SV-100-INFO How Do I Get an Order to Prohibit Private Postsecondary School Violence?

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:

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: 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.*)

Notice of Court Hearing (Private Postsecondary School Violence Prevention) SV-109, Page 1 of 3

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.]

SV-100 Petition for Private Postsecondary School Violence Restraining Orders

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):*

Full Name	Sex	Age	Household Member?	Relationship to Student
			☐ Yes ☐ No	
			☐ Yes ☐ No	
			☐ Yes ☐ No	

☐ *Additional protected persons are listed in Attachment 4a.*

This is not a Court Order.

Case Number:

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) ☐ Postsecondary School Violence			
(2) ☐ Civil Harassment			
(3) ☐ Domestic Violence			
(4) ☐ Divorce, Nullity, Legal Separation			
(5) ☐ Paternity, Parentage, Child Support			
(6) ☐ Elder or Dependent Adult Abuse			
(7) ☐ Eviction			
(8) ☐ Guardianship			
(9) ☐ Workplace Violence			
(10) ☐ Small Claims			
(11) ☐ Criminal			
(12) ☐ Other *(specify)*:			

b. Are there now any restraining orders or criminal protective orders 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.

Case Number:

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.

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):*

(1) ☐ The student. (2) ☐ The respondent. c. ☐ 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.

_____

_____

_____

_____

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

(2) ☐ The other persons listed in 4

(3) ☐ The school

(4) ☐ The student's home

(5) ☐ The student's job or workplace

(6) ☐ The school of the student's children

(7) ☐ The place of child care of the student's children

(8) ☐ The student's vehicle

(9) ☐ Other *(specify):*

_____

_____

_____

_____

This is not a Court Order.

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 Request for Immediate Orders Without Notice

Do you want the court to make any of these orders now that will last until the hearing without notice to the respondent? ☐ Yes ☐ No *(If you answered yes, explain why):*

☐ Response is stated on Attachment 12.

13 ☐ Request for Less Than Five Days' Notice

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:

☐ Response is 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.

Case Number:

(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.

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.)*

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

SV-110 Temporary Restraining 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. 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

2 Student (Protected Person)

Full Name: _____

3 Respondent (Restrained Person)

Full Name: _____

Description:

Court fills in case number when form is filed.

Case Number:

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:

Full Name	Sex	Age	Household Member?	Relation to Student
			☐ Yes ☐ No	
			☐ Yes ☐ No	
			☐ Yes ☐ 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.

Case Number:

To the Person in 2:

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

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.

Case Number:

(12) Number of pages attached to this Order, if any: _____

Date: _____ _____
Judicial Officer

Warnings and Notices to the Restrained Person in (2)

You Cannot Have Guns or Firearms

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

Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and form 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.

Case Number:

Instructions for Law Enforcement

Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). 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.

SV-115 Request to Continue Court Hearing

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.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

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: _____

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

▶ _____
Signature

☐ Attorney ☐ Party Without Attorney

SV-115-INFO How to Ask for a New Hearing Date

You may need to ask for a new hearing date if:

- You are the petitioner and are unable to have form SV-109, *Notice of Court Hearing*, and other papers served in time before the hearing date.
- You are the respondent making your first request for continuance, and you need time to hire an attorney or prepare a response.
- You have a good reason for needing a new hearing date. (The court may grant a request to continue the hearing on a showing of good cause.)

What does form SV-115 do?

Use Form SV-115 to ask the court to "continue" the hearing. If the court continues the hearing and a *Temporary Restraining Order* (TRO; form SV-110) was issued, the TRO will be extended until the end of the new hearing unless the court decides to modify or terminate it.

- "Continue" the hearing means to give you a new hearing date.
- "Extend" means to keep any temporary orders in effect until the new hearing date.

Follow these steps:

- Fill out all of form SV-115.
- Fill out items (1) through (3) on form SV-116, *Order on Request to Continue Hearing.*
- The judge will need to review your papers. In some courts, you must give your papers to the clerk. Ask the court clerk for information on how you ask the judge to review your papers.
- After you turn in your forms as required by your local court, check with the clerk's office to see if the judge approved (granted) your request to continue the hearing.
- If the judge signs form SV-116, the court will give you a new hearing date. If the judge does NOT sign the form, you should go to the hearing at the date, time, and location that is shown on form SV-109.
- Next, file both forms SV-115 and SV-116 with the clerk. The clerk will make up to three file-stamped copies for you. Keep at least one copy to bring to court on the hearing date.
- The other party must be served with a copy of the court papers as described in item (9) on form SV-116.
- Ask the person who serves the papers to complete a proof of service form and give it to you. If service was in person, use form SV-200, *Proof of Personal Service*. If service was by mail, use Form POS-040, *Proof of Service—Civil*. Make two copies of the completed forms.
- File the completed and signed proof of service form with the clerk's office before the hearing.
- If the court continues the hearing date and extends the TRO to the date of the new hearing, the clerk will send the TRO to law enforcement. It will be entered into a statewide computer system that lets police know about the order so that it can be enforced.

Go to the hearing.

- Take at least two copies of your documents and filed forms to the hearing. Include a filed proof of service form. "Documents" may include exhibits, declarations, and financial statements, which the court may enter into evidence at its discretion.
- If you are the petitioner and you do not go to the hearing, the Temporary Restraining Order will expire at the end of the hearing. If you are the respondent and you do not go to the hearing, the court can still make orders against you that can last for up to three years.

Need help?

Ask the court clerk about free or low-cost legal help that may be available in your county.

SV-116 Order on Request to Continue Hearing

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:

New Hearing Date → Date: _____ Time: _____

Dept.: _____ Room: _____

Name and address of court if different from above:

_____

_____

_____

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

This is a Court Order.

Case Number:

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.

Case Number:

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

[seal]

I certify that this *Order on Request to Continue Hearing* is a true and correct copy of the original on file in the court.

Date:_____ Clerk, by_____, Deputy

This is a Court Order.

SV-120 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.

c. ☐ I agree to the following orders *(specify):* _____

5 ☐ Stay-Away Orders

a. ☐ I agree to the orders requested.

b. ☐ I do not agree to the orders requested.

c. ☐ I agree to the following orders *(specify):* _____

Case Number:

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 CH-800, *Proof of Firearms Turned In, Sold, or Stored* for the receipt.

a. ☐ I do not own or control any guns or other firearms.

b. ☐ I have turned in my guns and firearms to the police or sold them to or stored them with a 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.

c. ☐ I agree to the following orders *(specify)*: _____

_____

_____

_____

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 "SV-120, item 10—Justification or Excuse" for a title.*

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Case Number:

(11) ☐ 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.)*

(12) ☐ Costs

a. ☐ I ask the court to order the petitioner to pay my court costs.

The amounts requested are:

Item	Amount	Item	Amount
_____	$ _____	_____	$ _____
_____	$ _____	_____	$ _____
_____	$ _____	_____	$ _____

☐ *Check here if there are more items. Put the items and amounts on the attached sheet of paper or Form MC-025 and write "Attachment 12—Costs" for a title.*

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.

(13) 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*

SV-120-INFO How Can I Respond to a Petition for Private Postsecondary School Violence Restraining Orders?

What is a private postsecondary school violence restraining order?

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

What does the order do?

The court can order you to:

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

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

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

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

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

What if I don't obey the order?

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

What if I don't agree with what the order 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-110 (or that person's lawyer). (This is called "service by mail.")

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

Should I go to the court hearing?

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

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: _____

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 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 Filing

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 that person's attorney says that you can.

Can I bring a witness to the court hearing?

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

For help in your area, contact:

[Local information may be inserted.]

What if I don't speak English?

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

What if I have a gun?

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

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

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

What if I am deaf or hard of hearing?

Assistive listening systems, 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.)

SV-130

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
			☐ Yes ☐ No	
			☐ Yes ☐ No	
			☐ Yes ☐ 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.

Case Number:

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 Order

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.

10 ☐ Costs

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

Item	Amount	Item	Amount
	$		$
	$		$
	$		$

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

11 ☐ Other Orders *(specify)*:

_____

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

This is a Court Order.

Case Number:

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

If the sheriff or marshal will serve this Order without charge because the Order is based on a credible threat of violence or stalking.

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

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

Date: _____

▶ _____
Judicial Officer

This is a Court Order.

Warning and Notice to the Respondent:

You Cannot Have Guns or Firearms

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

Instructions for Law Enforcement

Enforcing the Restraining Order

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). 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.

SV-200 Proof of Personal Service

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

Court fills in case number when form is filed.

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, Sold, or Stored* (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

SV-200-INFO What Is "Proof of Personal Service"?

What is "Service"?

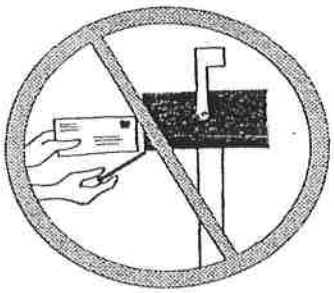
Service is the act of giving legal papers to the other party. There are many kinds of service—in person, by mail, and others. This form is about personal or "in-person" service. The *Petition for Orders to Stop Private Postsecondary School Violence* (Form SV-100), the *Notice of Court Hearing* (Form 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.



Don't serve it by mail!

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.)

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.

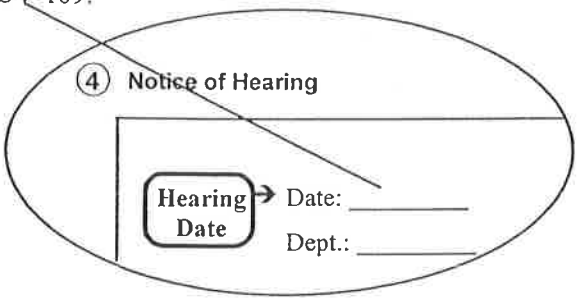
What if the person won't take the papers or tears them up?

- 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.

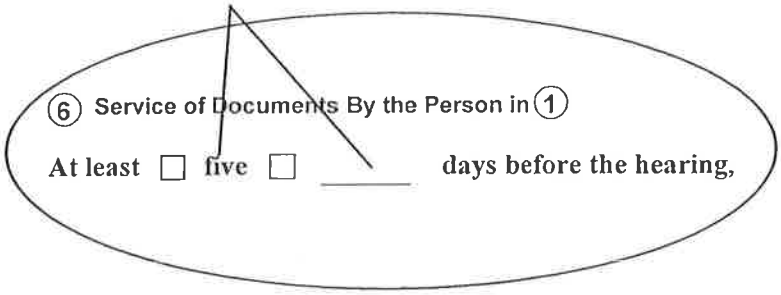
When do the orders have to be served?

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.



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



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.

SV-250 Proof of Service of Response by Mail

Clerk stamps date here when form is filed.

1 Petitioner (Educational Institution Officer or Employee)

Name: _____

2 Student in Need of Protection

Name: _____

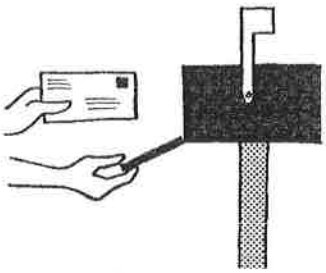
3 Respondent (Person From Whom Protection Is Sought)

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*

SV-260 Proof of Service of Order After Hearing by Mail

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*

SV-700 Request to Renew Restraining Order

Clerk stamps below when form is filed.

Court name and street address:
Superior Court of California, County of

Fill in case number:
Case Number:

1 Petitioner (School Official)

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 (Protected Person)

Full Name: _____

3 Respondent (Restrained Person)

Full Name: _____

Address *(if known)*: _____

City: _____ State: _____ Zip: _____

4 Request to Renew Restraining Order

I ask the court to renew the *Private Postsecondary School Violence Restraining Order After Hearing* (Form SV-130). A copy of the order is attached.

a. The order ends on *(date)*: _____

b. ☐ This is my first request to renew the order.

☐ The order has been renewed _____ times.

c. I want the order to be renewed for ☐ three years ☐ other *(specify)*: _____

d. I ask the court to renew the order because *(explain below)*: ☐ Response is stated in Attachment 4d.

_____

_____

_____

_____

_____

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*

This is not a Court Order.

SV-710 Notice of Hearing to Renew Restraining Order

Clerk stamps below when form is filed.

1 Petitioner (School Official)

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: _____

Court name and street address:

Superior Court of California, County of

2 Student (Protected Person)

Full Name: _____

Fill in case number:

Case Number:

3 Respondent (Restrained Person)

Full Name: _____

Address *(if known)*: _____

City: _____ State: _____ Zip: _____

To the Respondent:

4 Court Hearing

The judge has set a court hearing date. *Court will fill in box below.*

The current restraining order stays in effect until the end of the hearing.

Name and address of court if different from above:

Hearing Date → Date: _____ Time: _____

Dept.: _____ Room: _____

At the hearing, the judge can renew the current restraining order for up to another three years. You *must* continue to obey the current restraining order until the hearing. At the hearing, you can tell the judge if you do not want the order against you renewed. If the restraining order is renewed, you *must* obey the order even if you do not attend the hearing.

If you wish to make a written response to the request to renew the restraining order, you may fill out Form SV-720, *Response to Request to Renew Restraining Order.* File the original with the court before the hearing and have someone age 18 or older—**not you**—mail a copy of it to the petitioner at the address in 1 at least _____ days before the hearing. Also file Form SV-250, *Proof of Service of Response by Mail,* with the court before the hearing.

This is a Court Order.

Case Number:

To the Petitioner:

5 Service and Response

Someone age 18 or older—**not you or anyone else protected by the restraining order**—must personally serve (give) a copy of the following forms on the respondent at least _____ days before the hearing.

- SV-700, *Request to Renew Restraining Order;*
- SV-710, *Notice of Hearing to Renew Restraining Order* (this form);
- SV-720, *Response to Request to Renew Restraining Order* (blank copy);
- SV-130, the current *Private Postsecondary School Violence Restraining Order After Hearing* for which renewal is requested.

After the respondent has been served, file Form SV-200, *Proof of Personal Service,* with the court clerk. For help with service, read Form SV-200-INFO, *What Is "Proof of Personal Service"?*

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* for *Request for Accommodations by Persons with Disabilities and Response* (Form MC-410). (Civ. Code, § 54.8.)

This is a Court Order.

SV-720 Response to Request to Renew Restraining Order

Clerk stamps date here when form is filed.

Use this form to respond to the *Request to Renew Restraining Order* (Form SV-700)

- Fill out this form and then take it to the court clerk.
- Have someone age 18 or older—**not you**—serve the petitioner by mail with a copy of this form and any attached pages. *(Use Form SV-250, Proof of Service of Response by Mail.)*

Court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

1 Petitioner (School Official)

Name: _____

2 Student (Protected Person)

Name: _____

3 Respondent (Restrained Person)

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-710 item 4 here.

Hearing Date → Date: _____

Time: _____

Dept.: _____ Room: _____

You must continue to obey the current restraining order until the hearing. At the hearing, the court can extend the order against you for up to another three years.

4 Response

a. ☐ I agree to extend the order.

b. ☐ I do not agree to extend the order.

c. ☐ I agree to the following order instead *(specify below)*:

☐ *Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 4c—Order Requested" for a title. You may use Form MC-025,* Attachment.

_____

_____

_____

d. ☐ I ask the court not to renew the order for the following reasons *(specify below)*:

☐ *Check here if there is not enough space for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 4d—Reasons Not to Renew" for a title.*

_____

_____

_____

_____

_____

Case Number:

Date: _____

_____ ▶ _____

Lawyer's name, if you have one *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*

SV-730

Order Renewing Private Postsecondary School Violence Restraining Order

Clerk stamps date here when form is filed.

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

Fill in case number:
Case Number:

1 Petitioner (School Official)

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 (Protected Person)

Full Name: _____

3 Respondent (Restrained Person)

Full Name: _____

Address *(if known)*: _____

City: _____ State: _____ Zip: _____

4 Hearing

There was a hearing on *(date)*: _____ at *(time)*: _____ ☐ a.m. ☐ p.m. Dept.: _____ Room: _____

(Name of judicial officer): _____ made the orders at the hearing.

These people were at the hearing:

a. ☐ The petitioner

b. ☐ The respondent

c. ☐ The lawyer for the petitioner *(name)*: _____

d. ☐ The lawyer for the respondent *(name)*: _____

☐ Additional persons present are listed on Attachment 4.

5 Renewal and Expiration

The request to renew the attached *Private Postsecondary School Violence Restraining Order After Hearing*, originally issued on *(date)* _____, is:

a. ☐ **GRANTED**. The attached order is renewed and will now expire on:

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

If no expiration date is written here, the order expires three years from the date of the hearing in item 5.

b. ☐ **DENIED**. The attached order expires as stated in item 5 of the order.

Date: _____

_____
Judicial Officer

This is a Court Order.

SV-800 Proof of Firearms Turned In, Sold, or Stored

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 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 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:

4 To the Respondent:

If the court has ordered you to turn in, sell, or store 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. For help, read Form SV-800-INFO, *How Do I Turn in, Sell, or Store My Firearms?*

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 you the firearms or stored them with you.

The firearms listed in 7 were

☐ sold to me ☐ transferred to me for storage 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 gun dealer

Case Number:

7 Firearms

	Make	Model	Serial Number
a.			
b.			
c.			
d.			
e.			

☐ *Check here if you turned in, sold, or stored more firearms. Attach a sheet of paper and write "SV-800, Item 7—Firearms Turned In, Sold, or Stored" for a title. Include make, model, and serial number of each firearm. You may use Form MC-025,* Attachment.

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 turned in, sold, or stored those other firearms? ☐ Yes ☐ No
(If yes, check one of the boxes below):

a. ☐ I filed a *Proof of Firearms Turned In, Sold, or Stored* 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 the attached sheet of paper or Form MC-025 and write "Attachment 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

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

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
- Sell it to a licensed firearms dealer, or
- Store it with a licensed firearms dealer

3 How do I sell or store my firearm?

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

4 How do I take my firearm to law enforcement?

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

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

Ask the law enforcement agency.

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

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

DO:

- unload your firearm.
- put your firearm in the trunk.
- call ahead to the police department

DO NOT:

- bring a loaded firearm to the law enforcement agency.
- bring ammunition with the firearm when you turn it in.
- put your firearm in a locked glove compartment.
- bring a firearm to court.

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.)