta	se the person in 2 has sen in some other way the (notify) the person in 2	used or threatened to use nat makes me reasonably for about the orders for free	violence against me, ear violence.		
3	paper or Form MC-025 and write "Atta ■ No Fee for Filing or Service a. □ There should be no filing fee because has stalked me, or has acted or spoke b. □ The sheriff or marshal should serve	se the person in 2 has sen in some other way the (notify) the person in 2 lence, a credible threat one sheriff or marshal sho	used or threatened to use nat makes me reasonably for about the orders for free for violence, or stalking.	violence against me, fear violence. e because my request for free because I		
	paper or Form MC-025 and write "Atta ■ No Fee for Filing or Service a. □ There should be no filing fee because has stalked me, or has acted or spoke b. □ The sheriff or marshal should serve for orders is based on unlawful viole c. □ There should be no filing fee and the am entitled to a fee waiver. (You must be a should be should	se the person in 2 has sen in some other way the (notify) the person in 2 lence, a credible threat one sheriff or marshal sho	used or threatened to use nat makes me reasonably for about the orders for free for violence, or stalking.	violence against me, fear violence. e because my request for free because I		
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	paper or Form MC-025 and write "Atta No Fee for Filing or Service a. □ There should be no filing fee because has stalked me, or has acted or spoke b. □ The sheriff or marshal should serve for orders is based on unlawful viole c. □ There should be no filing fee and the am entitled to a fee waiver. (You may Fees and Costs.) □ Lawyer's Fees and Costs I ask the court to order payment of my: The amounts requested are:	se the person in ② has ken in some other way the (notify) the person in ② lence, a credible threat one sheriff or marshal shows the complete and file Fo	used or threatened to use nat makes me reasonably for about the orders for free for the violence, or stalking. Find the serve the person in the serve the serve the serve the person in the serve the serve the serve the serve the serve the person in the serve th	violence against me, fear violence. e because my request for free because I for Waiver of Court		

	Additional Orders Requested
I	ask the court to make the following additional orders (specify):
	Check here if there is not enough space for your answer. Put your complete answer on the attached sheet paper or Form MC-025 and write "Attachment 15—Additional Orders Requested," for a title.
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Num	nber of pages attached to this form, if any:
Date	»:
	\
Law	yer's name (if any) Lawyer's signature
Luw.	Lawyer's signature
	clare under penalty of perjury under the laws of the State of California that the information above and on ttachments is true and correct.
Date	e:
Type	e or print your name Sign your name
- ype	Sign your name

Revised July 1, 2014

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

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

What is a civil harassment restraining order?

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

Can I get a civil harassment restraining order?

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

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

How will the order help me?

The court can order a person to:

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

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

In a civil harassment case, the court cannot:

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

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

The court also cannot:

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

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

How much does it cost?

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

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

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

What forms do I need to get the order?

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

Where can I get these forms?

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

What do I need to do to get the order?

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

At the court, give your forms to the clerk of the court. The clerk will give you a hearing date on the *Notice of* Court Hearing form, and if your request for immediate orders is granted, a copy of the Temporary Restraining Order signed by a judicial officer.



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

How soon can I get the order?

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

How long does the order last?

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

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

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

What if the restrained person does not obev the order?

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

Do I have to go to court?

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

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

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

- Witnesses
- Written statements from witnesses made under oath
- Medical or police reports
- Damaged property
- Threatening letters, e-mails, or telephone messages

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

Do I need a lawyer?

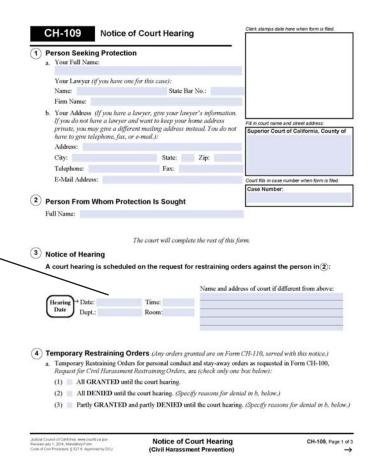
Having a lawyer is always a good idea, but it is not required and you are not entitled to a free courtappointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

Will I see the restrained person at the court hearing?

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

Can I bring someone with me to court?

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



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

What if I am deaf or hard of hearing?



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

For help in your area, contact:

[Local information may be inserted.]

What if I don't speak English?

When you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If an interpreter is not available for your court date, you should ask someone who is not listed as a person to be protected on your Request and who is over age 18 to interpret for you.

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

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

	C	H-109 Noti	ice of Court Hearing	g	Clerk stamps date here when form is filed.
1		erson Seeking Prot Your Full Name:	ection		
	a.	Tour Tun Name.			
		Your Lawyer (if you ha	we one for this case):		-
		Name:	State Ba	r No.:	
		Firm Name:			_
	b.	If you do not have a lav	nave a lawyer, give your lawy wyer and want to keep your h different mailing address in. fax, or e-mail.):	ome address	Fill in court name and street address: Superior Court of California, County of
		Address:			_
			State:		_
			Fax:		1
		E-Mail Address:			Court fills in case number when form is filed.
					Case Number:
(3)	No	otice of Hearing	The court will comple	te the rest of this fo	orm.
		•	eduled on the request fo	r restraining ord	lers against the person in 2:
	(F	Hearing Date:	Time: Room:		ess of court if different from above:

		s for denial of some or all of those personal conduct and stay-away orders as requested in Form CH-100, to for Civil Harassment Restraining Orders, are:
	(1)	The facts as stated in Form CH-100 do not sufficiently show acts of violence, threats of violence, or a course of conduct that seriously alarmed, annoyed, or harassed the person in 1 and caused substantial emotional distress.
	(2)	Other (specify): As set forth on Attachment 4b.
5	Service	of Documents by The Person in ①
	protected-	five days before the hearing, someone age 18 or older—not you or anyone to bemust personally give (serve) a court file-stamped copy of this Form CH-109, to the person in 2 a copy of all the forms indicated below: <i>Notice of Court Hearing</i> ,
		O, Request for Civil Harassment Restraining Orders (file-stamped) 110, Temporary Restraining Order (file-stamped) IF GRANTED
), Response to Request for Civil Harassment Restraining Orders (blank form)
	d. CH-120 e. CH-250	O-INFO, How Can I Respond to a Request for Civil Harassment Restraining Orders? O, Proof of Service of Response by Mail (blank form) eer (specify):
	Date:	
		Judicial Officer

To the Person in 1:

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

Case Number:		

To the Person in 2:

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



Request for Accommodations

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

(Clerk will fill out this part.)

-Clerk's Certificate-

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

Clerk's Certificate

[seal]

Date:

Clerk, by _____, Deputy

CH-110	Temporary	Restraining	Order	Cierk stamps o	date here when form is i	illeu.
Person in (1) musi	t complete items (1)), (2), and (3) only	<i>v</i> .			
Protected Pers	son					
Your Lawyer (if you have one for	this case):		,		
Name:		State Ba	r No.:			
Firm Name: _				_		
If you do not h private, you m	(If you have a lawy ave a lawyer and w ay give a different t	vant to keep your h mailing address in	ome address		me and street address:	ounty
have to give te	lephone, fax, or e-r					
			Zip:			
Telephone:		Fax:		-		
E-Mail Addres	GS:			Court fills in ca	ase number when form i	is filed.
Restrained Per Full Name:	rson			Case Numb	er:	
Description:						
	F Height:					
l	Eye	e Color:	Age:	Race:		
IIama Addmaga (id						
Home Address (if			State	e:	Zip:	
City:						
City:	rotected Person: _					
City: Relationship to Pr Additional I In addition to the p the temporary order		ons), the following fa	mily or household Age Household	members of t		
City: Relationship to Pr Additional I In addition to the p the temporary order	Protected Person: Protected Person person named in (1) pers indicated below	ons), the following fa	mily or household	members of t	that person are prot	
City: Relationship to Pr Additional I In addition to the p the temporary order	Protected Person: Protected Person person named in (1) pers indicated below	ons), the following fa	mily or household Age Household Yes	members of t Member? I No	that person are prot	
City: Relationship to Property Additional I In addition to the property order Full Check here if to the property Check here if the	Protected Person: Protected Person person named in (1) pers indicated below	ons), the following fa : Sex persons. List ther	mily or household Age Household Yes Yes Yes Yes on an attached sl	members of to the second secon	that person are prot	ed Per
City: Relationship to Property of the temporary order of the property of the temporary order of the control of the property of the control o	Protected Person: Protected Person Derson named in 1 Ders indicated below all Name The The	ons), the following fa : Sex ! persons. List then s a title. You may to	mily or household Age Household Yes Yes Yes Yes n on an attached shase Form MC-025,	members of to Member? I No No No No heet of paper Attachment.	that person are prot	ed Pei
City: Relationship to Property of the temporary order of the property of the temporary order of the control of the property of the control o	Protected Person: Protected Person person named in 1 pers indicated below all Name there are additional protected Persons" as The	ons), the following fa : Sex ! persons. List then s a title. You may to	mily or household Age Household Yes Yes Yes Yes n on an attached shase Form MC-025,	members of to Member? I No No No No heet of paper Attachment.	that person are prot	ed Pei

19

Case Number:		

To the Person in 2:

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

(5)	Personal Conduct Orders
	□ Not Requested □ Denied Until the Hearing □ Granted as Follows:
	 a. You must not do the following things to the person named in and to the other protected persons listed in :
	(1) Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
	(2) Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
	(3) Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order.
	(4) ☐ Other (specify):☐ Other personal conduct orders are attached at the end of this Order on Attachment 5a(4).
	b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order. However, you may have your papers served by mail on the person in 1.
6	Stay-Away Order ☐ Not Requested ☐ Denied Until the Hearing ☐ Granted as Follows:
	a. You must stay at least yards away from (check all that apply):
	(1) The person in (7) The place of child care of the children of the person in (3) the person in (1)
	(3) The home of the person in (1) (8) The vehicle of the person in (1)
	(4) The job or workplace of the person (9) Other (specify): in (1)
	(5) The school of the person in 1
	(6) The school of the children of the person in 1 —————————————————————————————————
	b. This stay-away order does not prevent you from going to or from your home or place of employment.
7	No Guns or Other Firearms and Ammunition
	a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
	b. You must:
	(1) Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served with this Order.
	This is a Court Order.

(2)	File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearms have been turned in, sold, or stored. (You may use Form CH-800, Proof of Firearms Turned In Sold, or Stored for the receipt.)
c. 🗌	The court has received information that you own or possess a firearm.
Other	Orders
□ No	t Requested Denied Until the Hearing Granted as Follows (specify):
∐ A	dditional orders are attached at the end of this Order on Attachment 8.
	To the Person in 1:
Mand	atory Entry of Order Into CARPOS Through CLETS
	rder must be entered into the California Restraining and Protective Order System (CARPOS) through the
	nia Law Enforcement Telecommunications System (CLETS). (Check one):
a. 🗌	The clerk will enter this Order and its proof-of-service form into CARPOS.
	The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entere into CARPOS.
	By the close of business on the date that this Order is made, the person in 1 or his or her lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:
	Name of Law Enforcement Agency Address (City, State, Zip)
	Additional law enforcement agencies are listed at the end of this Order on Attachment 9.
No Fe	ee to Serve (Notify) Restrained Person
	eriff or marshal will serve this Order without charge because:
a. 🗌	The Order is based on unlawful violence, a credible threat of violence, or stalking.
b	The person in 1 is entitled to a fee waiver.
	er of pages attached to this Order, if any:
Numbe	· ·
Numbe Date:	

Case Number:		

Warnings and Notices to the Restrained Person in 2

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control as stated in item (7) above. The court will require you to prove that you did so.

Notice Regarding Nonappearance at Hearing and Service of Order

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

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read Form CH-120-INFO, *How Can I Respond to a Request for Civil Harassment Restraining Orders?*, to learn how to respond to this Order.
- If you want to respond, fill out Form CH-120, *Response to Request for Civil Harassment Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response if the Request claims that you inflicted or threatened violence against or stalked the person in 1.
- You must have Form CH-120 served by mail on the person in ① or that person's attorney. You cannot do this yourself. The person who does the mailing should complete and sign Form CH-250, *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use Form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at *www.courts.ca.gov/forms*. If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to five years. Tell the judge why you disagree with the orders requested.

Instructions for Law Enforcement

Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

This is a Court Order.



Case Number:	

Start Date and End Date of Orders

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

Arrest Required if Order Is Violated

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

Notice/Proof of Service

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

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

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

If the Protected Person Contacts the Restrained Person

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

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities (see Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b)):

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

Clerk's Certificate	,	Clerk will fill out this part.) —Clerk's Certificate—	
[seal]	I certify that the original on file	nis Temporary Restraining Order is a true as in the court.	nd correct copy of the
	Date:	Clerk, by	, Deputy
		This is a Court Order.	

Revised July 1 2014

CH-120

Response to Request for Civil **Harassment Restraining Orders**

Use this form to respond to the Request (Form CH-100)

- Read How Can I Respond to a Request for Civil Harassment Restraining Orders? (Form CH-120-INFO), to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—**not you**—serve the person in (1) or his or her lawyer by mail with a copy of this form and any attached pages. (Use Form CH-250, Proof of Service of Response by Mail.)

1	Person	Seeking	Protection
---	--------	---------	-------------------

Name of person seeking protection (see Form CH-100, item (1)):

Person From Whom Pro	tection Is Sought
a. Your Name:	_
Your Lawyer (if you have o	one for this case):
Name:	State Bar No.:
Firm Name:	
Your Address (If you have	a lawyer, give your lawyer's inf

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.):

City:	State:	Zip:
Telephone:	Fax:	
E-Mail Address:		
Personal Conduct	Orders	

a. \(\property\) I agree to the orders requested. b. \(\preceq\) I do not agree to the orders requested. c.

I agree to the following orders (specify):

Fill in court name and atract address:

Clerk stamps date here when form is filed.

Superior Court of California, County of

Court fills in case numbe	<i></i>	.ou.			
Casa Numbar:					

	1 '' 41
resent yo	our response and any opposition at the
	77 '4 1 1 1 1 1 1 1

resem jour response una unij of	position at the
hearing. Write your hearing date,	time, and place
from Form CH-109 item 3 here	:
Hearing Date:	Time:

Date	Dept.:	Room:
If you wei	re served	with a Temporary
Restrainii	ng Order,	you must obey it until the

hearing. At the hearing, the court may make orders against you that last for up to five years.

☐ Stay-Away Orders

- a. \(\property\) I agree to the orders requested.
- b. I do not agree to the orders requested.
- c.

 I agree to the following orders (specify):

□ Additional Protected Persons

- a.

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



6	Guns or Other Firearms and Ammunition If you were served with Form CH-110, Temporary Restraining Order, you	
	other firearms, or ammunition. (See item 7 of Form CH-110.) You me dealer, or turn in to a law enforcement agency, any guns or other firear control within 24 hours of being served with Form CH-110. You must fuse Form CH-800, Proof of Firearms Turned In, Sold or Stored, for the a. I do not own or control any guns or firearms. I have turned in my guns and firearms to the police or sold them to dealer. A copy of the receipt is attached. has already been for the control of the solution.	rms in your immediate possession or ille a receipt with the court. You may receipt.
7	☐ Other Orders	
·	a. I agree to the orders requested.	
	b. I do not agree to the orders requested.	
	c. I agree to the following orders (specify):	
8	□ Denial	
	I did not do anything described in item (7) of Form CH-100. (Skip to (10)).)	
9	☐ Justification or Excuse	
	If I did some or all of the things that the person in 1 has accused me of, m the following reasons (<i>explain</i>):	y actions were justified or excused for
	☐ Check here if there is not enough space below for your answer. Put you	r complete answer on an attached sheet
	of paper and write "Attachment 9—Justification or Excuse" as a title. Y	

	Case Number:
 a. I request that I not be required to pay the filing fee because the pointer (13) to be entitled to free filing. 	erson in 1 claims in Form CH-100
b. I request that I not be required to pay the filing fee because I am a FW-001, Request to Waive Court Fees, must be filed separately.)	-
11) 🗆 Lawyer's Fees and Costs	
a. I ask the court to order payment of my The amounts requested are: Lawyer's	s fees Court costs
<u>Item</u> <u>Amount</u> \$	<u>Item</u> <u>Amount</u> \$
<u> </u>	<u> </u>
<u> </u>	<u> </u>
 b. I ask the court to deny the request of the person asking for proand costs. Number of pages attached to this form, if any:	otection that I pay his or her lawyer's fees
Date:	
Lawyer's name (if any) $Lawyer's name (if any)$'s signature
I declare under penalty of perjury under the laws of the State of Californall attachments is true and correct.	nia that the information above and on
Date:	
Type or print your name $Sign you$	ur name

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

What is a civil harassment restraining order?

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

What does the order do?

The court can order you to:

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

Who can ask for a civil harassment restraining order?

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

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

I've been served with a request for civil harassment restraining orders. What do I do now?

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

What if I don't obey the order?

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

What if I don't agree with what the order says?

You still must obey the order until the hearing. If you disagree with the orders the person is asking for, fill out Form CH-120, *Response to Request for Civil Harassment Restraining Orders*, before your hearing date and file it with the court. If you need to include attachments, you can use Form MC-025. You can get the forms from legal publishers or on the Internet at *www.courts.ca.gov*. You also may be able to find them at your local courthouse or county law library.

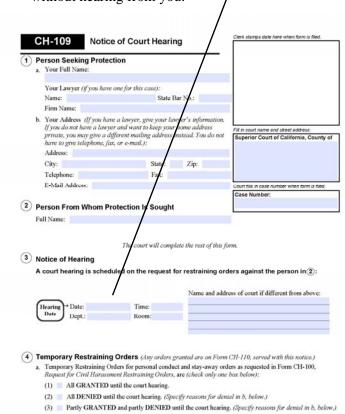
Do I have to serve the other person with a copy of my response?

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

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

Should I go to the court hearing?

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





Notice of Court Hearing (Civil Harassment Prevention)

-



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

How long does the order last?

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

Do I need a lawyer?

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

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

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

Can I bring a witness to the court hearing?

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

For help in your area, contact:

[Local information may be inserted.]

What if I don't speak English?

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

What if I have a gun?

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

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

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

What if I am deaf or hard of hearing?



Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five court days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for Request for Accommodations by Persons with

Disabilities and Response (Form MC-410). (Civ. Code, § 54.8.)

Person in ① must complete items ①.②, and ③ only. Protected Person a. Your Full Name: Your Lawyer (if you have one for this case): Name:		CH-130	Civil Harassmen Order After Hear	_	Clerk stamps date here when form is filed.
a. Your Full Name: Your Lawyer (if you have one for this case): Name: State Bar No.: Firm Name: b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.): Address: City: State: Telephone: Fax: E-Mail Address: Count fills in case number when form is filed. Case Number: Case Number: Sex: Home Address (if known): City: State: City: State: Description: Sex: Home Address (if known): City: State: Zip: Relationship to Protected Persons In additional Protected Persons Additional	j	Person in (1) must	complete items (1), (2), an	nd 3 only.	
Your Lawyer (if you have one for this case): Name:		_			
Name: State Bar No.: Firm Name:	o i	a. Your Full Name	»:		_
Firm Name: b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.): Address: City:		Your Lawyer (ij	f you have one for this cas	re):	
b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.); Address: City:					_
If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.): Address: City: State:					-
City: State:	ł	If you do not ha private, you ma have to give tele	ve a lawyer and want to ke y give a different mailing o phone, fax, or e-mail.):	eep your home address address instead. You do not	
E-Mail Address: Restrained Person Full Name: Description: Sex:		City:	St	tate: Zip:	
Restrained Person 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 Protected Persons In additional Protected Person named in ①, the following family or household members of that person are protected by the orders indicated below: Full Name Sex Age Lives with you? How are they related to you? Check here if there are additional persons. List them on an attached sheet of paper and write "Attachment 3— Additional Protected Persons" as a title. You may use Form MC-025, Attachment. Expiration Date This Order, except for any award of lawyer's fees, expires at: Time: a.m. p.m. midnight on (date): If no expiration date is written here, this Order expires three years from the date of issuance.					
Full Name:					
Additional Protected Persons In addition to the person named in 1, the following family or household members of that person are protected by the orders indicated below: Full Name		Hair Color: Home Address (ij City:	Eye Color:	: Age: Sta	Race: Zip:
In addition to the person named in 1, the following family or household members of that person are protected by the orders indicated below: Full Name		Kelationship to F	Totected Ferson.		
Yes No No Yes		— In addition to the po	erson named in 1 , the following	llowing family or household	I members of that person are protected by
Yes No		<u>F</u>	ull Name	Sex Age Lives	with you? How are they related to you?
Check here if there are additional persons. List them on an attached sheet of paper and write "Attachment 3— Additional Protected Persons" as a title. You may use Form MC-025, Attachment. Expiration Date This Order, except for any award of lawyer's fees, expires at: Time: a.m p.m midnight on (date): If no expiration date is written here, this Order expires three years from the date of issuance.	_			Ye	es No
Additional Protected Persons" as a title. You may use Form MC-025, Attachment. Expiration Date This Order, except for any award of lawyer's fees, expires at: Time: a.m p.m midnight on (date): If no expiration date is written here, this Order expires three years from the date of issuance.	_			Ye	es No
This Order, except for any award of lawyer's fees, expires at: Time: a.m. p.m. midnight on (date): If no expiration date is written here, this Order expires three years from the date of issuance.	[<u>-</u>		v
Time: a.m. p.m. midnight on (date): If no expiration date is written here, this Order expires three years from the date of issuance.	4) I	Expiration Date	•		
If no expiration date is written here, this Order expires three years from the date of issuance.		This Order, except	for any award of lawyer's	s fees, expires at:	
		Time:	a.m p.m	n. midnight on (date):	
]	If no expiration dat	e is written here, this Orde	er expires three years from the	he date of issuance.
		-			

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

Civil Harassment Restraining Order After Hearing
(CLETS-CHO)

CH-130, Page 1 of 5

			Case	Number:	
5) H	earing				_
a.	There was a hearing on (date):(Name of judicial officer):				
h.	These people were at the hearing:		made	the orders at the hearing.	
0.	(1) The person in (1) (3) The lawy	ver for the nerso	on in \bigcirc (name).		
	(2) \square The person in \bigcirc (4) \square The lawy				-
	Additional persons present are listed at th				=
c.					
					_
	The court has granted the orders chec	ne Person in		you those orders you can be	
	arrested and charged with a crime. Yo		•		
	to \$1,000, or both.	•	-		
6) \Box	Personal Conduct Orders				
a.	You must not do the following things to the	person named ir	n (1)		
	and to the other protected persons listed	in 3 :			
	(1) Harass, intimidate, molest, attack, st			ually or otherwise), hit, abuse,	
	destroy personal property of, or dist	•	•	1 4 41 14 14 1	
	(2) Contact the person, either directly o telephone, in writing, by public or p or by other electronic means.	•	•		
	(3) \square Take any action to obtain the person	n's address or lo	cation. If this ite	m (3) is not checked, the court has	
	found good cause not to make this of (4) Other (<i>specify</i>):	order.			
	Other personal conduct orders an	re attached at the	e end of this Ord	er on Attachment 6a(4).	
b.	Peaceful written contact through a lawyer or court case is allowed and does not violate thi	_	or other person for	or service of legal papers related to	a
7) 🗆	Stay-Away Orders				
a.	•	way from (che	ck all that apply)	:	
	(1) \square The person in $\boxed{1}$			re of the children of	
	(2) Each person in (3)		erson in 1		
	(3) The home of the person in (1)	(8) The	vehicle of the per	rson in (1)	
	(4) The job or workplace of the person in 1	(9)	er (specify):	<u> </u>	
	(5) \square The school of the person in \bigcirc				
	(6) The school of the children of the person in 1				
	This	is a Court O	rder		

Civil Harassment Restraining Order After Hearing (CLETS-CHO)

CH-130, Page 2 of 5

Revised July 1, 2014

No	o Guns or Other Firearm	ns and Ammunition		
	You cannot own, possess, ha other firearms, or ammunit	ave, buy or try to buy, rece	ive or try to receive, o	in any other way get guns
b.	If you have not already done	so, you must:		
		served with this Order, sell tany guns or other firearms in		
	•	rt within 48 hours of receiving in, sold, or stored. (You may reipt.)		•
c.	☐ The court has received inf	formation that you own or po	ossess a firearm.	
	Lawyer's Fees and Cos	sts		
	The person in must pay t	to the person in the following	owing amounts for:	
	a. Lawyer's fees b.	☐ Costs		
	<u>Item</u>	Amount	<u>Item</u>	Amount
				4
	☐ Additional items and amo ☐ Other Orders (specify):	\$ \$ bunts are attached at the end of		
	Additional items and amo Other Orders (specify):		of this Order on Attachr	
	Additional items and amo Other Orders (specify):	unts are attached at the end of	on Attachment 10.	
Ma	Additional items and amo Other Orders (specify):	ched at the end of this Order To the Person in	on Attachment 10.	
Th	☐ Additional items and amo ☐ Other Orders (specify): ☐ Additional orders are attack	ched at the end of this Order To the Person in Into CARPOS Throug the California Restraining and Into California Restraining	on Attachment 10. 1 1: h CLETS d Protective Order Syst	nent 9.
Th	Additional items and amo Other Orders (specify): Additional orders are attack andatory Entry of Order his Order must be entered into the	ched at the end of this Order To the Person in the California Restraining an ecommunications System (California System)	on Attachment 10. 1 1: h CLETS d Protective Order Syst LETS). (Check one):	nent 9.
Th Ca	Additional items and amo Other Orders (specify): Additional orders are attact andatory Entry of Order his Order must be entered into the formia Law Enforcement Tele The clerk will enter this Order	ched at the end of this Order To the Person in the California Restraining an ecommunications System (California System)	on Attachment 10. 1 1: h CLETS d Protective Order Syst LETS). (Check one): form into CARPOS.	em (CARPOS) through the
Th Ca a.	Additional items and amo Other Orders (specify): Additional orders are attack andatory Entry of Order his Order must be entered into the clark will enter this Order The clerk will enter this Order his Order will enter this Order his Order be clerk will enter this Order his Order be clerk will enter this Order his Order be clerk will enter this Order his Order	ched at the end of this Order To the Person in Into CARPOS Throug the California Restraining an ecommunications System (Corder and its proof-of-service)	on Attachment 10. 10: h CLETS d Protective Order Syst LETS). (Check one): form into CARPOS. vice form to a law enformade, the person in 1	em (CARPOS) through the cement agency to be entered or his or her lawyer should
Th Ca a. b.	Additional items and amo Other Orders (specify): Additional orders are attace andatory Entry of Order ands Order must be entered into the clerk will enter this Order The clerk will transmit this into CARPOS. By the close of business of deliver a copy of the Order	ched at the end of this Order To the Person it Into CARPOS Throug the California Restraining an ecommunications System (Corder and its proof-of-service is Order and its proof-of-service in the date that this Order is per and its proof-of-service for and its proof-of-service for the date that this Order is per and its proof-of-service for	on Attachment 10. 11: h CLETS d Protective Order Syst LETS). (Check one): form into CARPOS. vice form to a law enformade, the person in 1 cm to the law enforcement	em (CARPOS) through the cement agency to be entered or his or her lawyer should

(CLETS-CHO)
(Civil Harassment Prevention)

		Case Number:
12	Service of Order on Restrained Person	
	a. The person in personally attended the hearing. No other lands are considered in a constant attended to the hearing.	her proof of service is needed.
	b. The person in 2 did not attend the hearing.	
	 (1) Proof of service of Form CH-110, Temporary Restriction judge's orders in this form are the same as in Form and must be served with this Order. Service may be 	CH-110 except for the expiration date. The person in
	(2) The judge's orders in this form are different from the Someone—but not anyone in 1 or 3 —must person in 2.	
(13)	☐ No Fee to Serve (Notify) Restrained Person	
	The sheriff or marshal will serve this Order without charge beca	nuse:
	a. The Order is based on unlawful violence, a credible three	at of violence, or stalking.
	b. The person in 1 is entitled to a fee waiver.	
14)	Number of pages attached to this Order, if any:	
Date	e:	
	Judicial (Officer

Warning and Notice to the Restrained Person in 2:

You Cannot Have Guns or Firearms

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

Instructions for Law Enforcement

Enforcing the Restraining Order

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

This is a Court Order.

Revised July 1, 2014

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

CH-130, Page 4 of 5



Case Number:	

Start Date and End Date of Orders

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

Arrest Required If Order Is Violated

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

Notice/Proof of Service

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

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

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

If the Protected Person Contacts the Restrained Person

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

Conflicting Orders—Priorities of Enforcement

If more than one restraining order has been issued, the orders must be enforced according to **the following priorities:** (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

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

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

CH-200 Proof of Personal Serv	vice	Clerk stamps date here when form is filed.
Person Seeking Protection Name:		
Person From Whom Protection Is Sought Name:		
Notice to Server The server must: • Be 18 years of age or older. • Not be listed in items 1 or 3 of Form CH-100.		Fill in court name and street address: Superior Court of California, County of
• Give a copy of all documents checked in 4 to the (You cannot send them by mail.) Then complete an form and give or mail it to the person in 1 .		
PROOF OF PERSONAL	SERVICE	Court fills in case number when form is filed.
I gave the person in 2 a copy of the forms checked be		Case Number:
 b.	ment Restraining Ord est for Civil Harassm After Hearing	nent Restraining Orders?
I personally gave copies of the documents checked abo	ove to the person in ((2):
a. On (date): b. At (time): _	a.m.	n. □ p.m.
c. At this address:	State:	Zip:
Server's Information		
Name:		
Address:		<u> </u>
City:	State: _	Zip:
Telephone:		
(If you are a registered process server): County of registration:		ion number:
I declare under penalty of perjury under the laws of the correct.	e State of California (that the information above is true and

Server to sign here

Type or print server's name

or Stored	Proof of Firearms Turned In, Sold,	
Protected Person		_
Name:		
Restrained Person		
a. Your Name		
	his case): State Bar No.:	_
Firm Name:		Fill in court name and street address:
b. Your Address (If you have a lawyer If you do not have a lawyer and was private, you may give a different me have to give telephone, fax, or e-ma Address:	nt to keep your home address ailing address instead. You do not ail.):	Superior Court of California, Count
	State: Zip:	
Telephone:		
E-Mail Address:		Case Number:
you have obeyed its orders. When you licensed gun dealer to complete item (Keep a copy for yourself. For help, rea	deliver your unloaded weapons, for 5 and item 6 . After the ford Form CH-800-INFO, <i>How Do I</i>	orm is signed, file it with the court clerk Turn in, Sell, or Store My Firearms?
you have obeyed its orders. When you licensed gun dealer to complete item (Keep a copy for yourself. For help, rea To Law Enforcement Fill out items (4) and (6) of this form.	deliver your unloaded weapons, or so and item 6. After the ford Form CH-800-INFO, How Do Int. Keep a	ask the law enforcement officer or the orm is signed, file it with the court clerk Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer tems 5 and 6 of this form. Keep a
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you have obeyed its orders. When you licensed gun dealer to complete item (Keep a copy for yourself. For help, rea To Law Enforcement Fill out items (4) and (6) of this form copy and give the original to the pers	deliver your unloaded weapons, or of and item of. After the fold Form CH-800-INFO, How Do Item. Keep a Fill out it copy and you the fill in on:	ask the law enforcement officer or the form is signed, file it with the court clerk of Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer tems (5) and (6) of this form. Keep a ligive the original to the person who so circarms or stored them with you, arms listed in (6) were
you have obeyed its orders. When you licensed gun dealer to complete item (Keep a copy for yourself. For help, real To Law Enforcement Fill out items (4) and (6) of this form copy and give the original to the persturned in the firearms. The firearms listed in (6) were turned.	deliver your unloaded weapons, or of and item of. After the fold Form CH-800-INFO, How Do Item. Keep a Fill out it copy and you the fill in on:	ask the law enforcement officer or the form is signed, file it with the court clerk of Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer tems (5) and (6) of this form. Keep a ligive the original to the person who so circarms or stored them with you, arms listed in (6) were
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you have obeyed its orders. When you licensed gun dealer to complete item (Keep a copy for yourself. For help, real To Law Enforcement Fill out items (4) and (6) of this form copy and give the original to the persturned in the firearms. The firearms listed in (6) were turned to the persturned in the firearms.	a deliver your unloaded weapons, or of and item of. After the form CH-800-INFO, How Do It Keep a on who it in on: a.m. p.m. Date: agent To:	To Licensed Gun Dealer tems 5 and 6 of this form. Keep a digive the original to the person who so firearms or stored them with you. arms listed in 6 were to me transferred to me for storage at: a.m p
you have obeyed its orders. When you licensed gun dealer to complete item (4) Keep a copy for yourself. For help, rea To Law Enforcement Fill out items (4) and (6) of this form, copy and give the original to the persturned in the firearms. The firearms listed in (6) were turned at:	a deliver your unloaded weapons, or of and item of. After the form CH-800-INFO, How Do It Keep a on who it in on: a.m. p.m. Date: agent To:	To Licensed Gun Dealer tems 5 and 6 of this form. Keep a l give the original to the person who so circarms or stored them with you. arms listed in 6 were to me to me to me for storage
you have obeyed its orders. When you licensed gun dealer to complete item (4) Keep a copy for yourself. For help, real To Law Enforcement Fill out items (4) and (6) of this form copy and give the original to the persturned in the firearms. The firearms listed in (6) were turned bate:	a deliver your unloaded weapons, a) or (5) and item (6). After the fold form CH-800-INFO, How Do Int a) Keep a copy and you the fill in on: a.m. p.m. agent To: Nan	To Licensed Gun Dealer tems 5 and 6 of this form. Keep a digive the original to the person who so firearms or stored them with you. arms listed in 6 were to me transferred to me for storage at: a.m p
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you have obeyed its orders. When you licensed gun dealer to complete item (** Keep a copy for yourself. For help, real ** To Law Enforcement* Fill out items (**) and (**) of this form copy and give the original to the persturned in the firearms. The firearms listed in (**) were turned at: at: at: at: at: at: Address	der the laws	ask the law enforcement officer or the form is signed, file it with the court clerk of Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer tems (5) and (6) of this form. Keep a ligive the original to the person who so firearms or stored them with you. The store of the form of the person who so firearms are stored to me for storage at: a.m per of licensed gun dealer Telephone
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6)	Firearms							
	Make	Model	Serial Number					
	a.							
	b.							
	c.							
	d.							
	e.							
	Check here if you turned in, sold, or stored more firearms. Attach a sheet of paper and write "Clitem 6—Firearms Turned In, Sold, or Stored" for a title. Include make, model, and serial number firearm. You may use Form MC-025, Attachment.							
Do you have, own, possess, or control any other firearms besides the firearms listed in 6? Yes If you answered yes, have you turned in, sold, or stored those other firearms? Yes No								
	If yes, check one of the boxes below:							
 a.								
						☐ Check here if there is not enough space below fo the attached sheet of paper or Form MC-025 an		
	I declare under penalty of perjury under the laws of the State correct.	te of California that the informa	ation above is true and					
Date	:							
		•						
Type	or print your name	Sign your name						

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

What is a firearm?

A firearm is a:

- · Handgun
- Rifle
- Shotgun
- · Assault weapon

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

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

3 How do I sell or store my firearm?

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

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

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

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

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

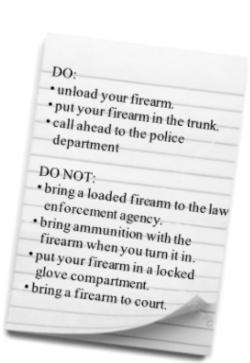
Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

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

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

8 Questions?

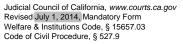
Call your local law enforcement agency: (Insert local information here.)



Request for Elder or Dependent Adult Abuse Restraining Orders

Read Can an Elder or Dependent Adult Abuse Restraining Order Help Me? (Form EA-100-INFO) before completing this form. Also fill out Confidential CLETS Information (Form CLETS-001), with as much information as you know. 1 Elder or Dependent Adult in Need of Protection a. Full Name: Sex: M F Age: Sex: M F Age: Sex: M Fill in court rame and street address: Superior Court of California, Country of Fill Name: Address (if known): City: State: Zip: State: Superior Court of California, Country of Court fills in case number when form is filed. 2 Person Requesting Order Who is asking the court for protection? (Check a, b, or c): a. The elder or dependent adult named in ①. b. Name: conservator of the person estate person and estate of the person named in ①, appointed by (name of court): Case No.: c. Other (name) (Show this person's legal authority to make this request on an attached sheet of paper. Write "Attachment 3c—Information About Person Requesting Protective Order" for a title. You may use Form MC-025, Attachment.) 4 Contact Information Contact information for the person asking the court for protection: a. Your Lawyer (if you have one for this case): Name: State Bar No.: Firm Name: b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. The person in ① does not have to give telephone, fax, or e-mail.): Address: City: State: Zip: Telephone: Fax:			A	dult Abuse Re	strainir	ng Orders	
a. Full Name: Sex: M F Age: Person From Whom Protection Is Sought Full Name: Address (if known): City: State: Zip: 3 Person Requesting Order Who is asking the court for protection? (Check a, b, or c): a. The elder or dependent adult named in ①. b. Name: conservator of the person estate person and estate of the person named in ①, appointed by (name of court): Case No.: c. Other (name) (Show this person's legal authority to make this request on an attached sheet of paper. Write "Attachment 3c—Information About Person Requesting Protective Order" for a title. You may use Form MC-025, Attachment.) 4 Contact Information Contact information for the person asking the court for protection: a. Your Lawyer (if you have one for this case): Name: State Bar No.: Firm Name: b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. The person in ① does not have to give telephone, fax, or e-mail.): Address: City: State: Zip:	(Forn	m E. <i>TS 1</i> v.	A-100-INFO) before Information (Form C	completing this for LETS-001), with as	m. Also fill much infor	out Confidential mation as you	
Person From Whom Protection Is Sought Full Name: Address (if known): City: State: Zip: State: Zip:		a.	Full Name:				_
Superior Court of California, County of Full Name: Address (if known): City: State: Zip: Court fills in case number when form is filed.							Fill in court name and attack address.
Address (if known): City: State: Zip: Person Requesting Order	2				•		
City: State: Zip: Who is asking the court for protection? (Check a, b, or c): a The elder or dependent adult named in ①. b Name: conservator of the person estate person and estate of the person named in ①, appointed by (name of court): Case No.: c Other (name) (Show this person's legal authority to make this request on an attached sheet of paper. Write "Attachment 3c—Information About Person Requesting Protective Order" for a title. You may use Form MC-025, Attachment.) 4 Contact Information Contact information for the person asking the court for protection: a. Your Lawyer (if you have one for this case): Name: State Bar No.: Firm Name: b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. The person in ① does not have to give telephone, fax, or e-mail.): Address: State: Zip:		Ad					_
Who is asking the court for protection? (Check a, b, or c): a.		Cit	ty:		State: _	Zip:	_
Who is asking the court for protection? (Check a, b, or c): a. The elder or dependent adult named in ①. b. Name:	(3)	Pe	erson Requestin	a Order			
b. Name: conservator of the person setate person and estate of the person named in 1, appointed by (name of court): Case No.: c. Other (name) (Show this person's legal authority to make this request on an attached sheet of paper. Write "Attachment 3c—Information About Person Requesting Protective Order" for a title. You may use Form MC-025, Attachment.) 4 Contact Information Contact information for the person asking the court for protection: a. Your Lawyer (if you have one for this case): Name: State Bar No.: Firm Name: b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. The person in 1 does not have to give telephone, fax, or e-mail.): Address: City: State: Zip:	<u> </u>		-	_	eck a, b, or	· c):	Court fills in case number when form is filed.
conservator of the person estate person and estate of the person named in appointed by (name of court): Case No.: c. Other (name)		a.	☐ The elder or de	pendent adult named	in \bigcirc .		Case Number:
Contact information for the person asking the court for protection: a. Your Lawyer (if you have one for this case): Name: State Bar No.: Firm Name: b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. The person in 1 does not have to give telephone, fax, or e-mail.): Address: City: State: Zip:		c.	Case No.: Other (name) (Show this pers 3c—Information)	on's legal authority	to make thi.	s request on an at	tached sheet of paper. Write "Attachment
 a. Your Lawyer (if you have one for this case): Name: State Bar No.: Firm Name: State Bar No.: Firm Name: b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. The person in 1 does not have to give telephone, fax, or e-mail.): Address: City: State: Zip: State: Zip: State: Zip: State: S	4	Co	ontact Information	on			
Name: State Bar No.: Firm Name: State Bar No.: b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. The person in 1 does not have to give telephone, fax, or e-mail.): Address: State: Zip:		Co	ontact information for	the person asking the	ne court for	protection:	
keep your home address private, you may give a different mailing address instead. The person in ① does not have to give telephone, fax, or e-mail.): Address: City: State: Zip:		a.	Name:	u have one for this c		Bar No.:	_
City: State: Zip:		b.	keep your home ad	dress private, you m			
			Address:				
Telephone: Fax:			City:		State:	Zip:	
			Telephone:	Fa	x:		_

This is not a Court Order.



Clerk stamps date here when form is filed.

D	escription of Protected Person				
,	escribe the person named in (1) . (Check a or b):				
a.	☐ Is age 65 or older and a resident of Californ	nia			
b.		er age 65 Il activiti	es or to	protect his or her ri	ights. (Briefly describe
A	dditional Protected Persons				
a.	Are you asking for protection for any other fan dependent adult listed in 1? Yes No		ouseholo s, list th		ne conservator of the elder o
	Full Name	<u>Sex</u>	<u>Age</u>	Lives with you?	How are they related to yo
				☐ Yes ☐ No	
			-	☐ Yes ☐ No	
				☐ Yes ☐ No	
					-
 b	Check here if there are more persons. Attach a Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment"	5, Attack n below). nr answe	hment. : r. Put yo	Yes No	er on the attached sheet of
b.	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you	5, Attack n below). nr answe	hment. : r. Put yo	Yes No	er on the attached sheet of
b.	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you	5, Attack n below). nr answe	hment. : r. Put yo	Yes No	er on the attached sheet of
b	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you	5, Attack n below). nr answe	hment. : r. Put yo	Yes No	er on the attached sheet of
	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you	5, Attack n below). nr answe	hment. : r. Put yo	Yes No	er on the attached sheet of
	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment	5, Attacl n below). ur answe t 6b—Wi	iment. r. Put yo	Yes No No No No No No No No No No	er on the attached sheet of
	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment" elationship of Parties	5, Attacl n below). ur answe t 6b—Wi ? (Expla	iment. r. Put you hy Other in below r. Put yo	Yes No No No No No No No No No No	er on the attached sheet of "for a title. er on the attached sheet of
Rec Ho	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment" elationship of Parties ow does the person in 1 know the person in 2 Check here if there is not enough space for you	5, Attacl n below). ur answe t 6b—Wi ? (Expla	iment. r. Put you hy Other in below r. Put yo	Yes No No No No No No No No No No	er on the attached sheet of "for a title. er on the attached sheet of
Ho	Persons" for a title. You may use Form MC-02 Why do these people need protection? (Explain Check here if there is not enough space for you paper or Form MC-025 and write "Attachment elationship of Parties ow does the person in 1 know the person in 2 Check here if there is not enough space for you paper or Form MC-025 and write "Attachment	5, Attacl n below). ur answe t 6b—Wi ? (Expla ur answe t 7—Rela	iment. r. Put you hy Other in below r. Put yo	Yes No No No No No No No No No No	er on the attached sheet of " for a title. er on the attached sheet of

Revised July 1, 2014

9	Ot	ther Court Cases		
	a.	Has the person in 1 or any of the persons na 2 ? No Yes (If yes, specify the		another court case with the person in the where and when each was filed):
		Kind of Case	Filed in (County/State)	Year Filed Case Number (if known)
		(1) Elder or Dependent Adult Abuse		- -
		(2) Civil Harassment		
		(3) Domestic Violence		
		(4) Divorce, Nullity, Legal Separation		
		(5) Paternity, Parentage, Child Custody(6) Eviction		
		(7) Guardianship		
		(8) Workplace Violence		
		(9) Small Claims	-	
		(10) Criminal	_	
		(11) \square Other (specify):		
	b.	Are there now any protective or restraining or named in (6) and the person in (2) ? \square No	ders in effect relating to the Yes (If yes, attach a	
(10)	De	escription of Abuse		
		Abuse means either:		
		(1) Physical abuse, neglect, financial abuse, a	abandonment, isolation, abdu	action, or other treatment with resulting
		physical harm or pain or mental suffering		-
		(2) The withholding by a caretaker of goods suffering.	or services that are necessary	y to avoid physical harm or mental
	h.	Tell the court about the last time the person in	(2) abused the person in (1)	
	٥.	(1) When did it happen? (Provide date or est		
		(2) Who else was there?		-
		(2) Who else was there.		
		(2) D. H. H. H. H. H.		
		(3) Describe what happened below. ☐ Check here if there is not enough spa	ce for your answer Put you	r complete answer on the attached
		sheet of paper or Form MC-025 and		=
			. ,	
		(4) Was the abuse solely financial abuse una form of abuse?	accompanied by force, threat	, harassment, intimidation, or any other
		☐ Yes, only financial abuse. ☐ No, the	he abuse included other form	as of abuse described above.
		This is r	not a Court Order.	

Revised July 1, 2014

	(5)	Did the person in ② use or threaten to use a gun or any other weapon? ☐ Yes ☐ No (If yes, explain below): ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 10b(5)—Use of Weapons" for a title.
	(6)	Was the person in ① harmed or injured as a result of the acts of abuse described above? ☐ Yes ☐ No (If yes, explain below): ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 10b(6)—Harm or Injury" for a title.
c.	Is the or his phy	Did the police come?
d.	Has	the person in (2) abused the person in (1) at other times? Yes \(\subseteq \text{No (If yes, describe prior incidents and provide dates below):} \) Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of
		paper or Form MC-025 and write "Attachment 10d—Previous Abuse" for a title.

Revised July 1, 2014

I ask the court to order the person in ② not to do any of the following things to the person in ① or to any person to be protected listed in ⑥: a. Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy the personal property of, or disturb the peace of the person. b. Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means. c. Other (specify): Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 11c—Other Personal Conduct Orders," for a title. The person in ② will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order. Stay-Away Orders a. I ask the court to order the person in ② to stay at least yards away from (check all that apply): (1) The elder or dependent adult in ① (2) The persons in ⑥ (3) The home of the elder or dependent adult (4) The job or workplace of the elder or dependent adult (5) The vehicle of the elder or dependent adult (6) Other (specify):	Personal Conduct Orders k the court to order the person in ② not to do any of the following things to the person in ① or to any person e protected listed in ⑥: Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy the personal property of, or disturb the peace of the person. Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means. Other (specify): Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 11c—Other Personal Conduct Orders," for a title. The person in ② will be ordered not to take any action to get the addresses or locations of any protected person alless the court finds good cause not to make the order.
□ Personal Conduct Orders I ask the court to order the person in ② not to do any of the following things to the person in ① or to any person to be protected listed in ⑥: a. □ Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy the personal property of, or disturb the peace of the person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means. c. □ Other (specify): □ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 11c—Other Personal Conduct Orders," for a title. The person in ② will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order. □ Stay-Away Orders a. I ask the court to order the person in ② to stay at least yards away from (check all that apply): (1) □ The elder or dependent adult in ① (2) □ The persons in ⑥ (3) □ The home of the elder or dependent adult (4) □ The job or workplace of the elder or dependent adult (5) □ The vehicle of the elder or dependent adult (6) □ Other (specify): □ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of	Personal Conduct Orders k the court to order the person in ② not to do any of the following things to the person in ① or to any person e protected listed in ⑥: Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy the personal property of, or disturb the peace of the person. Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means. Other (specify): Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 11c—Other Personal Conduct Orders," for a title. The person in ② will be ordered not to take any action to get the addresses or locations of any protected person alless the court finds good cause not to make the order.
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b. Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means. c. Other (specify): Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 11c—Other Personal Conduct Orders," for a title. The person in ② will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order. Stay-Away Orders a. I ask the court to order the person in ② to stay at least yards away from (check all that apply): (1) The elder or dependent adult in ① (2) The persons in ⑥ (3) The home of the elder or dependent adult (4) The job or workplace of the elder or dependent adult (5) The vehicle of the elder or dependent adult (6) Other (specify): b. If the court orders the person in ② to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? Yes No (If no, explain below): Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of	Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means. Other (specify): Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 11c—Other Personal Conduct Orders," for a title. the person in ② will be ordered not to take any action to get the addresses or locations of any protected person inless the court finds good cause not to make the order.
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 a. I ask the court to order the person in ② to stay at least yards away from (check all that apply): The elder or dependent adult in ① The persons in ⑥ The home of the elder or dependent adult The job or workplace of the elder or dependent adult The vehicle of the elder or dependent adult Other (specify):	
 (1)	Stay-Away Orders
 (1)	
 (2) ☐ The persons in 6 (3) ☐ The home of the elder or dependent adult (4) ☐ The job or workplace of the elder or dependent adult (5) ☐ The vehicle of the elder or dependent adult (6) ☐ Other (specify): b. If the court orders the person in ② to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? ☐ Yes ☐ No (If no, explain below): ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of 	
 (3)	
 (4) ☐ The job or workplace of the elder or dependent adult (5) ☐ The vehicle of the elder or dependent adult (6) ☐ Other (specify):	
 (5) The vehicle of the elder or dependent adult (6) Other (specify):	·
b. If the court orders the person in ② to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? ☐ Yes ☐ No (If no, explain below): ☐ Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of	
to get to his or her home, school, or job? Yes No (If no, explain below): Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of	· ·
	Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 12b—Stay-Away Orders," for a title.

Revised July 1, 2014

	Case Number:
3) 🗆 N	love-Out Order
I	ask the court to order the person in 2 to move out from and not return to the residence at (address):
ŗ	The person in ① will suffer physical or emotional harm if the person in ② does not leave the residence. The erson in ② is not named in the title or lease of the residence, either alone or with others beside the person in ①.
	I ask for this move-out order right away to last until the hearing, because:
	a. The person in 2 assaulted or threatened the person in 1; and
	b. The person in 1 has the right to live at the above residence. (Explain below):
	Check here if there is not enough space for your answer. Put your complete answer on the attached shee of paper or Form MC-025 and write "Attachment 13—My Right to Residence," for a title.
Gur	s or Other Firearms and Ammunition
)	the person in 2) own or possess any guns or other firearms?
owni amm	ss the abuse is only financial, if the judge grants a protective order, the person in (2) will be prohibited from any possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and unition while the protective order is in effect. The person in (2) will also be ordered to turn in to law be coment, or sell to or store with a gun dealer, any guns or firearms within his or her immediate possession or sol.
5 Imn	ediate Orders
Do y in 2	ou want the court to make any of these orders now that will last until the hearing without notice to the person ? Yes No (If you answered yes, explain why below): Theck here if there is not enough space for your answer. Put your complete answer on the attached sheet of aper or Form MC-025 and write "Attachment 15—Immediate Orders" for a title.
. • /	Request to Give Less Than Five Days' Notice
cour	nust have your papers personally served on the person in (2) at least five days before the hearing, unless the orders a shorter time for service. (Form EA-200-INFO explains What Is "Proof of Personal Service"? Form 00, Proof of Personal Service, may be used to show the court that the papers have been served.)
TC	a want there to be fewer than five days between service and the hearing, explain why below:
пус	

43

Revised July 1, 2014

□ Lawyer's Fees and Costs			
I ask the court to order payment of my:	a. Lawyer's fees	b. Court costs	
The amounts requested are:		_	
<u>Item</u>	Amount \$	<u>Item</u>	<u>Amou</u> \$
	\$		\$
	\$		\$
☐ Check here if there are more items. I MC-025 and write "Attachment 19—			of paper or Form
☐ Additional Orders Requested		,	
-	1		
I ask the court to make the following add	litional orders (specify):		
Check here if there is not enough sport paper or Form MC-025 and write "A		· -	for a title.
paper or Form MC-025 and write "A	Attachment 19—Addition	· -	for a title.
Paper or Form MC-025 and write "A	Attachment 19—Addition	· -	for a title.
paper or Form MC-025 and write "A	Attachment 19—Addition	nal Orders Requested,"	for a title.
paper or Form MC-025 and write "A	Attachment 19—Addition	· -	for a title.
Paper or Form MC-025 and write "A substitute	y:	ver's signature	
Paper or Form MC-025 and write "A substitute of pages attached to this form, if an Date: Lawyer's name (if any) I declare under penalty of perjury under the attachments is true and correct.	y:	ver's signature	
, , , , , , , , , , , , , , , , , , ,	y:	ver's signature	ion above and on all

EA-110	Tempor	ary Restraining Order	Clerk stamps date here when form is filed.
_	Elder or Deper), 2 and 3 only. ndent Adult	_
	nt (person named i	ion for the elder or dependent adult, if in item \bigcirc of Form EA-100):	
Lawyer fo Name: Firm Nam		ove (if any, for this case): State Bar No.:	Fill in court name and street address: Superior Court of California, County of
b. Your Add If you do r private, yo have to giv	ress (If you have a lawyer a	lawyer, give your lawyer's information nd want to keep your home address cent mailing address instead. You do n r e-mail.):	\overline{n} .
Address: City:		State: Zip:	Court fills in case number when form is filed.
Telephone		State Zip Fax:	Case Number:
E-Mail Ac	-		
Description:	Sex: M Hair Color:	F Height: Weight:	Date of Birth: Age: Race:
	Home Address (i)	f known):	~
	Relationship to Pr	rotected Person:	State: Zip
	nal Protected F	Persons	
In addition to	_		ated below: nold Member? Relation to Protected Person
In addition to conservator of the conservator of th	Full Name Full Name re if there are additional and the state of the	sotected by the temporary orders indicated by the temporary orders indicated as a second seco	ated below: nold Member? Relation to Protected Person Yes
In addition to conservator of the conservator of th	Full Name Full Name re if there are additional and the state of the	Sex Age Househ Sex I Househ Y tional protected person. List them on a	ated below: nold Member? Relation to Protected Person Yes

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

EA-110, Page 1 of 6



Case Number:	

To the Person in 2:

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

١.		10 1 10 1			
Ρ(Il Conduct Orders		□ Occupie Les Fallesses	
L		Requested Denied Unti	•	☐ Granted as Follows:	
a.		ust not do the following things to the	_ *	it adult named in (1)	
		d to the other protected persons liste	\circ		
	(1)	otherwise), hit, harass, destroy person		, attack, strike, stalk, threaten, assault (sexually r disturb the peace of the person.	⁷ O1
	(2)	•		way, including, but not limited to, in person, leroffice mail, by e-mail, by text messages, by f	•
	(3)	Take any action to obtain the person found good cause not to make this of		tion. If this item (3) is not checked, the court h	as
	(4)	Other (specify): Other personal conduct orders a	re attached at the e	end of this Order on Attachment 5a(4).	
					<u> </u>
b.	to a cou	<i>C</i> ,	*	or other person for service of legal papers relate ever, you may have your papers served by mai	
	to a cou	art case is allowed and does not viola	*		
	to a cou on the p	ort case is allowed and does not violate person in 1. Tay Orders	*		
Si	to a cou on the p tay-Awa Not R	urt case is allowed and does not violate person in 1. Tay Orders Requested Denied Unti	ite this order. How	ever, you may have your papers served by mai	
Si	to a cou on the p tay-Aw Not F You mu	ray Orders Requested Denied Unti	il the Hearing away from (check	ever, you may have your papers served by mai Granted as Follows: all that apply):	
Si	to a cour on the p tay-Awa Not F You mu (1)	ray Orders Requested Denied Unti ust stay at least yards The elder or dependent adult in 1	il the Hearing away from (check (5) The	ever, you may have your papers served by mai ☐ Granted as Follows: all that apply): e vehicle of the person in	
Si	to a cour on the p tay-Awa Not F You mu (1) [ray Orders Requested Denied Unti ust stay at least yards The elder or dependent adult in 1 Each person in 3 The home of the elder or	il the Hearing away from (check (5) The	ever, you may have your papers served by mai Granted as Follows: all that apply):	
Si	to a cour on the p tay-Aw Not F You mu (1) [ray Orders Requested Denied Unti ust stay at least yards The elder or dependent adult in 1 Each person in 3	il the Hearing away from (check (5) The	ever, you may have your papers served by mai ☐ Granted as Follows: all that apply): e vehicle of the person in	
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Since a.	to a cour on the p tay-Aw Not F You mu (1) (2) (3) (4) This sta	ray Orders Requested Denied Untitust stay at least yards The elder or dependent adult in 1 Each person in 3 The home of the elder or dependent adult The job or workplace of the elder or dependent adult ay-away order does not prevent you fare.	il the Hearing away from (check (5)	ever, you may have your papers served by mai ☐ Granted as Follows: all that apply): e vehicle of the person in	
Since a.	to a cour on the partay-Award Not Four mu (1) [2] [3] [4] This statements of the particular to a cour on the partage of the pa	ray Orders Requested Denied Untitust stay at least yards The elder or dependent adult in 1 Each person in 3 The home of the elder or dependent adult The job or workplace of the elder or dependent adult ay-away order does not prevent you fut Order	il the Hearing away from (check (5)	Granted as Follows: all that apply): e vehicle of the person in her (specify): om your home or place of employment.	
S i a. b. M □	to a cour on the p tay-Aw Not F You mu (1) (2) (3) (4) This sta	ray Orders Requested Denied Untitust stay at least yards The elder or dependent adult in 1 Each person in 3 The home of the elder or dependent adult The job or workplace of the elder or dependent adult ay-away order does not prevent you fare.	il the Hearing away from (check (5)	□ Granted as Follows: all that apply): e vehicle of the person in her (specify): Om your home or place of employment. □ Granted as Follows:	

	uns or Other Firearms and Ammunition ot Issued (financial abuse only) ☐ Granted as Follows:
	order must be granted unless only financial abuse is alleged.
a. Yo	ou cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other earms, or ammunition. u must:
(1)	Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control. This must be done within 24 hours of being served withis Order. File a receipt with the court within 48 hours of receiving this Order that proves that your guns or firearm have been turned in, sold, or stored. (You may use Form EA-800, Proof of Firearms Turned In, Sold, or Stored, for the receipt.)
c. 🗌	The court has received information that you own or possess a firearm.
Fina	ncial Abuse
This c	ase does not does involve solely financial abuse unaccompanied by force, threat, harassn
intimi	dation, or any other form of abuse.
Othe	dation, or any other form of abuse.
Othe	dation, or any other form of abuse. r Orders ot Requested Denied Until the Hearing Granted as Follows (specify):
Othe	dation, or any other form of abuse. r Orders ot Requested Denied Until the Hearing Granted as Follows (specify): dditional orders are attached at the end of this Order on Attachment 10.
Othe	dation, or any other form of abuse. r Orders ot Requested Denied Until the Hearing Granted as Follows (specify):
Othe	dation, or any other form of abuse. r Orders ot Requested Denied Until the Hearing Granted as Follows (specify): dditional orders are attached at the end of this Order on Attachment 10.
Othe No According to the control of the control o	dation, or any other form of abuse. r Orders ot Requested Denied Until the Hearing Granted as Follows (specify): diditional orders are attached at the end of this Order on Attachment 10. To the Person in 1: datory Entry of Order Into CARPOS Through CLETS
Othe No According to the control of the control o	dation, or any other form of abuse. r Orders ot Requested Denied Until the Hearing Granted as Follows (specify): ditional orders are attached at the end of this Order on Attachment 10. To the Person in 1: datory Entry of Order Into CARPOS Through CLETS Order must be entered into the California Restraining and Protective Order System (CARPOS) through the
Othe No	dation, or any other form of abuse. r Orders ot Requested Denied Until the Hearing Granted as Follows (specify): ditional orders are attached at the end of this Order on Attachment 10. To the Person in 1: datory Entry of Order Into CARPOS Through CLETS order must be entered into the California Restraining and Protective Order System (CARPOS) through the rnia Law Enforcement Telecommunications System (CLETS). (Check one): The clerk will enter this Order and its proof-of-service form into CARPOS.
Mano Califo a. b. Othe	dation, or any other form of abuse. r Orders ot Requested Denied Until the Hearing Granted as Follows (specify): dittional orders are attached at the end of this Order on Attachment 10. To the Person in 1: datory Entry of Order Into CARPOS Through CLETS order must be entered into the California Restraining and Protective Order System (CARPOS) through the rnia Law Enforcement Telecommunications System (CLETS). (Check one): The clerk will enter this Order and its proof-of-service form to a law enforcement agency to be entered.
Mano Califo a. b. Othe	dation, or any other form of abuse. r Orders ot Requested Denied Until the Hearing Granted as Follows (specify): diditional orders are attached at the end of this Order on Attachment 10. To the Person in 1: datory Entry of Order Into CARPOS Through CLETS Order must be entered into the California Restraining and Protective Order System (CARPOS) through the rnia Law Enforcement Telecommunications System (CLETS). (Check one): The clerk will enter this Order and its proof-of-service form into CARPOS. The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entere into CARPOS. By the close of business on the date that this Order is made, the petitioner or the petitioner's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agencies listed below to

12)	No Fee to Serve (Notify) Restrained Person
	If the sheriff or marshal serves this Order, he or she will do it for free.
13)	Number of pages attached to this Order, if any:
	Date: Judicial Officer
	Wassian and Distinct to the Boots in 1 Boots in 0

Warnings and Notices to the Restrained Person in 2

Possession of Guns or Firearms

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

Notice Regarding Nonappearance at Hearing and Service of Order

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

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

After You Have Been Served With a Restraining Order

- Obey all the orders.
- Read Form EA-120-INFO, How Can I Respond to a Request for Elder or Dependent Adult Abuse Retraining Orders?, to learn how to respond to this Order.
- If you want to respond, fill out Form EA-120, *Response to Request for Elder or Dependent Adult Abuse Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response.
- You must have Form EA-120 served on the person in (1) (the person asking the court for protection of the elder or dependent adult or the elder or dependent adult if no other person is named in that item), or that person's attorney, by mail. You cannot do this yourself. The person who does the mailing should complete and sign Form EA-250, *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served signed by you and other persons who have personal knowledge of the facts. You may use Form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at www.courts.ca.gov/forms. If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to five years. Tell the judge why you disagree with the orders requested.

Case Number:		

Instructions for Law Enforcement

Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

Start Date and End Date of Orders

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

Arrest Required if Order Is Violated

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

Notice/Proof of Service

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

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

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

If the Protected Person Contacts the Restrained Person

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

Case Number:

Conflicting Orders—Priorities of Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

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

(Clerk will fill out this part.)

-Clerk's Certificate-

Clerk's Certificate [seal]

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

Date: Clerk, by		, Deputy
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EA-120

Response to Request for Elder or Dependent Adult Abuse Restraining Orders

Use this form	to respond to	the Request	(Form EA-100)
	to rooperia to	tilo itoquott	(1 OIIII - /\ 100

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

 Have someone age 18 or older—not you—serve the person request protection in 1 by mail with a copy of this form and any attached (<i>Use Form EA-250</i>, Proof of Service of Response by Mail.) 	§ .
Elder or Dependent Adult Seeking Protection	Fill in court name and street address:
Name:	Superior Court of California, County of
☐ Name of person asking for the protection, if different (<i>This is person named in item</i> (3) <i>of the request (Form EA-100).):</i>	s the
Person From Whom Protection Is Sought a. Your Name:	
Your Lawyer (if you have one for this case):	Court fills in case number when form is filed. Case Number:
Name: State Bar No.:	Case Number.
Firm Name:	
b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.): Address: City: State: Telephone: Fax: E-Mail Address:	Present your response and any opposition at the hearing. Write your hearing date, time, and place from Form EA-109 item (3) here: Hearing Date: Time: Room: Time: Room: Restraining Order, you must obey it until the hearing. At the hearing, the court may make orders against you that last for up to five years.
 Personal Conduct Orders a.	orders against you that fast for up to five years.
 Stay-Away Orders a. ☐ I agree to the orders requested. b. ☐ I do not agree to the orders requested. c. ☐ I agree to the following orders (specify): 	



Clerk stamps date here when form is filed.

	Case Number:
S ☐ Move Out 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):	
Additional Protected Persons	
a. I agree that the persons listed in item 6 of Form EA-10	00 may be protected by the order requested.
b. I do not agree that the persons listed in item 6 of Form requested.	EA-100 may be protected by the order
Guns or Other Firearms and Ammunition If you were served with Form EA-110, Temporary Restraining of other firearms, or ammunition. (See item (8) of Form EA-110. dealer, or turn in to a law enforcement agency, any guns or oth control within 24 hours of being served with Form EA-110. You use Form EA-800, Proof of Firearms Turned In, Sold, or Stored	a) You must sell to or store with a licensed gun ner firearms in your immediate possession or ou must file a receipt with the court. You may
a. I do not own or control any guns or firearms.	•
 b. I have turned in my guns and firearms to the police or so dealer. 	old them to or stored them with a licensed gun
	dy been filed with the court.
B Other Orders	
a. I agree to the orders requested.	
b. I do not agree to the orders requested.	
c. I agree to the following orders (specify):	
Denial	
I did not do anything described in item 7 of Form EA-100. (Skip	o to 11 .)
0 ☐ Justification or Excuse	
If I did some or all of the things that the person in 1 has accus for the following reasons (<i>explain</i>):	sed me of, my actions were justified or excused
☐ Check here if there is not enough space below for your answer. of paper and write "Attachment 10–Justification or Excuse" as	

	Case Number:
│	
a. I ask the court to order payment of my	☐ Lawyer's fees ☐ Court costs
	<u>Item</u> Amount §
Φ.	\$ \$ \$
☐ Check here if there are more items. Put th MC-025 and write "Attachment 11—Lawy	he items and amounts on the attached sheet of paper or Form
lawyer's fees and costs. Number of pages attached to this form, if any:	
Date:	
Lawyer's name (if any)	
I declare under penalty of perjury under the laws of the all attachments is true and correct.	the State of California that the information above and on
Date:	
	_
Type or print your name	Sign your name

EA-120-INFO

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

What is an elder or dependent adult abuse restraining order?

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

What does the order do?

The court can order you to:

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

Who can ask for a restraining order?

A person who being:

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

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

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

I've been served with a request for elder or dependent adult abuse restraining orders. What do I do now?

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

What if I don't obey the order?

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

What if I don't agree with what the order says?

You still must obey the order until the hearing. If you disagree with the orders the person is asking for, fill out Form EA-120, Response to Request for Elder and Dependent Adult Abuse Restraining Orders, before your hearing date and file it with the court. If you need to include attachments, you can use Form MC-025. You can get the forms from legal publishers or on the Internet at www.courts.ca.gov. You also may be able to find them at your local courthouse or county law library.

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

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

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

Should I go to the court hearing?

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

E	A-109 Notic	e of Court Hearing	Clerk stamps date here when form is filed
	der or Dependent Ac	dult in Need of Protection	
	Person requesting pro	otection for the ellier or dependent and in item 3 of Form EA-100):	adult, if
	Lawyer for person name	d above (if any for this case):	
	Name:	State Bar No.:_	Fill in court name and street address:
b.	Firm Name:		Superior Court of California, County o
	lawyer's information. If for the person requesting address private, you may	ed above (If you have a lawyer, give you do not have a lawyer, give info g the order. If you want to keep you g give a different mailing address in telephore, fax, or e-mail.):	ermation ur home
	Address:		Court fills in case number when form is filed.
	City:	State: Zip:_	Case Number:
	Telephone:		I
	E-Mail Address:	1	
Ful	erson You Want Prof	The court will complete the res	t of this form.
Fu!	otice of Hearing	The court will complete the res	t of this form. aining orders against the person in②:
Fu!	otice of Hearing	The court will complete the rest	_
No A	otice of Hearing court hearing is sched	The court will complete the restricted on the request for restra	aining orders against the person in②:
No A	otice of Hearing court hearing is sched	The court will complete the restauled on the request for restra	aining orders against the person in②:
No A	otice of Hearing court hearing is sched	The court will complete the restricted on the request for restra	aining orders against the person in②:
No.	otice of Hearing court hearing is scheet court hearing is scheet court hearing is scheet court hearing Dept.: Dept.: emporary Restraining Coupers of the court hearing of Request for Elder on Dept.	The court will complete the restabled on the request for restra Name Time: Room: g Orders (Any orders granted ar briders for personal conduct and stay bendent Adult Abuse Restraining O	aining orders against the person in②:
No.	otice of Hearing court hearing is scheen Dept.: Dept.: Dept.: Dept.: Dept.: Dept.: Dept.: Dept.: All GRANTED	The court will complete the restabled on the request for restra Name Time: Room: g Orders (Any orders granted ar orders for personal conduct and stayendent Adult Abuse Restraining Oruntil the court hearing.	aining orders against the person in(2): and address of court if different from above: re on Form EA-110, served with this notice.) y-away orders as requested in Form EA-100, relers are (check only one box below):
No.	otice of Hearing court hearing is scheen bearing Date: Dopt.: Dopt.: Dopt.: Demporary Restraining Calequest for Elder on Dept. All GRANTED (2) All DENIED un	The court will complete the restabled on the request for restration of the restabled on the request for restration. Name: Room: g Orders (Any orders granted at part of the restant and stay and the restant and stay are deem that the the restant and the	aining orders against the person in(2): and address of court if different from above: re on Form EA-110, served with this notice.) y-away orders as requested in Form EA-100, relers are (check only one box below):

EA-120-INFO

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

How long does the order last?

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

Do I need a lawyer?

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

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

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

Can I bring a witness to the court hearing?

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

For help in your area, contact:

[Local information may be inserted.]

What if I don't speak English?

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

What if I have a gun?

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

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

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

What if I am deaf or hard of hearing?



Assistive listening systems, computerassisted real-time captioning, or sign language interpreter services are available if you ask at least five court days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for Request

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

EA-130	Elder or Dependent Adult Abuse Restraining Order After Hearing	Clerk stamps date here when form is filed.
_	endent Adult Seeking Protection	
☐ Name of person na	person asking for the protection, if different (This is the amed in item (3) of the request (Form EA-100).):	
Name:	erson named above (if any for this case): State Bar No.:	Fill in court name and street address:
b. Your Address If you do not private, you n have to give t	s (If you have a lawyer, give your lawyer's information. have a lawyer and want to keep your home address nay give a different mailing address instead. You do not elephone, fax, or e-mail.):	Superior Court of California, County
City:	State: Zip:	Court fills in case number when form is filed.
Telephone:	Fax:	Case Number:
Description:	☐ F Height: Weight: Date	
Description: Sex: M Hair Color: Home Address City:	☐ F Height: Weight: Date Eye Color: Age: (if known): Sta	Race:
Description: Sex: M Hair Color: Home Address City: Relationship to Additional In addition to the	Eye Color: Age:	Race: Zip: mily or household members or the orders indicated below:
Description: Sex: M Hair Color: Home Address City: Relationship to Additional In addition to the conservator of th Check here if "Attachment" Expiration Da	Eye Color: Age: State	nily or household members or the orders indicated below: with you? Relation to Protected Pers S
Description: Sex: M Hair Color: Home Address City: Relationship to Additional In addition to the conservator of th Check here if "Attachment Expiration Da This Order, exce	Eye Color: Age:	nily or household members or the orders indicated below: with you? Relation to Protected Pers S

Elder or Dependent Adult Abuse Restraining Order After Hearing (CLETS-EAR or EAF) (Elder or Dependent Adult Abuse Prevention) **EA-130,** Page 1 of 6



		Case Number:
5)	Н	earing
	a.	There was a hearing on (date): at (time): in Dept.: Room: Mame of judicial officer): made the orders at the hearing.
		These people were at the hearing: (1) The elder or dependent adult in need of protection (2) The lawyer for the elder or dependent adult (name): (3) The person in asking for protection (if not the elder or dependent adult) (4) The lawyer for the person in asking for protection (name): (5) The person in 2 (name): Additional persons present are listed at the end of this Order on Attachment 5.
	c.	The hearing is continued. The parties must return to court on (date): To the Person in 2: The court has granted the orders checked below. If you do not obey these orders, you can be arrested and charged with a crime. You may be sent to jail for up to one year, pay a fine of up to \$1,000, or both.
6)		Personal Conduct Orders
O	<u>а</u> .	You must not do the following things to the elder or dependent adult named in (1)
		and to the other protected persons listed in 3:
		 (1) Physically abuse, financially abuse, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, harass, destroy personal property of, or disturb the peace of the person. (2) Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, by text message, by fax, or by other electronic means. (3) Take any action to obtain the person's address or location. If this item (3) is not checked, the court has found good cause not to make this order. (4) Other (specify): Other personal conduct orders are attached at the end of this Order on Attachment 6a(4).
	b.	Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.
7	a.	Stay-Away Orders You must stay at least yards away from (check all that apply): (1)
		This is a Court Order.

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

Revised July 1, 2014

7	b.	This stay-away order does no	prevent you from going to o	r from your home or place of	of employment.		
8		Move Out Order You must immediately move out from and not return to (address):					
		and must take only the person	nal clothing and belongings y	vou naad			
				ou need.			
9)	∐ Th	No Guns or Other Firea is Order must be granted un		nlv			
		You cannot own, possess, ha other firearms, or ammunit	ave, buy or try to buy, recei	· ·	any other way get guns,		
	b.	If you have not already done					
		in your immediate possessFile a receipt with the cou	nsed gun dealer, or turn in to sion or control. This must be rt within 48 hours of receiving or stored. (You may use Form	done within 24 hours of being this Order that proves that	ng served with this Order t your guns or firearms		
	c.	•	formation that you own or po	ssess a firearm.			
10)	- :	 nancial Abuse	J				
11)		is case does not does imidation, or any other form o		ibuse unaccompanied by fo	rce, threat, harassment,		
		You must pay to the person in	1 1 the following amounts	for: a. \square Lawyer's fees	b. Costs		
		<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>		
			\$		\$		
			\$	_	\$		
		☐ Additional amounts are at	tached at the end of this Orde	er on Attachment 11.			
12		Other Orders (specify):					
		Additional orders are attac	ched at the end of this Order	on Attachment 12.	_		
			This is a Court	Order.			

	Case Nun	nber:		
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To the Person in 1 :

Mandatory Entry of Order Into CARPOS Th	rough CLETS				
This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (Check one):					
a. The clerk will enter this Order and its proof-of-s	service form into CARPOS.				
b. The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to linto CARPOS.					
c. By the close of business on the date that this Order is made, you or your lawyer should de the Order and its proof-of-service form to the law enforcement agency listed below to en CARPOS:					
Name of Law Enforcement Agency	Address (City, State, Zip)				
Additional law enforcement agencies are list	ted at the end of this Order on Attachment 13.				
14) Service of Order on Restrained Person					
a. The person in 2 personally attended the hearing. No other proof of service is needed.					
b. The person in (1) was at the hearing. The person	1 in (2) was not.				
(1) Proof of service of Form EA-110, <i>Temporary Restraining Order</i> , was presented to the court. The judge's orders in this form are the same as in Form EA-110 except for the end date. The person in 2 must be served with this Order. Service may be by mail.					
· /	ry Restraining Order, was presented to the court. The judge's ders in Form EA-110. Someone—but not anyone in 1 or order on the person in 2.				
No Fee to Serve (Notify) Restrained Person	1				
If the sheriff or marshal serves this Order, he or she will do so for free.					
Number of pages attached to this Order, if any:					
Number of pages attached to this Order, if any: Date:					
	a. ☐ The clerk will enter this Order and its proof-of-set. ☐ The clerk will transmit this Order and its proof-into CARPOS. c. ☐ By the close of business on the date that this Order and its proof-of-service form to the late CARPOS: Name of Law Enforcement Agency ☐ Additional law enforcement agencies are list. Service of Order on Restrained Person a. ☐ The person in ② personally attended the hearing. The person (1) ☐ Proof of service of Form EA-110, Temporal orders in this form are the same as in Form served with this Order. Service may be by recorders in this form are different from the ormal orders.				

Warning and Notice to the Restrained Person in 2:

You Cannot Have Guns or Firearms

If the court grants the orders in item **9** on page 3, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms that you have or control as stated in item **9**. The court will require you to prove that you did so.

This is a Court Order.

EA-130, Page 4 of 6

 \rightarrow

Case Number:	

Instructions for Law Enforcement

Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

Start Date and End Date of Orders

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

Arrest Required if Order Is Violated

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

Notice/Proof of Service

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

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

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

If the Protected Person Contacts the Restrained Person

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

Case Number:		

Conflicting Orders—Priorities of Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

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

Clerk's Certificate [seal]

(Clerk will fill out this part.)

-Clerk's Certificate-

I certify that this *Elder or Dependent Adult Abuse Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

Date:	Clerk, by	, Deputy

EA-200 Proof of Personal S	Service	Clerk stamps date here when form is filed.
1 Elder or Dependent Adult in Need of F	Protection	
Person From Whom Protection Is Sou Name:	ight	
 Notice to Server The server must: Be 18 years of age or older. Not be listed in items 1, 3, or 6 of Form EA-100. Give a copy of all documents checked in 4 (You cannot send them by mail.) Then complete form and give or mail it to the person in 1. 		Fill in court name and street address: Superior Court of California, County of
BROOF OF BER	SONAL SERVICE	Court fills in case number when form is filed.
PROOF OF PER I gave the person in (2) a copy of the forms check	SONAL SERVICE	Case Number:
a. EA-109, Notice of Court Hearing b. EA-110, Temporary Restraining Order c. EA-100, Request for Elder or Dependent d. EA-120, Response to Request for Elder of e. EA-120-INFO, How Can I Respond to a fi f. EA-130, Elder or Dependent Adult Abuse g. EA-250, Proof of Service of Response by h. EA-800, Proof of Firearms Turned In, So i. Other (specify):	r Dependent Adult Abuse I Request for Elder or Depen e Restraining Order After I Mail (blank form)	Restraining Orders (blank form) ndent Adult Abuse Restraining Orders?
5 I personally gave copies of the documents check	ed above to the person in (2:
a. On (date): b. At (time	e): a.m.	□ p.m.
c. At this address:		
City:	State:	Zip:
6 Server's Information Name: Address:		
City:		Zip:
Telephone:		
(If you are a registered process server):		
County of registration:	Registration	on number:
I declare under penalty of perjury under the laws correct.		
Date:	•	
Type or print server's name	 Server to sign he	re

EA-800 Proof of Figure 1		
Protected Person		—
Name:		
Restrained Person		
a. Your Name:		
Your Lawyer (if you have one for Name: Firm Name:	r this case): State Bar No.:	
Your Address (If you have a law)	ver. give vour lawver's informatio	Fill in court name and street address:
If you do not have a lawyer and verivate, you may give a different have to give telephone, fax, or e-readdress:	mailing address instead. You do r mail.):	Superior Court of California, Coun
City:	State: Zip:	
Telephone:	Fax:	Court fills in case number when form is file
E-Mail Address:		Case Number:
f the court has ordered you to turn in you have obeyed its orders. When y icensed gun dealer to complete item	ou deliver your unloaded weapon (4) or (5) and item (6). After the	may use this form to prove to the court s, ask the law enforcement officer or the form is signed, file it with the court cler of Turn in, Sell, or Store My Firearms?
f the court has ordered you to turn in you have obeyed its orders. When y icensed gun dealer to complete item	ou deliver your unloaded weapon (4) or (5) and item (6). After the read Form CH-800-INFO, <i>How D</i>	s, ask the law enforcement officer or the form is signed, file it with the court cler of I Turn in, Sell, or Store My Firearms?
If the court has ordered you to turn in you have obeyed its orders. When y icensed gun dealer to complete item Keep a copy for yourself. For help, r	ou deliver your unloaded weapon (4) or (5) and item (6). After the ead Form CH-800-INFO, How D ent m. Keep a erson who Fill ou copy a	s, ask the law enforcement officer or the form is signed, file it with the court cler to I Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer titems 5 and 6 of this form. Keep a
f the court has ordered you to turn in you have obeyed its orders. When you icensed gun dealer to complete item Keep a copy for yourself. For help, r To Law Enforcement Fill out items 4 and 6 of this for copy and give the original to the peturned in the firearms.	ou deliver your unloaded weapon (4) or (5) and item (6). After the ead Form CH-800-INFO, How D ent m. Keep a erson who Fill ou copy a you th	s, ask the law enforcement officer or the form is signed, file it with the court cler of Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer titems 5 and 6 of this form. Keep a and give the original to the person who so
f the court has ordered you to turn in you have obeyed its orders. When you icensed gun dealer to complete item Keep a copy for yourself. For help, rough To Law Enforcement Fill out items 4 and 6 of this for copy and give the original to the peturned in the firearms. The firearms listed in 6 were turn	ou deliver your unloaded weapon (4) or (5) and item (6). After the ead Form CH-800-INFO, How D ent m. Keep a erson who fill ou copy a you the ded in on:	s, ask the law enforcement officer or the form is signed, file it with the court cler to I Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer titems 5 and 6 of this form. Keep a and give the original to the person who see firearms or stored them with you.
f the court has ordered you to turn in you have obeyed its orders. When you icensed gun dealer to complete item Keep a copy for yourself. For help, r To Law Enforcement Fill out items 4 and 6 of this for copy and give the original to the peturned in the firearms. The firearms listed in 6 were turn Date: at:	ou deliver your unloaded weapon (4) or (5) and item (6). After the ead Form CH-800-INFO, How D ent m. Keep a erson who ded in on: a.m. p.m. Date:	s, ask the law enforcement officer or the form is signed, file it with the court cler to I Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer titems 5 and 6 of this form. Keep a and give the original to the person who see firearms or stored them with you. The rearms listed in 6 were did to me transferred to me for storage.
f the court has ordered you to turn in you have obeyed its orders. When you icensed gun dealer to complete item Keep a copy for yourself. For help, reserved and and and and and and and and and an	ou deliver your unloaded weapon (4) or (5) and item (6). After the ead Form CH-800-INFO, How D ent m. Keep a erson who ded in on: a.m.	s, ask the law enforcement officer or the form is signed, file it with the court cler to I Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer titems 5 and 6 of this form. Keep a and give the original to the person who see firearms or stored them with you.
f the court has ordered you to turn in you have obeyed its orders. When you icensed gun dealer to complete item Keep a copy for yourself. For help, r To Law Enforcement Fill out items 4 and 6 of this for copy and give the original to the peturned in the firearms. The firearms listed in 6 were turn Date: at:	ou deliver your unloaded weapon (4) or (5) and item (6). After the read Form CH-800-INFO, How D ent m. Keep a erson who ded in on: a.m.	s, ask the law enforcement officer or the form is signed, file it with the court cler to I Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer It items (5) and (6) of this form. Keep a and give the original to the person who see firearms or stored them with you. The rearms listed in (6) were did to me transferred to me for storage at: a.m
f the court has ordered you to turn in you have obeyed its orders. When you icensed gun dealer to complete item Keep a copy for yourself. For help, row To Law Enforcement Fill out items (4) and (6) of this for copy and give the original to the peturned in the firearms. The firearms listed in (6) were turn Date: at: To:	ou deliver your unloaded weapon (4) or (5) and item (6). After the ead Form CH-800-INFO, How D ent m. Keep a erson who ded in on: a.m.	s, ask the law enforcement officer or the form is signed, file it with the court cler to I Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer It items 5 and 6 of this form. Keep a and give the original to the person who see firearms or stored them with you, rearms listed in 6 were d to me transferred to me for storage at: a.m
you have obeyed its orders. When you licensed gun dealer to complete item Keep a copy for yourself. For help, r To Law Enforcement Fill out items 4 and 6 of this for copy and give the original to the peturned in the firearms. The firearms listed in 6 were turn Date: at: To: Name and title of law enforcement agency	ou deliver your unloaded weapon (4) or (5) and item (6). After the ead Form CH-800-INFO, How D ent m. Keep a erson who ded in on: a.m.	s, ask the law enforcement officer or the form is signed, file it with the court class of I Turn in, Sell, or Store My Firearms To Licensed Gun Dealer It items (5) and (6) of this form. Keep a and give the original to the person who be firearms or stored them with you. Iterated in (6) were did to me transferred to me for storal at: a.m ame of licensed gun dealer Telephone

(6)	Firearms		
	<u>Make</u>	<u>Model</u>	Serial Number
	a.		
	b.		
	c.		
	d.		
	e.		_
	Check here if you turned in, sold, or stored more f Item 6—Firearms Turned In, Sold, or Stored" for firearm. You may use Form MC-025, Attachment.	a title. Include make, model, ar	
7	Do you have, own, possess, or control any other firearms be If you answered yes, have you turned in, sold, or stored the If yes, check one of the boxes below:		
	a. I filed a Proof of Firearms Turned In, Sold, or Store	ed for those firearms with the co	ourt on (date):
	b. I am filing the proof for those firearms along with the	nis proof.	
	c. I have not yet filed the proof for the other firearms.	(Explain why not):	
	☐ Check here if there is not enough space below for the attached sheet of paper or Form MC-025 at		
	I declare under penalty of perjury under the laws of the Stacorrect.	te of California that the information	ation above is true and
Date	:		
		•	
Type	or print your name	Sign your name	

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

What is a firearm?

A firearm is a:

- · Handgun
- Rifle
- Shotgun
- · Assault weapon

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

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

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

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

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

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

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

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

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

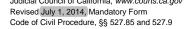
8 Questions?

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



SV-100 Petition for Private Postsecondary

School Violence Restraining Orders	
d How do I Get a Private Postsecondary School Violence Restraining ler?(Form SV-100-INFO) before completing this form. Also fill out affidential CLETS Information (Form CLETS-001) with as much armation as you know.	
Petitioner (Educational Institution Officer or Employee)	
a. Name: is	577
 □ the chief administrative officer □ an officer or employee designated by the chief administrative officer to maintain order on the campus or facility of (name of private postsecondary educational institution): 	Fill in court name and street address: Superior Court of California, County of
and is filing this petition on behalf of the student in 2 .	
b. Lawyer for Petitioner (if any for this case):	Court fills in case number when form is filed.
Name: State Bar No.: Firm Name:	_ Case Number:
c. Petitioner's Address (if the petitioner has a lawyer, give the lawyer's a Address: City: Telephone: E-Mail Address:	ngormanon).
Student in Need of Protection Full Name:	
Sex: M F Age:	
Respondent (Person From Whom Protection Is Sought)	
Full Name:	Age:
Address (if known):	
	Zip:
Additional Protected Persons	
a. Are you asking for protection for any family or household members of facility who are similarly in need of protection? Yes No	or any other students at the campus or (If yes, list them):
Full Name Sex Age House	hold Member? Relationship to Student
Y	es 🗌 No
	es 🗌 No
Y	es 🗌 No
☐ Additional protected persons are listed in Attachment 4a.	



Clerk stamps date here when form is filed.

			Case Number:				
	b.	Why do these people need protection? (Explain):	☐ Response is stated in Attachment 4b.				
5)	Re	elationship of Student and Respondent					
	a.	How does the student know the respondent? (Describe):	Response is stated in Attachment 5a.				
	b.	Respondent is is not a current student of petition expel, or otherwise discipline the respondent):	oner's institution. (Explain any decision to retain, Response is stated in Attachment 5b.				
6		hy are you filing in this county? (Check all that apply): The respondent lives in this county. The respondent has caused physical or emotional injury Other (specify):	to the student in this county.				
	٥ŧ	ther Court Cases					
7)		_	dyad in another court case with the respondent?				
	a. Has the student or any of the persons named in 4 been involved in another court case with the respondent?						
		No Yes (If yes, check each kind of case and indicate the second of the s					
		· ·	ounty/State) Year Filed Case Number (if known)				
		(1) Postsecondary School Violence					
		(2) Civil Harassment(3) Domestic Violence					
		(4) Divorce, Nullity, Legal Separation					
		(5) Paternity, Parentage, Child Support					
		(6) Elder or Dependent Adult Abuse					
		(7) Eviction					
		(8) Guardianship					
		(9) Workplace Violence					
		(10) Small Claims					
		(11) Criminal					
		(12) \square Other (specify):					
	b.		(If yes, attach a copy if you have one.)				
		This is not a Court	Order.				

Petition for Private Postsecondary School Violence Restraining Orders

Revised July 1, 2014

SV-100, Page 2 of 6

, I	De	escription of Respondent's Conduct			
'		Respondent has (check one or more):			
		 (1) Assaulted, battered, or stalked the student (2) Made a credible threat of violence against the student by making knowing or willful statements or engaging in a course of conduct that served no legitimate purpose and that would place a reasonable person in fear for his or her safety or the safety of his or her immediate family. 			
ł) .	One or more of these acts were made off the school campus or facility and can reasonably be understood (check either or both):			
		(1) To have been carried out at the school campus or facility			
		(2) To be carried out in the future at the school campus or facility Address of campus or facility:			
		Tradicios of campus of facility.			
(Э.	 Describe what happened. (Provide details; include the dates of all incidents beginning with the most recent; tell who did what to whom; identify any witnesses): ☐ Response is stated in Attachment 8c. 			
(1.	Was the student harmed or injured? ☐ Yes ☐ No (If yes, describe harm or injuries): ☐ Response is stated in Attachment 8d.			
•	e.	Did the respondent use or threaten to use a gun or any other weapon? Yes No (If yes, describe): Response is stated in Attachment 8e.			
		This is not a Court Order.			

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

11 Guns or Other Firearms and Ammunition Does the respondent own or possess any guns or other firearms?	
Does the respondent own or possess any guns or other firearms?	
Does the respondent own or possess any guns or other firearms?	talked the
Does the respondent own or possess any guns or other firearms?	
Does the respondent own or possess any guns or other firearms? Yes No I don't kn If the judge grants a protective order, the respondent will be prohibited from owning, possessing, purch receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protecti in effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a lic dealer any guns or firearms within his or her immediate possession or control. Request for Immediate Orders Without Notice Do you want the court to make any of these orders now that will last until the hearing without notice to respondent? Yes No (If you answered yes, explain why):	
Does the respondent own or possess any guns or other firearms? Yes No I don't kn If the judge grants a protective order, the respondent will be prohibited from owning, possessing, purch receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protecti in effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a lic dealer any guns or firearms within his or her immediate possession or control. Request for Immediate Orders Without Notice Do you want the court to make any of these orders now that will last until the hearing without notice to respondent? Yes No (If you answered yes, explain why):	
Does the respondent own or possess any guns or other firearms? Yes No I don't kn If the judge grants a protective order, the respondent will be prohibited from owning, possessing, purch receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protecti in effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a lic dealer any guns or firearms within his or her immediate possession or control.	the
Does the respondent own or possess any guns or other firearms?	
Guns or Other Firearms and Ammunition	
 b. If the court orders the respondent to stay away from all the places listed above, will he or she still be to his or her home, school, or job? Yes No (If no, explain): Response is stated on Attachment 10b. 	e able to get

Petition for Private Postsecondary School Violence Restraining Orders

SV-100, Page 5 of 6

	rve Orders o order the sheriff or marked on a credible threat of		ndent with the oth	ners for free because	e this requ
☐ Court Costs I ask the court to	order the respondent to	pay my court costs.			
☐ Additional O	rders Requested				
	o make the following add	ditional orders (specify	·):		
☐ Additional o	orders requested are state	d in Attachment 17.			
	tached to this form, if an	y:			
Number of pages att Date:	tached to this form, if an	y:			
		>	vyer's signature		
Date: Lawyer's name (if a	ny) alty of perjury under the l	Lav	, ,	nformation above a	nd on
Date: Lawyer's name (if a I declare under pena	ny) alty of perjury under the l	Lav	, ,	nformation above a	nd on
Date: Lawyer's name (if a light of a light	ny) alty of perjury under the l	Laws of the State of Ca	, ,	nformation above a	nd on
Date: Lawyer's name (if a light of a light	ny) alty of perjury under the l	Laws of the State of Ca	ulifornia that the in	nformation above a	nd on
Date: Lawyer's name (if a light of a light of petitioner) Name of petitioner	alty of perjury under the lue and correct.	Laws of the State of Ca	ulifornia that the in	nformation above a	nd on
Date: Lawyer's name (if a light of a light	alty of perjury under the lue and correct.	laws of the State of Ca	ulifornia that the in	nformation above a	nd on
Date: Lawyer's name (if a I declare under pena all attachments is true) Date: Name of petitioner Title I consent to the filing	alty of perjury under the lue and correct.	laws of the State of Ca	ulifornia that the in	nformation above a	nd on

SV-110 Temporary Restraining Order			Clerk stamps date here when form is filed.	
_	ational Institution Of	_	-	
a. Name:				
•	oner (if any, for this case):			
		State Bar No.:_		
Firm Name:				
b. Your Address (If	you have a lawyer, give yo	our lawyer's inf	formation.):	
				Fill in court name and street address:
City:	State	e: Zip:		Superior Court of California, County
Telephone:	Fax:	:		
E-Mail Address:				
Student (Protector	ed Person)			
				Court fills in case number when form is filed.
F 11 N	strained Person)			Case Number:
Description:				
Sex: M F	Height: Wei	ght:	Date of	f Birth:
Hair Color:	Eye Color: _		Age:	Race:
Home Address (if kn	own):			
City:			State:	Zip:
Relationship to Stude	ent:			
In addition to the stu temporary orders ind	licated below:			other students are protected by the
Full Name		$\underline{\underline{Sex}}$ $\underline{\underline{Age}}$	Household Yes	Member? Relation to Student No
			_ ☐ Yes	
		· — —	- ☐ Yes	<u> </u>
Additional protect	eted persons are listed at the	ne end of this O	_ 🖵	<u> </u>
	aca persons are instea at the	ic cha of this O	idei on ritta	omment 7.
Expiration Date	at the end of the hearing s	cheduled for th	he date and t	ime below:
This Order expires a	time cital of the hearting s	U		
D .		Time:		☐ a.m. ☐ p.m.

Case Number:	

To the Person in 2:

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

both 6		Personal Conduct Orders					
•		□ Not Requested □ Denied Until the Hearing □ Granted as Follows:					
	a.	. You are ordered not do the following things to the student ☐ and to the other protected persons listed in 4 :					
		(1) Harass, molest, strike, assault (sexually or otherwise), batter, abuse, destroy personal property o disturb the peace of the person.	f, or				
		(2) Commit acts of violence or make threats of violence against the person.					
		 (3) Follow or stalk the person during school hours or to or from the school. (4) Contact the person, either directly or indirectly, in any way, including, but not limited to, in person, be telephone, in writing, by public or private mail, by e-mail, by fax, or by other electronic means. 					
		(5) Enter the person's school.					
		(6) Take any action to obtain the person's address or locations. If this item is not checked, the court found good cause not to make this order.	has				
		(7) Other (specify):					
		Other personal conduct orders are attached at the end of this Order on Attachment 6a(7).					
	b.	o. Peaceful written contact through a lawyer or a process server or other person for service of legal papers					
		to a court case is allowed and does not violate this order. However, you may have your papers served by	mail				
		on the petitioner.					
7	St	Stav-Away Order					
	_	Stay-Away Order					
	L	□ Not Requested □ Denied Until the Hearing □ Granted as Follows:					
	a.	. You must stay at least yards away from (check all that apply):					
		(1) The student (7) The student's children's place of child care					
		(2) Each other protected person listed in (4) (8) The student's vehicle					
		(3) \square The school (9) \square Other (specify):					
		(4) The student's home					
		(5) The student's job or workplace					
		(6) The student's children's school					

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



8	a. You find the second of the	rearms, or ammunition. ou must:) Sell to or store with a licensed gun dealer or turn in your immediate possession or control. This mu Order.) File a receipt with the court within 48 hours of re	eive or try to receive, or in any other way get guns, other in to a law enforcement agency any guns or other firearms ast be done within 24 hours of being served with this ceiving this Order that proves that your guns or firearms a Form SV-800, Proof of Firearms Turned In, Sold, or possess a firearm.
9		r Orders	
	□ No	ot Requested Denied Until the Hea	ring Granted as Follows (specify):
	☐ Ac	lditional orders are attached at the end of this Order	on Attachment 9.
		To the Dove	on in O
		To the Person	on in U:
10		datory Entry of Order Into CARPOS Thro	
		Order must be entered into the California Restraining rnia Law Enforcement Telecommunications System	and Protective Order System (CARPOS) through the (CLETS). (Check one):
	a. 🗌	The clerk will enter this Order and its proof-of-ser	
	b	The clerk will transmit this Order and its proof-of-into CARPOS.	service form to a law enforcement agency to be entered
	c.	· · ·	e is made, the petitioner or the petitioner's lawyer should be form to the law enforcement agencies listed below to
		Name of Law Enforcement Agency	Address (City, State, Zip)
		Additional law enforcement agencies are listed	at the end of this Order on Attachment 10
	N. F	-	
11)		ee to Serve (Notify) Restrained Person eriff or marshal will serve this Order without charge	☐ Ordered ☐ Not Ordered
	a.	The Order is based on a credible threat of violence	
	а b	The petitioner is entitled to a fee waiver.	or omining.
		This is a Cou	ert Order
		This is a Cou	it Order.

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

Warnings and Notices to the Restrained Person in 2

You Cannot Have Guns or Firearms

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

Notice Regarding Nonappearance at Hearing and Service of Order

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

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

After You Have Been Served With a Restraining Order

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

Case	Number:		

Instructions for Law Enforcement

Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

Start Date and End Date of Orders

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

Arrest Required if Order Is Violated

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

Notice/Proof of Service

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

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

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

If the Protected Person Contacts the Restrained Person

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

Conflicting Orders - Priorities for Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

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

	(Clerk will fill out this part.)
	—Clerk's Certificate—
Clerk's Certificate [seal]	I certify that this <i>Temporary Restraining Order</i> is a true and correct copy of the original on file in the court.

Date: _______, Deputy

Case Number:

SV-120

Response to Petition for Private Postsecondary School Violence Restraining Orders

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

Read How Can I Respond to a Petition for Private Postsecondary School

	Violence rights.	Restraining Orde	ers (Form SV-120-	-INFO)?, to protec	t your	
•	Fill out th	Fill out this form and take it to the court clerk. Have someone age 18 or older—not you—serve the petitioner or the				
•						
	•	• •	A *	nis form and any at of Response by M		Fill in court name and street address:
					•	Superior Court of California, County of
(1)	Name:		ai institution (Officer or Emp	ioyee)	
(2)	Student	Seeking Prot	ection			
_	Full Name	:				Fill in case number:
	Daamana					Case Number:
3	a. Your N	-	From Wnom F	Protection Is S	ougnt)	
	Your I	_awyer (if you ho	ive one for this ca	se):		
	Name:			State Bar No.:	:	
	Firm N	Vame:				
		o your street add c): ss:	ress private; skipState:	ddress if you want this if you have a Zip:	The control hearing place	ourt will consider your response at the ag. Write your hearing date, time, and from Form SV-109, item 4 here: Date: Room:
	E-Mai	l Address:			If you v	vere served with a Temporary
4	a. b. c.	I do not agree t	rders requested. o the orders reque ollowing orders (s ₁		Restrain hearing	ning Order, you must obey it until the At the hearing, the court may make gainst you that last for up to three years.
(5)	☐ Stay-	Away Orders	i			
	a. 🗌	I agree to the or	rders requested.			
	b. 🗌	I do not agree t	o the orders reque	ested.		
	c.	I agree to the fo	ollowing orders (s _i	pecify):		

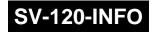
SV-120, Page 1 of 3

Clerk stamps date here when form is filed.

6) \Box	Additional Protected Persons	
	a. \Box I agree that the persons listed in item 4 of the Petition may be p	protected by the order requested.
	o. I do not agree that the persons listed in item 4 of the Petition m	ay be protected by the order requested.
If you other enformation being the second se	earms Prohibition and Relinquishment ou were served with Form SV-110, Temporary Restraining Order, you refirearms, or ammunition. You must sell to or store with a licensed rement agency, any guns or other firearms in your immediate posses generated with Form SV-110. (See Item 8 of Form SV-110.) You must use Form CH-800, Proof of Firearms Turned In, Sold, or Stored for	gun dealer, or turn in to a law session or control within 24 hours of ast file a receipt with the court. You
	a. I do not own or control any guns or other firearms.	
	 I have turned in my guns and firearms to the police or sold them dealer. 	to or stored them with a licensed gun
	A copy of the receipt is attached. has already been filed	I with the court.
8) \square	Other Orders	
	a. I agree to the orders requested.	
	o. I do not agree to the orders requested.	
	c. I agree to the following orders (specify):	
9 🗆	Denial	
<u> </u>	did not do anything described in item (8) of Form SV-100. (Skip to (11)).)
10) 	Justification or Excuse	
	f I did some or all of the things that the petitioner has accused me of, me he following reasons (explain):	y actions were justified or excused for
[Check here if there is not enough space below for your answer. Put y sheet of paper and write "SV-120, item 10—Justification or Excuse"	-
,		
,		_

Revised July 1, 2014

a. I ask the court to ventitled to free fili	waive the filing fee because tag.	he petitioner claims in Fo	rm SV-100 item (14) to be
	be required to pay the filing to Waive Court Fees, <i>must b</i>		for a fee waiver. (Form
Costs			
a. I ask the court to c	order the petitioner to pay my	court costs.	
The amounts requ	uested are:		
<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
	\$		\$
	\$		\$
	\$		\$
b. I ask the court to defees and costs.	ad write "Attachment 12—Codeny the request of the personal his form, if any:	n asking for protection tha	t I pay his or her lawyer'
b. I ask the court to defees and costs. Jumber of pages attached to t	the request of the person his form, if any:	n asking for protection tha	t I pay his or her lawyer'
b. I ask the court to defees and costs. Number of pages attached to t	the request of the person this form, if any:	n asking for protection tha	t I pay his or her lawyer'
b.	his form, if any:	a asking for protection tha	
b. I ask the court to defees and costs. Sumber of pages attached to to Date:	his form, if any:	a asking for protection tha	



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

What is a private postsecondary school violence restraining order?

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

What does the order do?

The court can order you to:

- Not contact the student who is protected by the order
- Stay away from the student and the student's home, school and other places
- Not have any guns as long as the order is in effect

Who can ask for a private postsecondary school violence restraining order?

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

I've been served with a petition for private postsecondary school violence restraining orders. What do I do now?

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

What if I don't obey the order?

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

What if I don't agree with what the order

You still must obey the order until the hearing. If you disagree with the orders the person is asking for, fill out Form SV-120, Response to Petition for Private Postsecondary School Violence Restraining Orders, before your hearing date and file it with the court. If you need to include attachments, you can use Form MC-025. You can get the forms from legal publishers or on the Internet at www.courts.ca.gov. You also may be able to find them at your local courthouse or county law library.

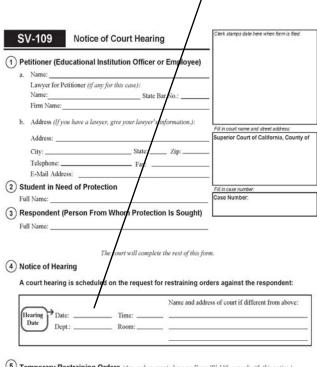
Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older—not you—mail a copy of completed Form SV-120 to the person named in item (1) of the petition Form SV-110 (or that person's lawyer). (This is called "service by mail.")

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

Should I go to the court hearing?

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



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

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

Notice of Court Hearing





SV-120-INFO, Page 1 of 2



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

How long does the order last?

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

Do I need a lawyer?

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

Will I see the student at the court hearing?

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

Can I bring a witness to the court hearing?

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

For help in your area, contact:

[Local information may be inserted.]

What if I don't speak English?

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

What if I have a gun?

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

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

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

What if I am deaf or hard of hearing?



Assistive listening systems, computerassisted real-time captioning, or sign language interpreter services are available if you ask at least five court days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for Request for Accommodations by Persons with Disabilities and Response (Form

MC-410). (Civ. Code, § 54.8.)

SV-130

Private Postsecondary School Violence Restraining Order After Hearing

	ring		
Petitioner (Education	nal Institution Officer	or Employee)	
a. Name:			
Lawyer for Petitioner			
Name:	State B	ar No.:	-
Firm Name:			_
b. Your Address (If you h Address:	ave a lawyer, give your law	yer's information.):	Fill in court name and street address: Superior Court of California, County
City:	State:	Zip:	
Telephone:			-
			- -
Student (Protected F			Court fills in case number when form is filed.
Full Name:			Case Number:
Description:	ight: Weight:	Data	of Right
Sex: M F He Hair Color: Home Address (if known City:	Eye Color:	Age: Sta	Race:
Sex: M F He Hair Color: Home Address (if known City:	Eye Color:	Age: Sta	Race:
Sex: M F He Hair Color: Home Address (if known City:	Eye Color: n): d Person:	Age: Sta	Race:
Sex: M F He Hair Color: Home Address (if known City: Relationship to Protected Additional Protected	Eye Color: n): d Person: cted Persons , the following family or hor	Age: Sta	Race:
Sex: M F He Hair Color: Home Address (if known City: Relationship to Protected Additional Protect In addition to the student	Eye Color: n): d Person: cted Persons , the following family or hotel below:	Age: Sta	Race: Zip: other students are protected by the
Sex: M F He Hair Color: Home Address (if known City: Relationship to Protected Additional Protect In addition to the student, temporary orders indicated	Eye Color: n): d Person: cted Persons , the following family or hored below:	Age: Sta	Race: Zip: other students are protected by the Relation to student
Sex: M F He Hair Color: Home Address (if known City: Relationship to Protected Additional Protect In addition to the student, temporary orders indicate	Eye Color: n): d Person: cted Persons , the following family or hored below:	Age: Sta usehold members or Age Househol	te: Zip: other students are protected by the d Member? Relation to student No No
Sex: M F He Hair Color: Home Address (if known City: Relationship to Protected Additional Protect In addition to the student, temporary orders indicated Full Name	Eye Color: n): d Person: cted Persons , the following family or hoted below: ne Sex	Age: Sta usehold members or Age Househol	te:Zip: other students are protected by the d Member? Relation to student No No No No
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Sex:	Eye Color: n): d Person: cted Persons , the following family or hoted below: ne Sex	Age: Sta	other students are protected by the d Member? Relation to student No No No

This is a Court Order.



Clerk stamps date here when form is filed.

		Case Number:	
Hearing			
	:at (time):		
		made the orders a	it the hearing.
b. These people were at the hearing			
	representative (name):		
	tioner/school (name):		
	☐ The lawyer for the student☐ The lawyer for the responde	<u></u>	
•	are listed at the end of this Order	· · · · · · · · · · · · · · · · · · ·	
• •	The parties must return to court or		ot (time):
c. The hearing is continued. I	the parties must return to court of	(uuie)	at (<i>time</i>)
	To the Respondent	:	
The court has granted the ord	ders checked below. If you d	o not obey these ord	lers you can be
arrested and charged with a c to \$1,000, or both.		•	· •
Personal Conduct Orders			
a. You are ordered not do the follow	owing things to the student		
and to the other protected	persons listed in 4:		
(1) Harass, molest, strike, a disturb the peace of the	assault (sexually or otherwise), base person.	atter, abuse, destroy pers	onal property of, or
(2) Commit acts of violence	ce or make threats of violence aga	inst the person.	
· · ·	son during school hours or to or f		
	ner directly or indirectly, in any we public or private mail, by interest neans.	•	
(5) Enter the person's scho	ool.		
(6) Take any action to obtation found good cause not to	ain the person's address or location on make this order.	ns. If this item is not che	ecked, the court has
(7) \square Other (specify):			
Other personal cond	duct orders are attached at the end	d of this Order on Attach	ment 7a(7).
h Danaful witten and	.h. a lannan a	otless manage of Grand	of local access 1
b. Peaceful written contact throug to a court case is allowed and d		other person for service	of legal papers related
to a court case is also wed and a	des not violate and order.		
	This is a Court Orde	r.	

Private Postsecondary School Violence Restraining Order After Hearing (CLETS-SVO) (Private Postsecondary School Violence Prevention) **SV-130,** Page 2 of 6

Revised July 1, 2014

8)	Si	tay-Away Order					
		☐ Not Requested	□ Denied Until the	e Hearin	g 🗌 Granted a	as Follo	ws:
	a.	You must stay at least	yards away	from (c.	heck all that apply):		
		(1) \square The student		(7)	The student's children	n's place o	of child care
		(2) Each other protection	eted person listed in 4	(8)	The student's vehicle		
		(3) The school		(9)	Other (specify):		
		(4) \square The student's job	or workplace				
		(5) \square The student's job	or workplace				
		(6) \square The student's chi	ldren's school				
	b.	This stay-away order doe	s not prevent you from	going to o	or from your home or p	olace of en	nployment.
		Order. (2) File a receipt with the turned in, sold, or storeceipt.)	a licensed gun dealer or ossession or control. The court within 48 hours ored. (You may use Form	of receive of SV-800,	e done within 24 hours ng this Order that prov Proof of Firearms Tu	of being s	served with this
	c.		d information that you o	own or po	ssess a meann.		
(10)	Ш	Costs		41 4141			
		You must pay the following Item	Amounts for costs to Amount	me penno	Item		Amount
			\$			\$	
			\$			\$	
			\$			\$	
		Additional amounts a	re attached at the end of	this Orde	r on Attachment 10.		
11)		Other Orders (specify	·):				
		☐ Additional orders are	attached at the end of th				
			This is a	Court (Order.		
Revised	July 1	1, 2014	Private Postsecor	ndary S	chool Violence		SV-130, Page 3 of 6

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

Case Number:		

To the Person in 1 :

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

Case Number:	

Warning and Notice to the Respondent:

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item (9). The court will require you to prove that you did so.

Instructions for Law Enforcement

Enforcing the Restraining Order

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

Start Date and End Date of Orders

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

Arrest Required If Order Is Violated

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

Notice/Proof of Service

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

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

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

If the Protected Person Contacts the Restrained Person

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

This is a Court Order.

SV-130, Page 5 of 6

 \rightarrow

Case Number:		

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued, the orders must be enforced according to **the following priorities:** (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

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

Clerk's Certificate [seal]	(Clerk will fill out this part.) —Clerk's Certificate—
	I certify that this <i>Private Postsecondary School Violence Restraining Order After Hearing</i> is a true and correct copy of the original on file in the court.

Date: Clerk, by ______, Deputy

	SV-200 Proof of Personal Service		Clerk stamps date here when form is filed.
1	Petitioner (Educational Institution Officer or En	mployee)	
2	Name: Student in Need of Protection Name:		
3	Respondent (Person From Whom Protection Is Name:	s Sought)	
4	Notice to Server The server must: • Be 18 years of age or older.		Fill in court name and street address: Superior Court of California, County of
	 Not be listed in items (1), (2), or (4) of Form SV-100. Give a copy of all documents checked in (5) below to the (You cannot send them by mail.) Then complete and sign and give or mail it to the petitioner. 	e respondent.	
	PROOF OF PERSONAL S	ERVICE	Court fills in case number when form is filed.
5)	 I gave the respondent a copy of the forms checked below: a. □ SV-109, Notice of Court Hearing b. □ SV-110, Temporary Restraining Order c. □ SV-100, Petition for Private Postsecondary School V. d. □ SV-120, Response to Petition for Private Postseconde e. □ SV-120-INFO, How Can I Respond to a Petition for Orders? f. □ SV-130, Private Postsecondary School Violence Res g. □ SV-800, Proof of Firearms Turned In, Sold, or Store h. □ Other (specify): 	dary School Vid Private Postse straining Orden	olence Restraining Orders (blank form) econdary School Violence Restraining r After Hearing
6)	I personally gave copies of the documents checked above to	the responden	nt
<u>ت</u>	a. On (date): b. At (time):		a.m.
	c. At this address:		_
	City:	State:	Zip:
7	Server's Information Name:	Telephone:	
	Address:		
	City:		Zip:
	(If you are a registered process server):		
	County of registration:	Registra	ation number:
	I declare under penalty of perjury under the laws of the State correct.		·
	Date:		
	Type or print server's name	Server to sign	here

SV-800 Proof of Firearms Turned or Stored	, 0010.,	
Petitioner (Educational Institution Officer or E	Employee)	_
Name: Student in Need of Brotestian		-
Student in Need of Protection		
Full Name:	la Carrelati	-
Respondent (Person From Whom Protection	is Sought)	
Your Name:		-
Your Lawyer (if you have one for this case): Name: State Bar No.		Fill in court name and street address:
Firm Name:		Superior Court of California, County
Your Address (If you have a lawyer, give your lawyer's in If you do not have a lawyer and want to keep your home a private, you may give a different mailing address instead. have to give telephone, fax, or e-mail.):	ddress	
Address: City: State: Zip:		Court fills in case number when form is filed.
		Case Number:
Telephone: Fax: E-Mail Address:		
To the Respondent: If the court has ordered you to turn in, sell, or store your fi you have obeyed its orders. When you deliver your unload licensed gun dealer to complete item (5) or (6) and item (1).	irearms, you maded weapons, a After the for	sk the law enforcement officer or the rm is signed, file it with the court clerk
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To the Respondent: If the court has ordered you to turn in, sell, or store your filter you have obeyed its orders. When you deliver your unload licensed gun dealer to complete item (5) or (6) and item (6). Keep a copy for yourself. For help, read Form SV-800-IN. To Law Enforcement Fill out items (5) and (7) of this form. Keep a copy and give the original to the person who turned in the firearms. The firearms listed in (7) were turned in on: Date: at: a.m p.m. To:	Fill out its copy and you the fire arms. To: To: To: Addres I declare of the St.	sk the law enforcement officer or the rm is signed, file it with the court clerk Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer ems 6 and 7 of this form. Keep a give the original to the person who so rearms or stored them with you. ems listed in 7 were o me transferred to me for storage at: a.m p e of licensed gun dealer Telephone Telephone

		L	
7	Firearms		
	<u>Make</u>	<u>Model</u>	Serial Number
	a		
	b		
	c		
	d		
	e		
	☐ Check here if you turned in, sold, or stored more f Item 7—Firearms Turned In, Sold, or Stored" for firearm. You may use Form MC-025, Attachment.	a title. Include make, model, a	
8	Do you have, own, possess, or control any other firearms be If you answered yes, have you turned in, sold, or stored the (If yes, check one of the boxes below):)?
	a. I filed a Proof of Firearms Turned In, Sold, or Store	ed for those firearms with the c	court on (date):
	b. I am filing the proof for those firearms along with the	nis proof.	
	c. \square I have not yet filed the proof for the other firearms.	(Explain why not):	
	☐ Check here if there is not enough space below for the attached sheet of paper or Form MC-025 a	•	
	I declare under penalty of perjury under the laws of the Stacorrect.	te of California that the inforn	nation above is true and
Date	:		
		\	
Tyne	or print your name	Sign your name	
- 5100	o. p jown willie	Sign your name	

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

What is a firearm?

A firearm is a:

- · Handgun
- Rifle
- Shotgun
- · Assault weapon

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

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

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

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

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

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

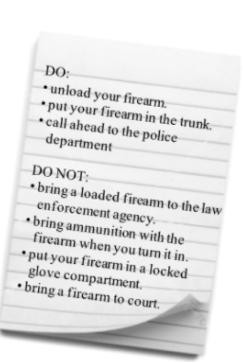
Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

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

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

8 Questions?

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



Read How Do I Get an Order to Prohibit Workplace Violence (Form WV-100-INFO) before completing this form. NOTE: Petitioner must be an employer with standing to bring this action under Code of Civil Procedure section 527.8. Also fill out Confidential CLETS Information (Form CLETS-001) with as much information as you know. Petitioner (Employer)	when form is filed.
a. Name: is a	
is a	
is a	
Superior Court of Cali and is filing this suit on behalf of the employee identified in item (2). b. Lawyer for Petitioner (if any for this case): Name:	
and is filing this suit on behalf of the employee identified in item ②. b. Lawyer for Petitioner (if any for this case): Name: Firm Name: Petitioner's Address (if the petitioner has a lawyer, give the lawyer's information): c. Address: City: Telephone: E-Mail Address: 2 Employee in Need of Protection Full Name: Sex: M F Age: Address (if known): City: State: Zip: Additional Protected Persons a. Are you asking for protection for any family or household members of the employee or for any employees at the employee's workplace or at other workplaces of the petitioner? Yes No Count fills in case number (Case Number: Case N	
b. Lawyer for Petitioner (if any for this case): Name: State Bar No.:	amornia, County of
Name: State Bar No.: Petitioner's Address (if the petitioner has a lawyer, give the lawyer's information): c. Address: State: Zip:	
Firm Name: Petitioner's Address (if the petitioner has a lawyer, give the lawyer's information): c. Address: City: State: Zip: Telephone: E-Mail Address: E-Mail Address:	
information): c. Address: City: Telephone: E-Mail Address: E-Mail Address: Employee in Need of Protection Full Name: Sex: M F Age: Address (if known): City: State: State: Zip: Additional Protected Persons a. Are you asking for protection for any family or household members of the employee or for any employees at the employee's workplace or at other workplaces of the petitioner? Yes No (If yes, list them): Full Name Sex Age Household Member? Relations Yes No	
c. Address: City: State: Zip: Telephone: Fax: E-Mail Address: Employee in Need of Protection Full Name: Sex: M F Age: Age: Address (if known): City: State: Zip: 4 Additional Protected Persons a. Are you asking for protection for any family or household members of the employee or for any employees at the employee's workplace or at other workplaces of the petitioner? Yes No (If yes, list them): Full Name Sex Age Household Member? Relations Yes No	er when form is filed.
City: State: Zip: Telephone: Fax: E-Mail Address: Employee in Need of Protection Full Name: Sex: M F Age: Address (if known): State: Zip: Additional Protected Persons a. Are you asking for protection for any family or household members of the employee or for any employees at the employee's workplace or at other workplaces of the petitioner? Yes No (If yes, list them): Full Name Sex Age Household Member? Relations Yes No	
Telephone:	
E-Mail Address: Employee in Need of Protection Full Name: Sex:	
Employee in Need of Protection Full Name: Sex:	
Full Name: Sex: M F Age: Respondent (Person From Whom Protection Is Sought) Full Name: Age: Age: Age: Age Household Member? Relations Full Name: Sex: Age: A	
Sex:	
Respondent (Person From Whom Protection Is Sought) Full Name: Age: Address (if known): State: Zip: City: State: Zip: Additional Protected Persons a. Are you asking for protection for any family or household members of the employee or for any employees at the employee's workplace or at other workplaces of the petitioner? Yes No No Yes No Yes No No Yes No	
Full Name: Age: Address (if known): City: State: Zip: Additional Protected Persons a. Are you asking for protection for any family or household members of the employee or for any employees at the employee's workplace or at other workplaces of the petitioner? Yes No No Yes No Yes No Yes No No Yes No	
Address (if known): City: State: Zip: Additional Protected Persons a. Are you asking for protection for any family or household members of the employee or for any employees at the employee's workplace or at other workplaces of the petitioner? Yes No (If yes, list them): Full Name Sex Age Household Member? Relations Yes No	
City: State: Zip: Additional Protected Persons a. Are you asking for protection for any family or household members of the employee or for any employees at the employee's workplace or at other workplaces of the petitioner? Yes No No Yes	
Additional Protected Persons a. Are you asking for protection for any family or household members of the employee or for any employees at the employee's workplace or at other workplaces of the petitioner? \[\sum \text{Yes} \sum \text{No} \text{(If yes, list them):} \] \[\sum \text{Full Name} \text{Sex} \text{Age} \text{Household Member?} \text{Relations} \] \[\sum \text{Yes} \sum \text{No}	
a. Are you asking for protection for any family or household members of the employee or for any employees at the employee's workplace or at other workplaces of the petitioner? \[\sum \text{Yes} \sum \text{No} \text{(If yes, list them):} \] \[\sum \text{Yes} \text{Age} \text{Household Member?} \text{Relations} \] \[\sum \text{Yes} \sum \text{No} \text{No} \text{No} \text{Yes} \sum \text{No}	
employees at the employee's workplace or at other workplaces of the petitioner? \[\text{Yes} \sum \text{No} \(\text{If yes, list them} \): \[\text{Full Name} \text{Sex} \text{Age} \text{Household Member?} \text{Relations} \] \[\text{Yes} \sum \text{No}	
	any other
	onship to Employee
Yes	
□ Vas □ No	

b.	Why do these people need protection? (Expla ☐ Response is stated in Attachment 4b.	uin):
	elationship of Employee and Respondent How does the employee know the respondent	_
b.	Respondent is is not a current er or otherwise discipline the respondent):	mployee of petitioner. (Explain any decision to retain, terminate, Response is stated in Attachment 5b.
• /	enue Thy are you filing in this county? (Check all that The respondent lives in this county.	at apply):
b. c.		notional injury to the petitioner's employee in this county.

	Case Number:
8) De	escription of Respondent's Conduct
a.	Respondent has (check one or more): (1) Assaulted, battered, or stalked the employee (2) Made a credible threat of violence against the employee by making knowing or willful statements or engaging in 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.
b.	One or more of these acts (check either or both): (1)
c.	Describe what happened. (Provide details; include the dates of all incidents beginning with the most recent; tell who did what to whom; identify any witnesses): Response is stated in Attachment 8c.
d.	Was the employee harmed or injured? Yes No (If yes, describe harm or injuries):

e. Did the respondent use or threaten to use a gun or any other weapon?Response is stated in Attachment 8e.

Response is stated in Attachment 8d.

	Yes	☐ No	(If yes,	describe).
_				

	f. For any of the incidents described above, did If yes, did the employee or the respondent rules are respondent rules. The order protects (check all that application) The employee. (2) The respondent rules are rules	receive an Emergency Protective Order? **pply): **pondent.** c.
9	 be protected listed in 4: a. Harass, intimidate, molest, attack, strike personal property of, or disturb the peace b. Commit acts of unlawful violence on or c. Follow or stalk the person during work d. Contact the person, either directly or incommendation 	r make threats of violence to the person.
10	unless the court finds good cause not to make to Stay-Away Order	yards away from (check all that apply): (8)

	 b. If the court orders the respondent to stay away from all the places listed above, will he or she still be able to go to his or her home, school, or job? ☐ Yes ☐ No (If no, explain): ☐ Response is stated on Attachment 10b.
)	Guns or Other Firearms and Ammunition
/	Does the respondent own or possess any guns or other firearms? Yes No I don't know
	If the judge grants a protective order, the respondent will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order in effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a licensed gundealer, any guns or firearms within his or her immediate possession or control.
(Request for Immediate Orders Without Notice
/	Do you want the court to make any of these orders now that will last until the hearing without notice to the respondent? Yes No (If you answered yes, explain why): Response is stated on Attachment 12.
	☐ Request for Less Than Five Days' Notice
<i>'</i>)	You must have your papers personally served on the respondent at least five days before the hearing, unless the court orders a shorter time for service. (Form WV-200-INFO explains what is proof of personal service. Form WV-200, Proof of Personal Service, may be used to show the court that the papers have been served.)
	If you want there to be fewer than five days between service and the hearing, explain why:
	Response is stated in Attachment 13.
7	□ No Fee for Filing
/	I ask that there be no filing fee because the respondent has threatened violence against the employee, or stalked the employee, or acted or spoken in a manner that has placed the employee in reasonable fear of violence.
	This is not a Court Order.

15)	No Fee to Serve Orders I ask the court to order the sheriff or marshal to serve the respondent with the others for free because this request for orders is based on a credible threat of violence or stalking.
16) [Court Costs I ask the court to order the respondent to pay my court costs.
17) [Additional Orders Requested
	I ask the court to make the following additional orders (specify):
	☐ Additional orders requested are stated in Attachment 17.
18) N	fumber of pages attached to this form, if any:
Γ	Pate:
\overline{L}	awyer's name (if any) Lawyer's signature
	declare under penalty of perjury under the laws of the State of California that the information above and on ll attachments is true and correct.
Γ	Pate:
Λ	Tame of petitioner Signature
\overline{T}	itle

WV-110	Tempora	ary Restrainin	g Order	Clerk stamp	os date here when form is filed.
Petitioner (E				-	
Lawyer for P	Petitioner (if any,		Bar No.:	_	
Firm Name:		-			
Address:		lawyer, give your law			
		State:			name and street address: Court of California, County
				_ '	•
E-Mail Addr					
	rotected Pers	son)		Count fills in	n case number when form is filed
Respondent Full Name: Description:	(Restrained	Person)		Case Nui	
Sex: M	F Height:	Weight:		ate of Birth:	
Hair Color:		Eye Color:	Age:	Race:	
City:				State:	Zip:
Relationship to	Student:				
☐ Additiona	I Protected Pe employee, the sindicated below	dersons following family or by:	nousehold memb	ers or other emp	ployees are protected by th
	Full Name	<u>Sex</u>	C	hold Member?	Relation to Student
				les □ No	
				les □ No	
	rotacted persons	are listed at the and		Yes No	
☐ Additional n	TOTOLICA DOLSOIIS	are fisted at the clid	or uns Oruci on	ruaciiiiciii 4.	
☐ Additional partial Expiration Date This Order expiration	ate	the hearing schedu	led for the date o	and time below:	

Case Number:	

To the Respondent:

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

L		NOT F	Requested		Denied	d Until the	: пеа	ring	Ш	Gr	ante	as	FOIIO	ws:		
a	l. '		ordered not nd to the other		_	-	_	loyee								
				•	•		$\overline{}$									
		(1)	Harass, mol disturb the J				r othei	rwise),	battei	r, ab	use, d	estroy	perso	nal pro	perty of	, or
		(2)	Commit act	s of viol	ence or m	nake threats	of vio	lence a	gainst	t the	perso	1.				
		(3)	Follow or s	talk the p	erson du	ring work h	ours o	r to or i	from t	the p	olace o	f wor	K.			
		(4)	Contact the telephone, i			ectly or indi lic or private	•	-		-	_					on, ł
		(5)	Enter the w	orkplace	of the pe	erson.										
		(6)	Take any ac found good			-	dress (or locat	tions.	If th	is iten	is no	t chec	ked, tł	ne court	has
		(7)	Other (spec	ify):												
		(')														
b		Peacefi	ıl written coı	ntact thro	ough a lav		ocess s	server (or othe	er p	erson f	or ser	vice o	f legal	papers r	
` .		Peacefuto a cou		ntact thro	ough a lav	wyer or a pro	ocess s	server (or othe	er p	erson f	or ser	vice o	f legal	papers r	
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) s	Sta □ 1.	Peacefu to a cou on the p ay-Awa Not F You mu (1)	al written con art case is all petitioner. ay Order Requested ast stay at le	ntact throowed an	ough a lav	wyer or a prot violate thi	e Hea	server (cr. Howering) ring (check	or other ever,	er poyou Gr Gr bloye	erson f may h antec	or ser ave y	vice o	f legal pers se	papers r	mai
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·) •	Sta	Peacefuto a coulon the pay-Awa Not Fayou mu (1) [2] [3] [3]	al written controller case is allocationer. ay Order Requested ust stay at le The employ The employ	astee's worderee's hor	Deniec I person lekplace	wyer or a prot violate thi	e Hear from (7)	ring (check	or other ever,	er poyou Grant coologo	erson f may h antec apply): ee's ch	or ser ave y	vice o	f legal pers se	papers r	mai

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

No Guns or Other Firearms and Ammunitic	nn
	eceive or try to receive, or in any other way get guns, other
in your immediate possession or control. This Order.	rn in to a law enforcement agency any guns or other firearm must be done within 24 hours of being served with this receiving this Order that proves that your guns or firearms
	use Form WV-800, Proof of Firearms Turned In, Sold, or
c. The court has received information that you own	n or possess a firearm.
Other Orders ☐ Not Requested ☐ Denied Until the H	learing ☐ Granted as Follows (specify):
☐ Additional orders are attached at the end of this Orders To the P	Petitioner:
Mandatory Entry of Order Into CARPOS Th	
This Order must be entered into the California Restrain California Law Enforcement Telecommunications Syst	ting and Protective Order System (CARPOS) through the tem (CLETS). (Check one):
a. The clerk will enter this Order and its proof-of-s	service form into CARPOS.
b. The clerk will transmit this Order and its proof- into CARPOS.	of-service form to a law enforcement agency to be entered
*	der is made, the employer or the employer's lawyer should vice form to the law enforcement agencies listed below to
Name of Law Enforcement Agency	Address (City, State, Zip)
Additional law enforcement agencies are li	isted at the end of this Order on Attachment 10
_	isted at the end of this Order on Attachment 10.
No Fee to Serve (Notify) Restrained Persor	
The sheriff or marshal will serve this Order without cha	
a. The Order is based on a credible threat of violer b. The patitioner is entitled to a fee waiver	ice of starking.
b. The petitioner is entitled to a fee waiver.	
This is a C	Court Order.

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

Warnings and Notices to the Restrained Person in 2

You Cannot Have Guns or Firearms

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

Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and Form WV-109, *Notice of Court Hearing*, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this Temporary Restraining Order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the address in item (3).

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

After You Have Been Served With a Restraining Order

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



Case Number:	

Instructions for Law Enforcement

Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

Start Date and End Date of Orders

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

Arrest Required if Order Is Violated

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

Notice/Proof of Service

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

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

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

If the Protected Person Contacts the Restrained Person

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

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

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



Case Number:	
	ı

(Clerk will f	ill out	this	part.)
-Clerk's	Cert	ifica	ate—

Clerk's Certificate
[seal]

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

Date:	Clerk, by	, Deputy
-------	-----------	----------

WV-120

Response to Petition for Workplace Violence Restraining Orders

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

- Read How Can I Respond to a Petition for Private Postsecondary School Violence Restraining Orders (Form WV-120-INFO)?, to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—not you—serve the petitioner or the netitioner's lawyer by mail with a copy of this form and any attached

Petitioner (Employer Name:	0, Proof of Service of Response by M		Fill in court name a	nd street address: of California, County of
Employee Seeking P	rotection			
Full Name:				
Respondent (Person	From Whom Protection Is So	ought)	Court fills in case n Case Number:	umber when form is filed.
a. Your Name:			Case Number.	
Your Lawyer (if you h	ave one for this case):			
Name:	State Bar No.:			
Firm Name:				
to keep your street add lawyer): Address: City: Telephone: E-Mail Address: Personal Conduc a.	y give a mailing address if you want dress private; skip this if you have a State: Zip: Fax: Fax: t Orders orders requested. to the orders requested. ollowing orders (specify):	Hearing Date If you w Restrain hearing orders as	g. Write your heafrom Form WV-1 Date: Dept.: vere served with ning Order, you At the hearing, t	a Temporary must obey it until the the court may make st for up to three years.
b. I do not agree	orders requested. to the orders requested. collowing orders (specify):			



Clerk stamps date here when form is filed.

□ Addit	tional Protected Persons
a. 🗆	I agree that the persons listed in item (4) of the Petition may be protected by the order requested.
h □	I do not agree that the persons listed in item (4) of the Petition may be protected by the order requested.
0.	Tuo not agree that the persons fisted in hem (4) of the retition may be protected by the order requested.
If you wer other firea enforceme being serv	re served with Form WV-110, Temporary Restraining Order, you cannot own or possess any guns, arms, or ammunition. You must sell to or store with a licensed gun dealer, or turn in to a law ent agency, any guns or other firearms in your immediate possession or control within 24 hours of red with Form WV-110. (See Item 8 of Form WV-110.) You must file a receipt with the court. You form WV-800, Proof of Firearms Turned In, Sold, or Stored for the receipt.
a. 🗌	I do not own or control any guns or other firearms.
b. 🗌	I have turned in my guns and firearms to the police or sold them to or stored them with a a licensed gun dealer.
□ O 4ls o =	A copy of the receipt is attached. has already been filed with the court.
	I agree to the orders requested.
. –	I do not agree to the orders requested.
	I agree to the following orders (specify):
Denia	
I did n	ot do anything described in item (8) of Form WV-100. (Skip to (1)).)
☐ Justif	fication or Excuse
	I some or all of the things that the petitioner has accused me of, my actions were justified or excused for lowing reasons (explain):
	neck here if there is not enough space below for your answer. Put your complete answer on an attached eet of paper and write "WV-120, item 10—Justification or Excuse" for a title.
	a. b. b. Firearms If you were other firea enforcements being serve may use F a. b. Other a. b. Denia I did n Justi If I did the fol

☐ No Fee	e for Filing			
	I ask the court to ware a street to the court to ware the court to be a street to	aive the filing fee because the g.	ne petitioner claims in For	rm WV-100 item 14 to be
		be required to pay the filing of Waive Court Fees, <i>must be</i>		for a fee waiver. (Form
☐ Costs				
a. 🔲 🛚	I ask the court to or	der the petitioner to pay my	court costs.	
	The amounts reque	ested are:		
	<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
		\$		\$
		\$		\$
		\$		\$
	fees and costs.	write "Attachment 12—Coeny the request of the person is form, if any:	asking for protection tha	t I pay his or her lawyer's
	fees and costs.	eny the request of the person	asking for protection tha	t I pay his or her lawyer's
Number of p	fees and costs.	eny the request of the person is form, if any:	asking for protection tha	t I pay his or her lawyer's
Number of p Date: Lawyer's na	fees and costs. pages attached to the same (if any)	eny the request of the person is form, if any:	asking for protection tha	



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

What is a workplace violence restraining order?

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

What does the order do?

The court can order you to:

- Not contact the employee who is protected by the order
- Stay away from the student and the student's home, school and other places
- Not have any guns as long as the order is in effect

Who can ask for a workplace violence restraining order?

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

I've been served with a petition for private workplace violence restraining orders. What do I do now?

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

What if I don't obey the order?

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

What if I don't agree with what the order says?

You still must obey the order until the hearing. If you disagree with the orders the person is asking for, fill out Form WV-120, *Response to Petition for Workplace Violence Restraining Orders*, before your hearing date and file it with the court. If you need to include attachments, you can use Form MC-025. You can get the forms from legal publishers or on the Internet at *www.courts.ca.gov*. You also may be able to find them at your local courthouse or county law library.

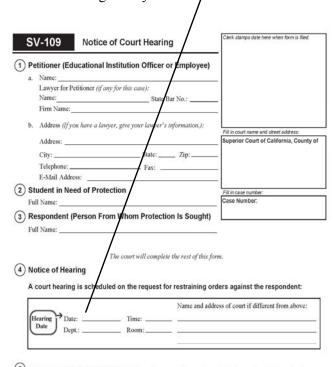
Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older—**not you**—mail a copy of completed Form WV-120 to the person named in item ① of the petition Form WV-110 (or that person's lawyer). (This is called "service by mail.")

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

Should I go to the court hearing?

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



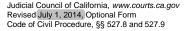
(5) Temporary Restraining Orders (Any orders granted are on Form SV-110, served with this notice.)

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

Auticial Council of California, were counts as gov Revised January 1, 2012, Mandatory Form Code of Civil Procedure, § 527 85 Notice of Court Hearing vate Postsecondary School Violence Prevention)

SV-109, Page 1 of 3







WV-120-INFO How Can I Respond to a Petition for Workplace **Violence Restraining Orders?**

How long does the order last?

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

Do I need a lawyer?

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

Will I see the employee at the court hearing?

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

Can I bring a witness to the court hearing?

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

For help in your area, contact:

[Local information may be inserted.]

What if I don't speak English?

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

What if I have a gun?

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

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

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

What if I am deaf or hard of hearing?

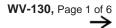


Assistive listening systems, computerassisted real-time captioning, or sign language interpreter services are available if you ask at least five court days before the hearing. Contact the clerk's office or go to www.courts.ca. gov/forms for Request for Accommodations by Persons with Disabilities and Response (Form MC-410). (Civ. Code, § 54.8.)





VV V = 1 .5()	orkplace Viole der After Hea		straining	Clerk stamps date here when form is filed.
Petitioner (Employ	ver)			
a. Name:				
Lawyer for Petitione				
Name:		_ State Ba	r No.:	
Firm Name:				
b. Your Address (If you Address:	u have a lawyer, give			Fill in court name and street address: Superior Court of California, County
City:	S	State:	Zip:	
Telephone:		Fax:	_	
E-Mail Address:				
Employee (Protect				Court fills in case number when form is filed.
Full Name:				Case Number:
Hair Color: Home Address (if known)	Eye Colo	or:	Age:	of Birth: Race: Zip:
	ovaa.			
Relationship to Emplo Additional Prote In addition to the emplo	ected Persons byee, the following fa			r other students are protected by the
Relationship to Emplo	ected Persons byee, the following fatted below:	amily or ho	usehold members o	r other students are protected by the
Relationship to Emplo	ected Persons byee, the following fa			r other students are protected by the d Member? Relation to Employer
Relationship to Emplo	ected Persons byee, the following fatted below:	amily or ho	usehold members o Age Household	r other students are protected by the
Relationship to Emplo	ected Persons byee, the following fatted below:	amily or ho	usehold members o Age Household	r other students are protected by the d Member? Relation to Employer No
Relationship to Emplo	ected Persons byee, the following fatted below:	amily or ho	usehold members o Age Household Yes Yes Yes	r other students are protected by the d Member? Relation to Employed No No No
Relationship to Emplo	ected Persons byee, the following fauted below: Name	amily or ho	usehold members o Age Household Yes Yes Yes	r other students are protected by the d Member? Relation to Employed No No No
Relationship to Emplo	ected Persons eyee, the following fauted below: Name	amily or ho Sex —————————————————————————————————	usehold members o Age Household Yes Yes Yes Yes Yes this Order on Attack	r other students are protected by the d Member? Relation to Employed No No No



			Case Number	:
Hearing				
	was a hearing on (date):	at (time):	in Dept.:	Room:
b. These	of judicial officer): people were at the hearing: The petitioner/employer representations.			
(2) [(3) [The lawyer for the petitioner/end The employee (4) The	nployer (name):		
(5)	The respondent (6) \square Th		-	
	ditional persons present are listed e hearing is continued. The partie			at (<i>time</i>):
		To the Respondent:		
D), or both. al Conduct Orders			
		.:		
	a. You are ordered not do the following things to the employee and to the other protected persons listed in 4 :			
(1)	Harass, molest, strike, assault (disturb the peace of the person.	•	tter, abuse, destroy pe	rsonal property of, or
(2)			nst the person.	
	Follow or stalk the person during	-	-	
(4)	Contact the person, either direct telephone, in writing, by public or by other electronic means.		•	•
(5)	Enter the person's workplace.			
(6)	Take any action to obtain the perfound good cause not to make t		ns. If this item is not c	hecked, the court has
(7)	Other (specify): Other personal conduct ord	ers are attached at the end	of this Order on Atta	chment 7a(7).
h Dancet	ful written contact through a lawy	ar or a process sorwer or a	other person for service	ea of lagal papers relate
	ourt case is allowed and does not	_	omer person for servic	o or iegai papers retale

WV-130, Page 2 of 6

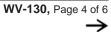
8	St	ay-Away Order			
	a.	You must stay at least yards away fro	om (check all that a	apply):	
		$(1) \Box \text{The employee} \qquad \qquad ($	7) \square The employed	ee's children's plac	e of child care
		(2) Each other protected person listed in 4 (2)	8) The employe	ee's vehicle	
		(3) The employee's workplace (9)	9) 🗌 Other (speci	fy):	
		(4) The employee's home	-		
		(5) The employee's school			
		(6) The employee's children's school			
	b.	This stay-away order does not prevent you from going	ng to or from your l	nome or place of en	nployment.
9		No Guns or Other Firearms and Ammuni	tion		
	a.	You cannot own, possess, have, buy or try to buy, other firearms, or ammunition.	receive or try to re	eceive, or in any o	ther way get guns,
	b.	If you have not already done so, you must:			
		(1) Sell to or store with a licensed gun dealer or tur in your immediate possession or control. This n Order.		• • • •	
		(2) File a receipt with the court within 48 hours of a turned in, sold, or stored. (You may use Form W receipt.)	•		
	c.	The court has received information that you own	or possess a firearn	1.	
_		_ ,	1		
10)		Costs			
		You must pay the following amounts for costs to the	_		
		<u>Item</u> <u>Amount</u> \$	<u>Ite</u>	<u>n</u> \$	<u>Amount</u>
		*		\$	
		\$		\$	
		Additional amounts are attached at the end of this	s Order on Attachm	ent 10.	
11)		Other Orders (specify):			
	_				
					_
		Additional orders are attached at the end of this C	Order on Attachmen	t 11.	
		This is a Co	ourt Order.		
				-	

Case Number:

To the Person in 11:

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

This is a Court Order.



Case Number:	

Warning and Notice to the Respondent:

You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item (9). The court will require you to prove that you did so.

Instructions for Law Enforcement

Enforcing the Restraining Order

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

Start Date and End Date of Orders

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

Arrest Required If Order Is Violated

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

Notice/Proof of Service

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

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

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

If the Protected Person Contacts the Restrained Person

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

This is a Court Order.

 \rightarrow

Case Number:	

Conflicting Orders—Priorities for Enforcement

If more than one restraining order has been issued, the orders must be enforced according to the following priorities: (See Pen. Code, § 136.2, Fam. Code, §§ 6383(h)(2), 6405(b).)

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

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

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

Date:	Clerk, by	, Deputy
Jaic.	CICIK, Dy	, Deputy

This is a Court Order.

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

WV-800 Proof of Fir	earms Turned In, Solo	Clerk stamps date here when form is filed.
1 Petitioner (Employer)		_
Name:		
2 Employee in Need of Protect	ion	
Full Name:		
Respondent (Person From W	/hom Protection Is Sough	t)
Your Lawyer (if you have one for this	s case):	
Name: Firm Name:		Fill in court name and street address: Superior Court of California, County of
Your Address (If you have a lawyer, If you do not have a lawyer and want private, you may give a different main have to give telephone, fax, or e-mail	t to keep your home address ling address instead. You do not	
Address:	Ct-t 7'	Court fills in case number when form is filed.
City:	State: Zip: Fax:	Case Number:
Telephone: E-Mail Address:	Fax:	-
Keep a copy for yourself. For help, re To Law Enforceme		Do I Turn in, Sell, or Store My Firearms? To Licensed Gun Dealer
Fill out items (5) and (7) of this form copy and give the original to the per turned in the firearms.	rson who copy a	and give the original to the person who sold the firearms or stored them with you.
The firearms listed in 7 were turned	ed in on:	rearms listed in (7) were
		ld to me transferred to me for storage on:
Date: at:	Date:	at: a.m p.m.
To: Name and title of law enforcemen	t agent To:	lame of licensed gun dealer
Name of law enforcement agency	\overline{L}	icense number Telephone
Address		ddress
I declare under penalty of perjury u of the State of California that the in above is true and correct.	formation I deci	lare under penalty of perjury under the laws e State of California that the information e is true and correct.
Signature of law enforcement agent	Sign	ature of gun dealer

7)	Firearms		
<u> </u>	<u>Make</u>	<u>Model</u>	Serial Number
	a		
	b.		
	c		
	d.		
	e.		
	Check here if you turned in, sold, or stored more Item 7—Firearms Turned In, Sold, or Stored" for firearm. You may use Form MC-025, Attachment	r a title. Include make, model, an	
8	Do you have, own, possess, or control any other firearms be a lift you answered yes, have you turned in, sold, or stored the lift yes, check one of the boxes below:		
	a. I filed a Proof of Firearms Turned In, Sold, or Stor	red for those firearms with the co	ourt on (date):
	b. I am filing the proof for those firearms along with t	his proof.	
	c. \square I have not yet filed the proof for the other firearms.	(Explain why not):	
	☐ Check here if there is not enough space below f the attached sheet of paper or Form MC-025 of	•	
			_
	I declare under penalty of perjury under the laws of the Stacorrect.	ate of California that the informa	ation above is true and
Date	:		
		<u> </u>	
Гуре	or print your name	Sign your name	

Case Number:

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

What is a firearm?

A firearm is a:

- Handgun
- Rifle
- Shotgun
- · Assault weapon

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

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

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

How do I take my firearm to law enforcement?

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

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

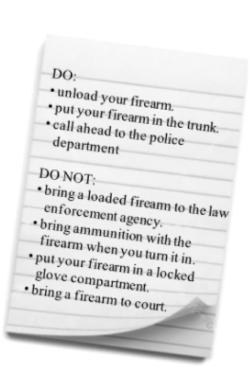
Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

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

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

8 Questions?

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





ITC W14-04
Title of proposal: Restraining Orders: Update Forms to Reflect Recent Changes in the Law All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
1.	California Department of Justice, Law Enforcement Support Program By: Vivian E. Garcia, Field Representative	The age on all forms should be replaced with actual DOB for all protected persons. Age can be helpful when DOB is unknown for the restrained. Only exact DOB can be entered for protected persons, there is no data field code for age. [An extensive list of the particular forms on which the commentator recommends dates of birth be included is omitted.]	The proposal to include actual dates of birth of protected persons is not within the scope of the Invitation to Comment. It will be considered for future revision. However, the committee notes that the protected person's date of birth is made available to law enforcement through form CLETS-001, Confidential CLETS Information. The policy has been to not include this information on forms that are publicly available.	
			On all 800 forms <i>Proof of Firearms Turned In, Stored, or Sold</i> : Should add a statement to indicate that the courts must send a copy of the DV-800 form to local law enforcement for entry into the Automated Firearms System (AFS).	This comment proposes changes not within the scope of the Invitation to Comment. It will be considered for future revision.
			On the SV-130 and the WV-130, Item 5: Expiration Date information is incorrect verbiage. Verbiage listed is what is used for temporary orders. These are order after hearing forms and should be replaced with the standard language used for all of the other order after hearing forms.	The commentator is correct; this error has been corrected.
			Protected party information on all forms should include sex, and race.	The proposal to include actual dates of birth of protected persons is not within the scope of the Invitation to Comment. It will be considered for future revision. However, the committee notes that the protected person's sex and race are made available to law enforcement on form CLETS-001, Confidential CLETS Information. The policy has been to not include this information on

ITC W14-04
Title of proposal: Restraining Orders: Update Forms to Reflect Recent Changes in the Law All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
				publicly available forms.
2.	Marie Hazlett Los Angeles County Sheriff's Department	AM	I agree with all proposals, however the wording for conflicting orders may want to address when more than one domestic violence criminal order (CPO) has been issued.	The statutes provide that for multiple civil orders and for a civil and criminal order, the one issued last should be enforced. While it is reasonable to assume that if there are two criminal orders, the latest in time takes precedence, there is no express authority for it. Therefore, the committee does not believe that the forms text should address this situation.
3.	Stacey Larson Family Law Facilitator Redding, CA	AM	Request for Guidance Distinguishing between Temporary Restraining Orders and Restraining Orders after Noticed Hearing: Although not addressed in this Invitation to Comment cycle, there is great disparity regarding how different courts document temporary restraining orders continued past the first noticed hearing date and "permanent" restraining orders issued after noticed hearing.	This lengthy comment proposes changes not within the scope of the Invitation to Comment. Further, it addresses particular practices in particular courts. This is not something that can be addressed through the content of Judicial Council forms for protective orders.
			Intended Use of Reissuance Forms (DV-116, CH-116, etc.): Family Code §245 [and derivative civil protective order statutes] indicates that the court may reissue ex parte temporary restraining orders "upon the filing of a declaration by the petitioner that the respondent could not be served within the time required by statute" This could be viewed as limiting the court's discretion to reissue to circumstances to cases in	This comment raises concerns that are not within the scope of the Invitation to Comment. However, the committee recognizes that the commentator has valid concerns and that the current forms 115 and 116, though they reflect current practices, are not strictly in conformity with the civil reissuance statutes. (See Code Civ. Proc., §§ 527.6(o), 527.8(o), 527.85(o); Welf. & Inst. Code, § 15657.03(m).) The committee is currently proposing Judicial Council-sponsored.
			which service was not accomplished. However,	currently proposing Judicial Council-sponsored legislation that would bring the statutes in line

ITC W14-04
Title of proposal: Restraining Orders: Update Forms to Reflect Recent Changes in the Law All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			a review of current forms and the Judicial Council reports pertaining to revision of the CH-116 and DV-116 establishes that this is not true. The 115 forms provides checkboxes for grounds other than failure to serve: Similarly, the 16 forms make clear that the court can continue/reissue the TRO on request of either party or its own motion based upon the parties' agreement or for other reasons. The obvious question is why the form was designed to allow litigants to request continuance of the hearing and reissuance of the TRO for reasons "other" than lack of service.	with current practices. See Invitation to Comment: Legislative: 14-01.
4.	Orange County Bar Association By: Thomas H. Bienert, Jr., President	A	No further information provided	No response is necessary
5.	Riverside County Probation Department By: Allison Paterson, Executive Secretary	N/I	Aside from minor training on the order of enforcement under Penal Code section 136.2, this proposal will have almost no impact on our department. With regard to the provision allowing storage of firearms with a licensed dealer, the vast majority of offenders we supervise are felons or minors, which renders them ineligible for firearm ownership. Therefore, they cannot temporarily store them with a registered firearm dealer and then reacquire them after the restraining order is lifted.	The committee notes the commentator's lack of concerns with the proposed form revisions.
			Question: Does this forms proposal appropriately address the stated purpose?	The committee notes the commentator's agreement that the proposed form revisions

ITC W14-04
Title of proposal: Restraining Orders: Update Forms to Reflect Recent Changes in the Law All comments are verbatim unless indicated by an asterisk (*).

	Commentator	Position	Comment	Committee Response
			Answer: Yes.	address the stated purpose.
			Question: Is the proposed language regarding the priority of orders sufficiently clear and accurate? Answer: Section 136.2 appears to	The committee notes the commentator's agreement with the proposed language for enforcement of conflicting orders.
			appropriately distinguish the priority of the different orders.	
			Question: Should the <i>Proof of Firearms</i> Turned in, Sold, or Stored [form] and the related information sheet follow the format of form CH-800 and CH-800-INFO (attached to this proposal) or the format of form DV-800/JV-252 and DV-800/JV-252-INFO (being circulated separately)? Answer: We prefer the CH-800. It is two pages and seems to have more space to type out information.	The committee notes the commentator's preference for the two-page version of the firearms receipt form. This version of the form is being retained.
6.	State Bar of California Committee on the Delivery of Legal Services (SCDLS) By: Sharon Ngim, Program Development & Staff Liaison San Francisco	AM	The proposed revision to CH-130, page 1, section 4, says: "If no expiration date is written here, this Order expires five years from the date of issuance." This is an inaccurate statement of the law."	The committee agrees. This correction has been be made.
			Although changes to Code Civ. Proc. section 527.6, operative on July 1, 2014 will enable a Civil Harassment restraining order to last up to five years, 527.6 as operative on July 1, 2014 provides that "The failure to state the expiration date on the face of the form creates an order with a duration of three years from the date of	

ITC W14-04
Title of proposal: Restraining Orders: Update Forms to Reflect Recent Changes in the Law All comments are verbatim unless indicated by an asterisk (*).

Commentator	Position	Comment	Committee Response
		issuance." (Code Civ. Proc., § 527.6(j)(2).) Therefore, CH-130, page 1, section 4 should read: "If no expiration date is written here, this Order expires three years from the date of issuance."	
		Regarding <i>Proof of Firearms Turned in, Sold, or Stored</i> and the related information sheet, the Judicial Council seeks specific comments as to whether the format of form CH-800 and CH-800-INFO or the format of form DV-800 and DV-800 INFO should be followed.	The committee notes the commentator's preference for the two-page firearms receipt forms.
		Although DV-800 has the benefit of fitting on one page, the format of CH-800 is better than DV-800 because it provides room for more information that may be useful to bench officers and protectees:	
		DV-800 does not indicate whether the arms were sold or stored, whereas CH-800 does. In some instances, this information may prove to be useful.	
		CH-800 has room for five firearms, whereas DV-800 only has room for three. Some gun owners have more than three firearms. In such cases, an attachment will be needed. Having an officer or dealer fill out one form is	
		simpler than completing an attachment (especially when the form has clear headings, which an attachment would not have). In some cases, when free-	

ITC W14-04
Title of proposal: Restraining Orders: Update Forms to Reflect Recent Changes in the Law All comments are verbatim unless indicated by an asterisk (*).

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			from attachments (such as a blank piece of paper) are used, significant information is omitted.	
			• In addition to documenting what guns the respondent has surrendered, CH-800, item 7 provides a space for the respondent to affirmatively state whether the form deals with all the firearms owned or controlled by the respondent. Information such as this would be very helpful at the firearms review hearing under new rule 5.488.	
7.	Superior Court of California County of Los Angeles	A	No further information provided	No response is necessary
8.	Superior Court of California County of San Diego By: Michael Roddy, Executive Officer	A	No further information provided	No response is necessary
Oth	er comments received from other sources,	but that are r	elevant to proposed changes to civil protective orde	er forms in ITC W14-04
9.	State Bar of California Committee on the Delivery of Legal Services (SCDLS) By: Sharon Ngim, Program Development & Staff Liaison San Francisco		The long form for Conflicting Orders on the DV forms (and also on CH, SV, and WV) is better than the short form on the CR (and EA) form. "While taking this approach might make extra pages, the extra length could be a good tradeoff."	The committee notes the commentator's preference for the long form. The EA forms will use the long form even though it will require adding an additional page.
10.	Harriet Buhai Center Los Angeles		There should be a box on the Request for Orders (100's) forms to indicate that no TRO is being sought.	This comment raises concerns that are not within the scope of the Invitation to Comment. However, the committee does not really see a need for such

ITC W14-04
Title of proposal: Restraining Orders: Update Forms to Reflect Recent Changes in the Law All comments are verbatim unless indicated by an asterisk (*).

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			a box.
		We recommend inserting several commas as indicated below:	There are commas setting off "or turn in etc." There is no need for more commas setting off "or store with."
		"Sell to, or store with, a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms within your immediate possession or control."	
		Include a box on the 800 forms, <i>Proof of Firearms Turned In, Sold, or Stored</i> , to indicate that the respondent doesn't have any guns.	The committee does not believe that this would be appropriate. That box currently appears on the Response forms (120's), which is where it belongs. The 800 form is a receipt (or proof), not a declaration. If the restrained person has no firearms, there is no need to file this form. Hence, the inclusion would mean that the restrained person might have to file the form just to declare that he or she is not required to file the form.