

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 private postsecondary school violence protection order?

Under California law (Code Civ.Proc., § 527.85), courts can make orders to protect a student from being subjected to credible threats of violence that could be carried out on the school campus or facility. The procedure is only available with regard to students at private postsecondary institutions.

The court can order a person not to:

- Harass or threaten the student;
- Contact or go near the student; and
- Have a gun.

These orders will be enforced by law enforcement agencies.

Who can get this school violence protection order?

The chief administrative officer of a private postsecondary educational institution, or an officer or employee designated by the chief administrative officer to maintain order on the school campus or facility, may request court orders prohibiting credible threats of violence against a student. These orders must be requested by an officer of the institution that the student attends or is applying to.

- A “chief administrative officer” is the principal, president, or highest-ranking official of the private postsecondary educational institution.
- A “postsecondary educational institution” is a private institution of vocational, professional, or postsecondary education.

The statute differs from other California laws that allow victims of unlawful violence or credible threats of violence to ask the court for these orders **themselves**. If anyone other than a school officer wishes to apply to the court for an order prohibiting harassment, see *Can a Civil Harassment Restraining Order Help Me* (Form CH-100-INFO)?.

Who can be protected under this law?

Under this statute, the school officer can obtain a court order on behalf of a student that lasts up to three years. The order can also protect family or household members of the student and other students at the campus or facility who are similarly situated.

- A “student” is an adult currently enrolled in or applying for admission to a private postsecondary educational institution.
- The “respondent” is the person against whom the school official is requesting the protective order.

A school official may seek protection under this law if:

1. The student has suffered a credible threat of violence from any individual;
2. The credible threat of violence, while made off of the campus or facility, can reasonably be construed to be carried out or have been carried out at the school campus or facility;
3. The respondent’s conduct is not allowable as part of a legitimate labor dispute as permitted by Code of Civil Procedure section 527.3; and
4. The respondent is not engaged in constitutionally protected activity.

What forms must be used to get the order?

The following forms are needed to start the process:

1. *Petition for Private Postsecondary School Violence Restraining Orders (Petition)* (Form SV-100). This form tells the judge the facts of the case and what orders the petitioner and student want the court to make.
2. *Confidential CLETS Information* (Form CLETS-001). This form will provide law enforcement agencies with the information needed to enforce any orders that are granted.
3. *Notice of Court Hearing* (Form SV-109). This form tells the parties when the hearing on the petition will be held.
4. *Temporary Restraining Order (TRO)* (Form SV-110). A TRO can be issued to provide protection to the student until the hearing is held. It can be issued by the judge either with or without notice to the respondent.

5. *Private Postsecondary School Violence Restraining Order After Hearing (Order)* (Form SV-130). This form is signed by the court following the hearing. The order can last for up to three years depending on what the judge rules.

These forms are all **mandatory**—that is, they must be used in the school violence prevention proceeding.

6. *Proof of Personal Service* (Form SV-200). This form is used to show that the other party has been **served** with the petition and other forms as required by law.

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.

Do I need a lawyer?

The school official may be represented by a lawyer, but one is not required by law. Because the school official's lawyer will generally be representing the interests of the student, the student usually does not need his or her own lawyer. Whether or not the school official has a lawyer, the respondent may have one.

What steps are needed to get the court orders?

1. Fill in the **Petition** (Form SV-100) completely and fill in items 1–3 of the *Notice of Court Hearing* (Form SV-109). If you are seeking a **TRO**, also fill out Form SV-110.
2. If you are seeking orders based on information from your student and others and not based on what you have personally observed, you **must** have each of those persons complete a declaration to attach to the **Petition** (Form SV-100). You may use Form MC-031, *Attached Declaration*.
3. Fill in *Confidential CLETS Information*, (Form CLETS-001), with as much information as you know. If the judge grants the order, the information on this form will be entered into a statewide protective-order database that will be available to law enforcement agencies if the order needs to be enforced.

4. If you are applying for a **TRO**, fill out Form SV-110 completely. The Petition and declarations must give the details of the credible threats of violence and the problems they have caused your student.

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

- a. It appears from facts shown on the petition that great or irreparable injury will result before the matter can be heard on notice; and
 - b. You or your attorney certifies one of the following to the court under oath:
 - (1) That within a reasonable time before presenting the petition to the court to ask for a TRO, you informed the respondent or the respondent's attorney when and where the request for a TRO would be made;
 - (2) That you in good faith attempted but were unable to inform the respondent and the respondent's attorney, specifying the efforts made to contact them; or
 - (3) That for reasons specified, you should not be required to inform the respondent or the respondent's attorney.
5. Take your original completed forms and copies to the clerk's office at the court. You will need at least three copies: one for you, one for the student, and one to serve on the respondent. If there are other persons to be protected by the order, you will need additional copies of the **TRO**. A protected person will need a copy of the **TRO** if it is necessary to call the police. The clerk will file the originals, assign a case number, and return the copies "file-stamped" to you. The clerk will write your hearing date on the *Notice of Court Hearing* (Form SV-109).
 6. If you are seeking a **TRO** (Form SV-110), the clerk will tell you where and how to present your proposed order to a judge for consideration and signature. The court will decide within 24 hours whether or not to make the order. Sometimes the court decides right away. Ask the clerk if you should wait or come back later. If your request for a **TRO** is granted while you are still at the court, take the signed original back to the clerk to be filed.



7. If a **TRO** has been issued, ask the clerk whether you or your lawyer will need to deliver a file-stamped copy of the **TRO** to each law enforcement agency (police, marshal, or sheriff's office) that might be called on to enforce the order. If so, do so immediately.
If the court issues a TRO, it will last until the hearing date.
8. If the student does not speak English, when you file your papers, ask the clerk if a court interpreter will be available for the hearing. You may have to pay a fee for the interpreter. If an interpreter will not be provided, you should ask someone who is not listed as a person to be protected on your Petition and who is over age 18 to interpret.
9. Have the respondent personally **served** with copies of the **Petition** (Form SV-100), the *Notice of Court Hearing* (Form SV-109), the **TRO** (Form SV-110) (if issued), a blank **Response** (Form SV-120), and a blank *Proof of Service of Response by Mail* (Form SV-250). You **cannot** serve the respondent yourself. Service may be made by a licensed process server, the sheriff's department, or any person 18 years of age or older, other than you, the student, or anyone to be protected by the order. For help with service, ask the court clerk for Form SV-200-INFO, *What Is "Proof of Personal Service"?*.

Service is essential. It tells the respondent about the order and the hearing. Without it, there cannot be a court hearing, and your temporary orders will no longer be good unless they are extended by the court. The respondent should be personally served immediately after the orders are signed by the judge, unless the court specifies a different time for service.

10. After the respondent has been personally **served**, the person who served the respondent must complete and sign the original *Proof of Personal Service* (Form SV-200). Take the signed original and copies back to the court clerk. The clerk will file the original and return "file-stamped" copies to you. Ask the clerk whether you should take a file-stamped copy to each law enforcement agency that might be called on to enforce the order. If so, do so immediately.



11. Go to court on the date shown at item 4 on the *Notice of Court Hearing* (Form SV-109). You do not need to bring any witnesses, but it helps to have more proof of the violence or threats than just one person's word.

You can bring to the hearing:

- Witnesses
- Written statements from witnesses made under oath
- Photos
- 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*.)

The respondent has the right to attend the hearing, but he or she does not have the right to speak to the student or to any other person seeking protection. If anyone is afraid, tell the court officer.

12. If the judge signs the **Order** (Form SV-130), ask the clerk to provide you with a file-stamped copy for each person to be protected. Ask the clerk whether you or your attorney will need to deliver a file-stamped copy of the **Order** to each law enforcement agency that might be called on to enforce the order. If so, do so immediately.

13. If the respondent attended the hearing and heard the terms of the **Order** from the court, no additional proof of service is necessary. If the respondent did not attend the hearing, but the **Order** issued is the same as the TRO (except for the termination date), the **Order** may be served on the respondent by mail. File Form SV-260, *Proof of Service of Order After Hearing by Mail*. If the respondent did not attend the hearing and the **Order** differs from the TRO, arrange to have him or her personally **served** with a copy of the **Order**. File the completed *Proof of Personal Service* (Form SV-200) with the court. Give a file-stamped copy of the **Order** and proof of service to your student and to each other protected person. Keep at least one copy for yourself.

14. Once the order is issued, only the judge can change or cancel it. You or the respondent would have to file a request with the court to cancel the order.

SV-109 Notice of Court Hearing

Clerk stamps date here when form is filed.

1 **Petitioner (Educational Institution Officer or Employee)**

a. Name: _____
 Lawyer for Petitioner (if any for this case):
 Name: _____ State Bar No.: _____
 Firm Name: _____

b. Address (If you have a lawyer, give your lawyer's information.):
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 E-Mail Address: _____

2 **Student in Need of Protection**
 Full Name: _____

3 **Respondent (Person From Whom Protection Is Sought)**
 Full Name: _____

The court will complete the rest of this form.

4 **Notice of Hearing**
 A court hearing is scheduled on the request for restraining orders against the respondent:

Hearing Date Date: _____ Time: _____
 Dept.: _____ Room: _____
Name and address of court if different from above:

5 **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 (check only one box below):

(1) All GRANTED until the court hearing.

(2) All DENIED until the court hearing. (Specify reasons for denial in b, below.)

(3) Partly GRANTED and partly DENIED until the court hearing. (Specify reasons for denial in b, below.)

15. If the respondent does not obey the order, call the police. The respondent can be arrested and charged with a crime.



Request for Accommodations

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.)

For help in your area, contact:

[Local information may be inserted.]

HOW TO GET EMERGENCY ORDERS

You may ask for emergency orders if you feel you are in danger (restraining orders) or if you need emergency custody orders to protect the minor children. See Local Rules on reverse of this form.

Follow these steps to request emergency orders:

1. **COMPLETE THE FORMS:** You may obtain the forms from the Clerk's Office, Family Law Facilitator, the Court Website at www.ventura.courts.ca.gov or the Judicial Council Website at www.courtinfo.gov.
2. **PICK A DATE AND TIME FOR YOUR HEARING:** See the schedule on reverse.
3. **GIVE NOTICE TO THE OTHER PARTY:** You must tell the other party that you are filing for this Emergency Hearing by 10 a.m. the *court day* before the hearing. In some cases, you may not have to give notice – ask the Family Law Facilitator or an attorney if you believe you would be in danger if you told the other party about this request.

• **NOTICE: If there is a restraining order issued against you in this case, you may not give notice. Someone else must give notice.**

4. **FILE YOUR PAPERS:** Be sure to file your papers with Clerk's office no later than 2 hours before your hearing but, if possible, the day before the hearing to allow the judge time to read your papers. If the papers are not filed on time, your case will not be heard.
5. **ATTEND THE HEARING:** If the judge grants your request, you will file the signed temporary order and have the other party served with the filed papers and the order. These emergency orders are made for only a short period of time. You will need to come back to court in about 3 weeks or your orders may expire.
6. **SERVE THE PAPERS AND ORDER ON THE OTHER PARTY:** Someone *other than you* must give these papers and the order to the other party. Whoever does this must sign a paper called a Proof of Service verifying that the papers were given to the other party personally. You may ask the Sheriff's Department to serve the papers. There may be a cost to do this.
7. **FILE THE PROOF OF SERVICE WITH THE COURT:** If you have not served the other party or do not have proof that the other party was served, the judge will not hear your case. Your case will be continued so that the papers can be served.
8. **ATTEND THE SECOND HEARING:** You should have an order prepared for the judge to sign.

If you are low income or receive public assistance benefits, you may ask for a fee waiver so you do not have to pay any filing fees. (For Domestic Violence cases there is no fee)

→ → → **IMPORTANT!!! PLEASE READ THESE LOCAL RULES**

Local Rule 9.04 Family Law Ex Parte Matters

A. EMERGENCY ORDER APPLICATIONS DISFAVORED

Emergency Orders applications are strongly disfavored. Whenever possible, in lieu of an emergency order, the court will issue orders shortening time and set the matter for full hearing at the regular family law and motion calendar. However, orders shortening time are also disfavored, and must be supported by a substantial showing of need.

B. DETERMINATION BASED ON PLEADINGS

It is the court's policy to determine emergency orders based on the pleadings submitted. Thus, requests for emergency orders normally will be determined without giving either party an opportunity for oral argument or discussion with the court.

California Rule of Court 5.151 (d) (5) Contents of Application and Declaration

D. APPLICATIONS REGARDING CHILD CUSTODY OR VISITATION (PARENTING TIME)

Applications for emergency orders granting or modifying child custody or visitation (parenting time) under Family Code section 3064 must: (A) Provide a full, detailed description of the most recent incidents showing i) Immediate harm to the child as defined in Family Code Section 3064(b) or ii) Immediate risk that the child will be removed from the State of California, (B) Specify the date of each incident described in (A), (C) Advise the court of the existing custody and visitation arrangements and how they would be changed by this emergency request, (D) Include a copy of the current custody orders, if they are available. If no orders exist, explain where and with whom the child is currently living and (E) include a completed UCCJEA (FL-105) if one has not been previously filed or if information has changed since previously filed.

HOW TO GET A DATE FOR YOUR HEARING:

Emergency requests are heard Monday through Friday at 11:30 a.m. for cases assigned to Courtrooms 31, 32, 33 and 35. You must call the secretary to make an appointment:

- If your case is assigned to Courtroom 31, 32 or 35 call 289-8762
- If your case is assigned to Courtroom 33 call 289-8772

For Domestic Violence, Harassment, Workplace Violence and Gun Violence restraining orders, or if your case is assigned to Courtroom 34, you do not need to make an appointment. Your case will be heard Monday through Friday at 1:30 p.m. in Courtroom 34. Exception: A Domestic Violence request filed in an existing Family Law case will be assigned to and heard in the courtroom of the Judicial Officer assigned to hear the existing case.

For Elder/Dependant Adult Abuse restraining orders you do not need to make an appointment. Your case will be heard Monday through Friday at 11:30 a.m. in Courtroom 33.

Clerk stamps date here when form is filed.

Read *How do I Get a Private Postsecondary School Violence Restraining Order?* (form SV-100-INFO) before completing this form. Also fill out *Confidential CLETS Information* (form CLETS-001) with as much information as you know.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

1 Petitioner (Educational Institution Officer or Employee)

a. Name: _____ is
 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):

and is filing this petition on behalf of the student in **2**.

b. Lawyer for Petitioner (if any for this case)

Name: _____ State Bar No.: _____
Firm Name: _____

c. Petitioner's Address (If the petitioner has a lawyer, give the lawyer's information.)

Address: _____
City: _____ State: _____ Zip: _____
Telephone: _____ Fax: _____
E-Mail Address: _____

2 Student in Need of Protection

Full Name: _____
Sex: M F Age: _____

3 Respondent (Person From Whom Protection Is Sought)

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

4 Additional Protected Persons

a. Are you asking for protection for any family or household members or any other students at the campus or facility who are similarly in need of protection? Yes No (If yes, list them):

<u>Full Name</u>	<u>Sex</u>	<u>Age</u>	<u>Household Member?</u>	<u>Relationship to Student</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Additional protected persons are listed in Attachment 4a.

This is not a Court Order.



4 b. Why do these people need protection? (Explain): Response is stated in Attachment 4b.

5 Relationship 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 petitioner's institution. (Explain any decision to retain, expel, or otherwise discipline the respondent): Response is stated in Attachment 5b.

6 Venue

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

a. The respondent lives in this county.

b. The respondent has caused physical or emotional injury to the student in this county.

c. Other (specify): _____

7 Other Court Cases

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 where and when each was filed):

	Kind of Case	Filed in (County/State)	Year Filed	Case Number (if known)
(1)	<input type="checkbox"/> Postsecondary School Violence	_____	_____	_____
(2)	<input type="checkbox"/> Civil Harassment	_____	_____	_____
(3)	<input type="checkbox"/> Domestic Violence	_____	_____	_____
(4)	<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
(5)	<input type="checkbox"/> Paternity, Parentage, Child Support	_____	_____	_____
(6)	<input type="checkbox"/> Elder or Dependent Adult Abuse	_____	_____	_____
(7)	<input type="checkbox"/> Eviction	_____	_____	_____
(8)	<input type="checkbox"/> Guardianship	_____	_____	_____
(9)	<input type="checkbox"/> Workplace Violence	_____	_____	_____
(10)	<input type="checkbox"/> Small Claims	_____	_____	_____
(11)	<input type="checkbox"/> Criminal	_____	_____	_____
(12)	<input type="checkbox"/> Other (specify): _____	_____	_____	_____

b. Are any restraining orders or criminal protective orders now in effect relating to the student or any of the persons in 4 and the respondent? No Yes (If yes, attach a copy if you have one.)

This is not a Court Order.



8 Description of Respondent's Conduct

- a. 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.
- b. One or more of these acts were made off the school campus or facility and can reasonably be understood (*check either or both*):
 - (1) To have been carried out at the school campus or facility.
 - (2) To be carried out in the future at the school campus or facility.

Address of campus or facility: _____

- c. Describe what happened. (*Provide details; include the dates of all incidents beginning with the most recent; tell who did what to whom; identify any witnesses*):

Response is stated in Attachment 8c.

- d. Was the student harmed or injured? Yes No (*If yes, describe harm or injuries*):

Response is stated in Attachment 8d.

- e. Did the respondent use or threaten to use a gun or any other weapon? Yes No (*If yes, describe*):

Response is stated in Attachment 8e.

This is not a Court Order.



8 f. For any of the incidents described above, did the police come? Yes No I don't know

If yes, did the student or the respondent receive an Emergency Protective Order?

Yes No I don't know

If yes, the order protects (check all that apply):

the student. the respondent. one or more of the persons in 4.

(Attach a copy of the order if you have one.)

Check the orders you want.

9 Personal Conduct Orders

I ask the court to order the respondent not to do any of the following things to the student or to any person to be protected listed in 4:

- a. Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
b. Make threats of violence against the person.
c. Follow or stalk the person during school hours or to or from the school campus or facility.
d. Contact the person, either directly or indirectly, by any means, 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.
e. Enter the person's school campus or facility.
f. Other (specify):
As stated in Attachment 9f.

Four horizontal lines for specifying other conditions.

The respondent 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.

10 Stay-Away Order

a. I ask the court to order the respondent to stay at least _____ yards away from (check all that apply):

- (1) The student. (7) 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):
(4) The student's home.
(5) The student's job or workplace.
(6) The school of the student's children.

Three horizontal lines for specifying other locations.

This is not a Court Order.



- 10 b. If the court orders the respondent 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):
 Response is stated on Attachment 10b.

11 **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 is in effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer any guns or firearms within his or her immediate possession or control.

12 **Temporary Restraining Order**

I request that a Temporary Restraining Order (TRO) be issued against the Respondent to last until the hearing. I am presenting form SV-110, *Temporary Restraining Order*, for the court's signature together with this Petition.

Has the Respondent been told that you were going to go to court to seek a TRO against him/her?

Yes No (If you answered no, explain why below):

Reasons are stated in Attachment 12.

13 **Request for Less Than Five Days' Notice of Hearing**

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 SV-200-INFO explains what is proof of personal service. Form SV-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:

Reasons are stated in Attachment 13.

14 **No Fee for Filing**

I ask that there be no filing fee because the respondent has threatened violence against the student, or stalked the student, or acted or spoken in a manner that has placed the student 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 Number of pages attached to this form, if any: _____

Date: _____

Lawyer's name (if any)

▶ _____
Lawyer's signature

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

Date: _____

Name of petitioner

▶ _____
Signature

Title

I consent to the filing of the Petition.

Date: _____

Name of student

▶ _____
Signature

This is not a Court Order.

Clerk stamps date here when form is filed.

1 Petitioner (Educational Institution Officer or Employee)

a. Name: _____
 Lawyer for Petitioner (if any for this case):
 Name: _____ State Bar No.: _____
 Firm Name: _____

b. Address (If you have a lawyer, give your lawyer's information.):

Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**2 Student in Need of Protection**

Full Name: _____

3 Respondent (Person From Whom Protection Is Sought)

Full Name: _____

The court will complete the rest of this form.

4 Notice of Hearing

A court hearing is scheduled on the request for restraining orders against the respondent:

<div style="border: 1px solid black; border-radius: 15px; padding: 5px; display: inline-block;"> Hearing Date </div> →	Date: _____	Time: _____	Name and address of court if different from above: _____ _____ _____
	Dept.: _____	Room: _____	
	_____	_____	

5 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 (check only one box below):

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



b. Reasons that Temporary Restraining Orders as requested in Form SV-100, *Petition for Private Postsecondary School Violence Restraining Orders*, for personal conduct or stay away are denied are:

(1) The facts as stated in form SV-100 do not sufficiently show reasonable proof that the student has suffered a credible threat of violence made off the school campus or facility by the respondent, and that great or irreparable harm would result to the student if a temporary restraining order is not issued.

(2) Other (*specify*): As stated on Attachment 5b

6 Service of Documents by the Petitioner

At least five _____ days before the hearing, someone age 18 or older—**not you or anyone to be protected**—must personally give (serve) a court file-stamped copy of this Form SV-109, *Notice of Court Hearing*, to the respondent along with a copy of all the forms indicated below:

- a. SV-100, *Petition for Private Postsecondary School Violence Restraining Orders* (file-stamped)
- b. SV-110, *Temporary Restraining Order* (file-stamped) **IF GRANTED**
- c. SV-120, *Response to Petition for Private Postsecondary School Violence Restraining Orders* (blank form)
- d. SV-120-INFO, *How Can I Respond to a Petition for Private Postsecondary School Violence Restraining Orders?*
- e. SV-250, *Proof of Service of Response by Mail* (blank form)
- f. Other (*specify*): _____

Date: _____

Judicial Officer

To the Petitioner:

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



Case Number: _____

To the Respondent:

- If you want to respond to the request for orders in writing, file Form SV-120, *Response to Request for Private Postsecondary School Violence Restraining Orders*, and have someone age 18 or older—**not you or anyone to be protected**—mail it to the petitioner.
- The person who mailed the form must fill out a proof of service form. Form SV-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 three years and may order you to sell or turn in any firearms that you own or possess.**



Request for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk’s office or go to 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

Clerk stamps date here when form is filed.

1 Petitioner (Educational Institution Officer or Employee)

a. Name: _____
 Lawyer for Petitioner (if any, for this case):
 Name: _____ State Bar No.: _____
 Firm Name: _____

b. Your Address (If you have a lawyer, give your lawyer's information.):
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

2 Student (Protected Person)

Full Name: _____

3 Respondent (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 Student: _____

4 Additional Protected Persons

In addition to the student, the following family or household members or other students are protected by the temporary orders indicated below:

<u>Full Name</u>	<u>Sex</u>	<u>Age</u>	<u>Household Member?</u>	<u>Relation to Student</u>
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Additional protected persons are listed at the end of this Order on Attachment 4.

5 Expiration Date

This Order expires at the end of the hearing scheduled for the date and time below:

Date: _____ Time: _____ a.m. p.m.

This is a Court Order.



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.

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 of, or disturb the peace of the person.
- (2) Commit acts of violence or make threats of violence against the person.
- (3) Follow or stalk the person during school hours or to or from the school.
- (4) Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by e-mail, by fax, or by other electronic means.
- (5) Enter the person's school.
- (6) Take any action to obtain the person's address or locations. If this item is not checked, the court has found good cause not to make this order.
- (7) Other (*specify*):
 Other personal conduct orders are attached at the end of this Order on Attachment 6a(7).

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 petitioner.

7 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 student
- (2) Each other protected person listed in 4
- (3) The school
- (4) The student's home
- (5) The student's job or workplace
- (6) The student's children's school
- (7) The student's children's place of child care
- (8) The student's vehicle
- (9) Other (*specify*):

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

This is a Court Order.



8 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.
 - (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 SV-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.

9 Other Orders

- Not Requested Denied Until the Hearing Granted as Follows *(specify):*

- Additional orders are attached at the end of this Order on Attachment 9.

To the Person in 1:

10 Mandatory Entry of Order Into CARPOS Through CLETS

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 agencies 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 10.

11 No Fee to Serve (Notify) Restrained Person Ordered Not Ordered

The sheriff or marshal will serve this Order without charge because:

- a. The Order is based on a credible threat of violence or stalking.
- b. The petitioner is entitled to a fee waiver.

This is a Court Order.



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 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 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. Any intentional violation of this Order is a misdemeanor punishable by a fine or by imprisonment in a county jail, or by both fine and imprisonment. (Pen. Code, § 273.6.)
- 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.

This is a Court Order.



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). Agencies are encouraged to enter violation messages into 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.

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

What is “Service”?

Service is the act of giving legal papers to the other party. There are many kinds of service—in person, by mail, and others. This form is about personal or “in-person” service. The *Petition for Orders to Stop Private Postsecondary School Violence* (Form SV-100), the *Notice of Court Hearing* (Form SV-109), and the *Temporary Restraining Order* (Form SV-110) must be served in person. That means that someone must personally “serve” (give) a copy of the forms to the person to be restrained. These forms cannot be served by mail.

Service lets the other person know:

- What orders you are asking for
- The hearing date
- How to respond

Why do I have to get the orders served?

- The police cannot arrest anyone for violating an order unless that person knows about the order.
- The judge cannot make the orders permanent unless the restrained person was served.

Who can serve?

Ask someone you know, a process server, or a law enforcement agency to personally serve (give) a copy of the forms to the person to be restrained. You **cannot** send the forms to that person by mail.

The server must:

- Be 18 years of age or older
- Not be you or anyone whom you are asking to be protected by the orders

The sheriff or marshal may be authorized to serve the court’s orders **for free** if the orders are based on claims of stalking or a credible threat of violence, or if you are eligible for a fee waiver.

A registered process server is a business you pay to deliver court forms. Look for “Process Serving” in the Yellow Pages or on the Internet.

(If a law enforcement agency or the process server uses a different proof-of-service form, make sure it lists the forms served.)



Don't serve it by mail!

How to serve

Ask the server to:

- Walk up to the person to be served.
- Make sure it is the right person. Ask the person’s name.
- Give the person copies of all papers checked on Form SV-200, *Proof of Personal Service*.
- Fill out and sign the *Proof of Personal Service*.
- Give the signed *Proof of Personal Service* to you.

What if the person won't take the papers or tears them up?

- If the person will not take the papers, just leave them near him or her.
- It does not matter if the person tears them up. Service is still complete.

When do the orders have to be served?

It depends. To know the exact date, you have to look at two things on Form SV-109, *Notice of Court Hearing*.

First, look at the hearing date on page 1 of Form SV-109.

④ **Notice of Hearing**

Hearing Date → Date: _____
Dept.: _____

Next, look at the number of days in item ⑥ on page 2 of Form SV-109.

⑥ **Service of Documents By the Person in ①**

At least five _____ days before the hearing.

Look at a calendar. Subtract the number of days in ⑥ from the hearing date. That is the final date to have the orders served. It is always OK to serve earlier than that date.

If nothing is checked or written in ⑥, you must serve the orders at least five days before the hearing.

Who signs the *Proof of Personal Service*?

Only the person who serves the forms can sign Form SV-200, *Proof of Personal Service*. You do not sign it; the restrained person does not need to sign it.

What do I do with the completed *Proof of Personal Service*?

If someone other than the sheriff serves the papers, you should:

- Make several copies.
- File the original with the court before your hearing.
- Ask the clerk to enter it into the California Law Enforcement Telecommunications System (CLETS), a special computer system that lets police all over the state find out about the orders protecting you.
- If the clerk tells you that the court cannot enter it into the computer, take a copy of the *Temporary Restraining Order* (Form SV-110) and *Proof of Personal Service* (Form SV-200) to your local police. They will put the information into the state computer system. That way, police all over the state will know that your restraining order has been served.
- Bring a copy of the completed *Proof of Personal Service* to your hearing.
- Always keep an extra copy of the restraining orders with you for your safety.

If the sheriff serves the papers, he or she will send the proof of service to the court and CLETS for you.

What happens if I can't get the orders served before the hearing date?

Before your hearing, fill out and file Form SV-115, *Request to Continue Court Hearing and to Reissue Temporary Restraining Order*. This form asks the court for a new hearing date and makes your orders last until then. Ask the clerk for the form. After the court has reissued the orders, attach a copy of Form SV-116, *Notice of New Hearing Date and Order on Reissuance*, to a copy of your original orders. Ask the clerk to enter Form SV-116 into CLETS, or the clerk may ask you or your attorney to deliver a copy to the police. That way, the police will know your orders are still in effect.

Clerk stamps date here when form is filed.

1 Petitioner (Educational Institution Officer or Employee)

Name: _____

2 Student in Need of Protection

Name: _____

3 Respondent (Person From Whom Protection Is Sought)

Name: _____

4 Notice to Server

The server must:

- Be 18 years of age or older.
- Not be listed in items ①, ②, or ④ of Form SV-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.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**PROOF OF PERSONAL SERVICE****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 Violence Restraining Orders*
- d. SV-120, *Response to Petition for Private Postsecondary School Violence Restraining Orders* (blank form)
- e. SV-120-INFO, *How Can I Respond to a Petition for Private Postsecondary School Violence Restraining Orders?*
- f. SV-130, *Private Postsecondary School Violence Restraining Order After Hearing*
- g. SV-800, *Proof of Firearms Turned In or Sold* (blank form)
- h. Other (*specify*): _____

6 I personally gave copies of the documents checked above to the respondent

- a. On (*date*): _____ b. At (*time*): _____ a.m. p.m.
- c. At this address: _____
City: _____ State: _____ Zip: _____

7 Server's Information

Name: _____ Telephone: _____

Address: _____

City: _____ State: _____ Zip: _____

(If you are a registered process server):

County of registration: _____ Registration number: _____

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

Date: _____

*Type or print server's name*_____
Server to sign here

Clerk stamps date here when form is filed.

Use this form to ask the court to change the hearing date listed on form SV-109, *Notice of Court Hearing*. Read SV-115-INFO, *How to Ask for a New Hearing Date*, for more information.

1 Party Seeking Continuance

a. Full Name: _____

I am the petitioner
 respondent

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: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

2 Other Party

Full Name: _____

3 Request to Continue Hearing

a. I ask the court to continue the hearing currently scheduled for (date): _____

b. I request that the hearing be continued because (check any that apply):

- (1) The Respondent could not be served before the hearing date.
- (2) I am the Respondent, and this is my first request to continue the hearing date.
- (3) I need more time to hire a lawyer or prepare a response.
- (4) Other good cause as stated below on Attachment 3b(4)

This is not a Court Order.



-
- c. (1) This is my first request for a continuance.
(2) The hearing has previously been continued ____ times.

4 Extension of Temporary Restraining Order

- a. A *Temporary Restraining Order* (Form SV-110) was issued on (date): _____
Please attach a copy of the order if you have one.
- b. **Notice: If the hearing date is continued, the *Temporary Restraining Order* will remain in effect until the end of the new hearing unless otherwise ordered by the court.**

Date: _____

Type or print your name

Attorney Party Without Attorney



Signature

Clerk stamps date here when form is filed.

1 Petitioner (Educational Institution or Officer)

Full Name: _____

2 Respondent

Full Name: _____

3 Party Seeking Continuance

I am the petitioner respondent

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

Name: _____ State Bar No.: _____

Firm Name: _____

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: _____ Zip: _____

Telephone: _____ Fax: _____ E-Mail: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

The court will complete the rest of this form.

4 Order on Request for Continuance

a. The hearing in this matter is currently scheduled for (date): _____ at (time): _____

b. The request for a continuance is DENIED for the reasons set forth below on Attachment 4b

The hearing shall be held as currently scheduled in a, above. The *Temporary Restraining Order* (form SV-110) issued on (date): _____ remains in full force and effect until the hearing date.

c. The request for a continuance is GRANTED as set forth below.

5 Order for Continuance and Notice of New Hearing

The court hearing on the *Petition for Private Postsecondary School Violence Restraining Orders* (form SV-100) is continued and rescheduled as follows:

<div style="border: 1px solid black; border-radius: 10px; padding: 5px; display: inline-block;"> New Hearing Date </div>	Date: _____	Time: _____	Name and address of court if different from above:
	Dept.: _____	Room: _____	

The extended *Temporary Restraining Order* (form SV-110) expires at the end of this hearing.

This is a Court Order.



6 Reason for the Continuance

a. The continuance is needed because:

- (1) The Respondent was not served before the current hearing date.
- (2) The Respondent asked for a first continuance of the hearing.
- (3) The Respondent asked for more time to hire a lawyer or prepare a response.
- (4) Other good cause as stated below on Attachment 6a(4)

b. The court finds good cause and orders a continuance in its discretion.

7 Extension of Temporary Restraining Order

a. No Temporary Restraining Order was issued in this case.

b. Extension of the *Temporary Restraining Order* (TRO; form SV-110) issued on (date): _____ until the new hearing date is:

- (1) GRANTED. There are no changes to the TRO except for the expiration date. The TRO remains in effect until the end of the hearing in (5).
- (2) GRANTED AS MODIFIED. The TRO is modified. See the attached amended form SV-110, *Temporary Restraining Order*. All orders on the attached Order remain in effect until the end of the hearing in (5).
- (3) DENIED and the Temporary Restraining Order is TERMINATED for the reasons stated below on Attachment 7b(3)

Warning and Notice to the Respondent

If (7) b(1) or b(2) is checked, you must continue to obey the Temporary Restraining Order until it expires at the end of the hearing scheduled in (5).

8 Other Orders (specify):

Other orders are attached at the end of this Order on Attachment 8.

This is a Court Order.



9 Service of Order

- a. No further service of this Order is required because both parties were present at the initial hearing date in item 4a, and both were given a signed copy of this Order.
- b. The court granted the Petitioner’s request to continue the hearing date. A copy of this Order must be served on the Respondent at least ____ days before the hearing in **5**.
 - (1) All other documents requesting private postsecondary school violence restraining orders as shown in form SV-109, *Notice of Court Hearing*, item **5** must be personally served on the Respondent.
 - (2) The *Temporary Restraining Order* (form SV-110) has been modified and must be personally served on the Respondent.
 - (3) A copy of the *Temporary Restraining Order* must NOT be served because extension of the order is denied in item 6b(3).
- c. The court granted the Respondent’s request to continue the hearing date. A copy of this Order must be served on the Petitioner at least ____ days before the hearing in **5**. A copy of the *Temporary Restraining Order* (form SV-110) must be personally served if it was modified by the court in item 6b(2).
- d. All documents must be personally served unless otherwise specified below.

10 Mandatory Entry of Order Into CARPOS Through CLETS

If a continuance is granted, the court or its designee will transmit this form within one business day to law enforcement personnel for entry into the California Restraining and Protective Order System (CARPOS) via the California Law Enforcement Telecommunications System (CLETS).

Date: _____

Judicial Officer



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.htm 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—

Clerk's Certificate I certify that this *Order on Request to Continue Hearing* is a true and correct copy of the original on file in the court.
 [seal]

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

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 to certain places.

What does the order do?

The court can order you to:

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

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

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

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

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

What if I don't obey the order?

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

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

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

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

Yes. Have someone age 18 or older—**not you**—mail a copy of completed Form SV-120 to the person named in item ① of the petition Form SV-100 (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.

SV-109 Notice of Court Hearing

Clerk stamps date here when form is filed.

① **Petitioner (Educational Institution Officer or Employee)**

a. Name: _____
Lawyer for Petitioner (if any for this case):
 Name: _____ State Bar No.: _____
 Firm Name: _____

b. Address (If you have a lawyer, give your lawyer's information.):
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 E-Mail Address: _____

Fill in court name and street address:
 Superior Court of California, County of _____

② **Student in Need of Protection**
 Full Name: _____
Fill in case number:
 Case Number: _____

③ **Respondent (Person From Whom Protection Is Sought)**
 Full Name: _____

The court will complete the rest of this form.

④ **Notice of Hearing**
 A court hearing is scheduled on the request for restraining orders against the respondent:

Hearing Date _____ Date: _____ Time: _____
 Dept.: _____ Room: _____
Name and address of court if different from above:

⑤ **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 (check only one box below):

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

Judicial Council of California, www.courts.ca.gov
 Revised January 1, 2012, Mandatory Form
 Code of Civil Procedure, § 527.85
 Approved by DOJ

Notice of Court Hearing
 (Private Postsecondary School Violence Prevention)

SV-109, Page 1 of 3



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 his or her lawyer says 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 a licensed gun dealer or turn it in to a law enforcement agency.

Can I agree with the student to cancel the order?

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

What if I am deaf or hard of hearing?

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

Response to Petition for Private Postsecondary School Violence Restraining Orders

Clerk stamps date here when form is filed.

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

- Read How Can I Respond to a Petition for Private Postsecondary School Violence Restraining Orders? (form SV-120-INFO) to protect your rights.
Fill out this form and take it to the court clerk.
Have someone age 18 or older—not you—serve the petitioner or the petitioner’s lawyer by mail with a copy of this form and any attached pages. (Use form SV-250, Proof of Service of Response by Mail.)

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

1 Petitioner (Educational Institution Officer or Employee)

Name:

2 Student Seeking Protection

Full Name:

3 Respondent (Person From Whom Protection Is Sought)

a. Your Name:

Your Lawyer (if you have one for this case)

Name: State Bar No.:

Firm Name:

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

Address:

City: State: Zip:

Telephone: Fax:

E-Mail Address:

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

Hearing Date

Date: Time:

Dept.: Room:

If you were served with a Temporary Restraining Order, you must obey it until the hearing. At the hearing, the court may make orders against you that last for up to three years.

4 Personal Conduct Orders

a. I agree to the orders requested.

b. I do not agree to the orders requested.

(Specify why you disagree in item 11 on page 3.)

c. I agree to the following orders (specify below or in item 11 on page 3):

5 Stay-Away Orders

a. I agree to the orders requested.

b. I do not agree to the orders requested. (Specify why you disagree in item 11 on page 3.)

c. I agree to the following orders (specify below or in item 11 on page 3):



6 **Additional Protected Persons**

- a. I agree that the persons listed in item ④ of the Petition may be protected by the order requested.
- b. I do not agree that the persons listed in item ④ of the Petition may be protected by the order requested.

7 **Firearms Prohibition and Relinquishment**

If you were served with form SV-110, *Temporary Restraining Order*, you cannot own or possess any guns, other firearms, or ammunition. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns or other firearms in your immediate possession or control within 24 hours of being served with form SV-110. (See item ⑧ of form SV-110.) You must file a receipt with the court. You may use form SV-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 ask for an exemption from the firearms prohibition under Code of Civil Procedure section 527.9(f) because carrying a firearm is a condition of my employment, and my employer is unable to reassign me to another position where a firearm is unnecessary. (*Explain*):
 - Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 7b—Firearms Surrender Exemption" as a title. You may use form MC-025, Attachment.

- c. I have turned in my guns and firearms to the police or sold them to or stored them with a licensed gun dealer. A copy of the receipt
 - is attached. has already been filed with the court.

8 **Other Orders**

- a. I agree to the orders requested.
- b. I do not agree to the orders requested. (*Specify why you disagree in item ⑪ on page 3.*)
- c. I agree to the following orders (*specify below or in item ⑪ on page 3*):

9 **Denial**

I did not do anything described in item ⑧ of form SV-100. (*Skip to ⑪.*)



10 **Justification or Excuse**

If I did some or all of the things that the petitioner has accused me of, my actions were justified or excused for the following reasons (*explain*):

Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 10—Justification or Excuse" as a title. You may use form MC-025, Attachment.

11 **Reasons I Do Not Agree to the Orders Requested**

Explain your answers to each order requested that you do not agree with.

Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 11—Reasons I Disagree" as a title. You may use form MC-025, Attachment.



12 **No Fee for Filing**

- a. I ask the court to waive the filing fee because the petitioner claims in form SV-100 item **14** to be entitled to free filing.
- b. I request that I not be required to pay the filing fee because I am eligible for a fee waiver. (*Form FW-001, Request to Waive Court Fees, must be filed separately.*)

13 **Costs**

- a. I ask the court to order the petitioner to pay my court costs. The amounts requested are:

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

- Check here if there are more items. Put the items and amounts on the attached sheet of paper and write "Attachment 13—Costs" for a title. You may use form MC-025, Attachment.*
- b. I ask the court to deny the request of the person asking for protection that I pay his or her lawyer's fees and costs.

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

Date: _____

Lawyer's name (if any)

Lawyer's signature

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

Date: _____

Type or print your name

Sign your name

Clerk stamps date here when form is filed.

1 Petitioner (Educational Institution Officer or Employee)

Name: _____

2 Student in Need of Protection

Name: _____

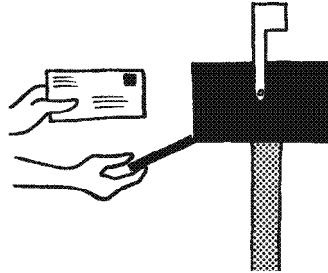
3 Respondent (Person From Whom Protection Is Sought)

Name: _____

4 Notice to Server

The server must:

- Be 18 years of age or older.
- Be a resident of or employed in the county where the mailing took place.
- Not be the respondent.
- Mail a copy of all documents checked in **5** below to the petitioner or the petitioner's lawyer.
- Complete and sign this form and give it to the respondent.



Fill in court name and street address:

Superior Court of California, County of _____

Fill in case number:

Case Number: _____

PROOF OF SERVICE BY MAIL

5 I am 18 years of age or older and not a party to this proceeding. I live or am employed in the county where the mailing took place. I mailed the petitioner or the petitioner's lawyer a copy of:

- a. Form SV-120, *Response to Petition for Private Postsecondary School Violence Restraining Orders* (completed)
 b. Other (specify): _____

6 I placed copies of the documents listed above in a sealed envelope and mailed them as described below:

- a. Mailed to (name): _____
 b. To this address: _____
 City: _____ State: _____ Zip: _____
 c. On (date): _____ Mailed from: City: _____ State: _____

7 Server's Information

Name: _____ Telephone: _____

Address: _____

City: _____ State: _____ Zip: _____

(If you are a registered process server):

County of registration: _____ Registration number: _____

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

Date: _____

Type or print server's name_____
Server to sign here

**Private Postsecondary School
Violence Restraining Order After
Hearing**

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

1 Petitioner (Educational Institution Officer or Employee)

a. Name: _____

Lawyer for Petitioner (if any, for this case)

Name: _____ State Bar No.: _____

Firm Name: _____

b. Your Address (If you have a lawyer, give your lawyer's information.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

2 Student (Protected Person)

Full Name: _____

3 Respondent (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 Person: _____

4 Additional Protected Persons

In addition to the student, the following family or household members or other students are protected by the temporary orders indicated below:

Full Name	Sex	Age	Household Member?	Relation to student
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

Additional protected persons are listed at the end of this Order on Attachment 4.

5 Expiration Date

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

Date: _____ Time: _____ a.m. p.m.

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

This is a Court Order.



6 Hearing

- a. There was a hearing on *(date)*: _____ at *(time)*: _____ in Dept.: _____ Room: _____
(Name of judicial officer): _____ made the orders at the hearing.
- b. These people were at the hearing:
 - (1) The petitioner/school representative *(name)*: _____
 - (2) The lawyer for the petitioner/school *(name)*: _____
 - (3) The student (4) The lawyer for the student *(name)*: _____
 - (5) The respondent (6) The lawyer for the respondent *(name)*: _____
 - Additional persons present are listed at the end of this Order on Attachment 6b.
- c. The hearing is continued. The parties must return to court on *(date)*: _____ at *(time)*: _____.

To the Respondent:

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.

7 Personal Conduct Orders

- 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 of, or disturb the peace of the person.
 - (2) Commit acts of violence or make threats of violence against the person.
 - (3) Follow or stalk the person during school hours or to or from the school.
 - (4) Contact the person, either directly or indirectly, in **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.
 - (5) Enter the person’s school.
 - (6) Take any action to obtain the person’s address or locations. If this item is not checked, the court has found good cause not to make this order.
 - (7) Other *(specify)*:
 Other personal conduct orders are attached at the end of this Order on Attachment 7a(7).

- 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.

This is a Court Order.



8 Stay-Away Orders

- a. You **must** stay at least _____ yards away from (*check all that apply*):
- (1) The student.
 - (2) Each other protected person listed in **4**.
 - (3) The school.
 - (4) The student's home.
 - (5) The student's job or workplace.
 - (6) The student's children's school.
 - (7) The student's children's place of child care.
 - (8) The student's vehicle.
 - (9) Other (*specify*): _____

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

9 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. If you have not already done so, 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.
 - (2) File a receipt with the court within 48 hours of receiving this Order that proves that your guns have been turned in, sold, or stored. (*You may use form SV-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.
- d. The court has made the necessary findings and applies the firearm relinquishment exemption under Code of Civil Procedure section 527.9(f). Under California law, the respondent is not required to relinquish this firearm (*specify make, model, and serial number of firearm(s)*): _____

The firearm must be in his or her physical possession only during scheduled work hours and during travel to and from his or her place of employment. Even if exempt under California law, the respondent may be subject to federal prosecution for possessing or controlling a firearm.

10 **Costs**

You must pay the following amounts for costs to the petitioner:

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

Additional amounts are attached at the end of this Order on Attachment 10.

This is a Court Order.



11 **Other Orders** (*specify*):

Additional orders are attached at the end of this Order on Attachment 11.

To the Person in 1:

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 respondent 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, *Temporary Restraining Order*, 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**

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: _____

Date: _____



Judicial Officer

This is a Court Order.



Warning and Notice to the Respondent:

You Cannot Have Guns or Firearms

Unless item 9d is checked, 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). Agencies are encouraged to enter violation messages into 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.

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 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.

This is a Court Order.



Case Number:

Clerk's Certificate
[seal]

(Clerk will fill out this part.)

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

**California Law Enforcement Telecommunications System (CLETS)
Information Form**

- This form is submitted with the initial filing (*date*): _____
- This is an amended form (*date*): _____

Important: This form MUST NOT become part of the public court file. It is confidential and private.

Fill out as much of this form as you can and give it to the court clerk. If the court issues a restraining order, this form will provide law enforcement with information that will help them enforce it. If any of this information changes, fill out a new (amended) form.

Case Number (<i>if you know it</i>): _____

1 Person to Be Protected (*Name*): _____

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

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

Mailing Address (*listed on restraining order*): _____

City: _____ State: _____ Zip: _____ Telephone (*optional*): _____

Vehicle (*Type, Model, Year*): _____ (*License Number and State*): _____

2 Person to Be Restrained (*Name*): _____

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

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

Residence Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Business Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Employer: _____

Occupation/Title: _____ Work Hours: _____

Driver's License Number and State: _____ Social Security Number: _____

Vehicle (*Type, Model, Year*): _____ (*License Number and State*): _____

Describe any marks, scars, or tattoos: _____

Other names used by the restrained person: _____

3 Guns or Firearms Describe any guns or firearms that you believe the person in **2** owns or has access to (*Number, types, and locations*):

4 Other People to Be Protected

<u>Name</u>	<u>Date of Birth</u>	<u>Sex</u>	<u>Race</u>	<u>Relation to Person in 1</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

Additional persons to be protected are listed on Attachment 4.

This is not a Court Order—Do not place in court file.

Clerk stamps date here when form is filed.

You may serve Form SV-130, Private Postsecondary School Violence Restraining Order After Hearing on the respondent by mail if the respondent was not at the hearing and:

- Before the hearing, the respondent was personally served with Form SV-110, Temporary Restraining Order, and proof of service of Form SV-110 was presented to the court at the hearing; and
- The judge's orders in Form SV-130 are the same as in Form SV-110 except for the expiration date.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

1 Petitioner (Educational Institution Officer or Employee)

Name: _____

2 Student (Protected Person)

Name: _____

3 Respondent (Restrained Person)

Name: _____

PROOF OF SERVICE BY MAIL

4 I am 18 years of age or older and live or am employed in the county where the mailing took place. I am not the petitioner, the student, or any person listed in item **4** of Form SV-130. I mailed the respondent a copy of:

a. Form SV-130, *Private Postsecondary School Violence Restraining Order After Hearing*b. Other (*specify*): _____

5 I placed copies of the documents above in a sealed envelope and mailed them as described below:

a. Mailed to (*name*): _____

b. To this address: _____

City: _____ State: _____ Zip: _____

c. On (*date*): _____ Mailed from: City: _____ State: _____**6 Server's Information**

Name: _____ Telephone: _____

Address: _____

City: _____ State: _____ Zip: _____

(If you are a registered process server):

County of registration: _____ Registration number: _____

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

Date: _____

Type or print server's name

▶ _____
Server to sign here

1 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 *or*
- Sell it to a licensed gun dealer

3 How do I sell my firearm?

Find a licensed gun dealer in your area.

Look under “Firearms Dealers” in your local Yellow Pages or on the Internet. Make sure the dealer is licensed.

4 How do I take my firearm to law enforcement?

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

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

Ask the law enforcement agency.

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

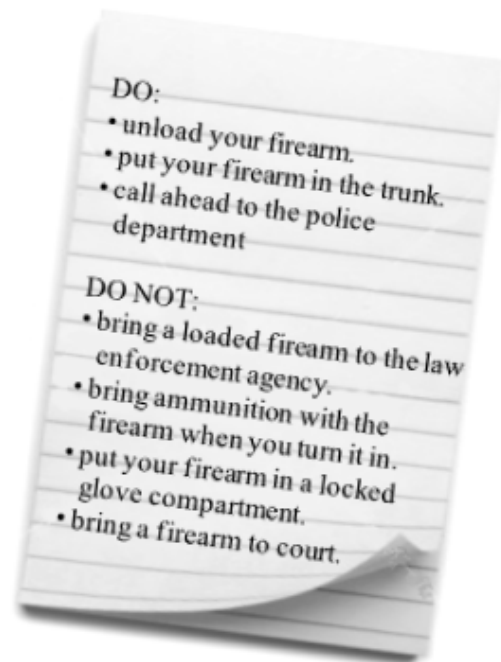
Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.

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

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

8 Questions?

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



Clerk stamps date here when form is filed.

1 Petitioner (Educational Institution Officer or Employee)

Name: _____

2 Student in Need of Protection

Full Name: _____

3 Respondent (Person From Whom Protection Is Sought)

Your Name: _____

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

City: _____ State: _____ Zip: _____

Telephone (optional): _____ Fax (optional): _____

Your Lawyer (if you have one):

Name: _____ State Bar No.: _____

Firm Name: _____

City: _____ State: _____ Zip: _____

Telephone : _____ Fax: _____

E-mail: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**4 To the Respondent:**

If the court has ordered you to sell or turn in your firearms, you may use this form to prove to the court that you have obeyed its orders. When you deliver your unloaded weapons, ask the law enforcement officer or the licensed gun dealer to complete item **5** or **6** and item **7**. After the form is signed, file it with the court clerk. Keep a copy for yourself.

5 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: _____
*Name and title of law enforcement agent*_____
*Name of law enforcement agency*_____
Address

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

▶ _____
Signature of law enforcement agent

6 To Licensed Gun Dealer

Fill out items **6** and **7** of this form. Keep a copy and give the original to the person who sold the firearms to you.

The firearms listed in **7** were sold to me on:Date: _____ at: _____ a.m. p.m.To: _____
*Name of licensed gun dealer*_____
License number _____
*Telephone*_____
Address

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

▶ _____
Signature of licensed gun dealer



7 Firearms

	<u>Make</u>	<u>Model</u>	<u>Serial Number</u>
a.	_____	_____	_____
b.	_____	_____	_____
c.	_____	_____	_____
d.	_____	_____	_____
e.	_____	_____	_____

Check here if you turned in or sold more firearms. Attach a sheet of paper and write "SV-800, Item 7" for a title. Include the make, model, and serial number of each firearm.

8 Do you have, own, possess, or control any other firearms besides the firearms listed in **7**? Yes No

If you answered yes, have you sold or transferred those other firearms? Yes No

If yes, check one of the boxes below:

- a. I filed the *Proof of Firearms Turned In or Sold* for those firearms with the court on (date): _____
- b. I am filing the proof for those firearms along with this proof.
- c. I have not yet filed the proof for the other firearms. (*explain why not*):
 Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "SV-800, Item 8c" for a title.

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

Date: _____

Type or print your name

▶ _____
Sign your name