



## JUDICIAL COUNCIL OF CALIFORNIA

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# REPORT TO THE JUDICIAL COUNCIL

*Item No.: 22-175*

For business meeting on September 20, 2022

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**Title**

Protective Orders: Gun Violence Forms  
Implementing Statutory Amendments  
Permitting Remote Appearances and  
Modifying the Definition of Firearms

**Agenda Item Type**

Action Required

**Effective Date**

January 1, 2023

**Date of Report**

August 10, 2022

**Rules, Forms, Standards, or Statutes Affected**

Revise forms EPO-002, GV-009, GV-020,  
GV-020-INFO, GV-030, GV-100,  
GV-100-INFO, GV-109, GV-110, GV-116,  
GV-120, GV-120-INFO, GV-125, GV-130,  
GV-710, GV-730, GV-800, and  
GV-800-INFO

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**Recommended by**

Civil and Small Claims Advisory Committee  
Hon. Tamara Wood, Chair

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### Executive Summary

The Civil and Small Claims Advisory Committee recommends the revision of 18 of the Judicial Council's gun violence restraining order forms to implement statutory changes in Senate Bill 538 (Stats. 2021, ch. 686), and Assembly Bill 1621 (Stats. 2022, ch. 76). Assembly Bill 1621 amends the definition of "firearms" for the purpose of gun violence restraining orders to include certain firearm parts. Senate Bill 538 permits parties and witnesses to attend hearings on gun violence restraining orders remotely. The proposal incorporates these new provisions into the council's forms and makes other minor changes to gun violence protective order forms.

## Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council revise the following forms, effective January 1, 2023:

- *Gun Violence Emergency Protective Order* (form EPO-002);
- *Notice of Court Hearing* (form GV-009);
- *Response to Gun Violence Emergency Protective Order* (form GV-020);
- *How Can I Respond to a Gun Violence Emergency Protective Order?* (form GV-020-INFO);
- *Gun Violence Restraining Order After Hearing on EPO-002* (form GV-030);
- *Petition for Gun Violence Restraining Order* (form GV-100);
- *Can a Gun Violence Restraining Order Help Me?* (form GV-100-INFO);
- *Notice of Court Hearing* (form GV-109);
- *Temporary Gun Violence Restraining Order* (form GV-110);
- *Order on Request to Continue Hearing* (form GV-116);
- *Response to Petition for Gun Violence Restraining Order* (form GV-120);
- *How Can I Respond to a Petition for a Gun Violence Restraining Order?* (form GV-120-INFO);
- *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125);
- *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order* (GV-130);
- *Notice of Hearing on Request to Renew Gun Violence Restraining Order* (form GV-710);
- *Order on Request to Renew Gun Violence Restraining Order* (form GV-730);
- *Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored* (GV-800), retitled *Receipt for Firearms, Firearms Parts, Ammunition, and Magazines*; and
- *How Do I Turn In, Sell, or Store My Firearms, Ammunition, or Magazines?* (form GV-800-INFO), retitled *How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, Ammunition, and Magazines?*

The proposed new and revised forms are attached at pages 9–58.

## Relevant Previous Council Action

Under the Penal Code, the Judicial Council must provide forms and instructions for use in gun violence restraining order matters. The forms have been revised when changes to the law required revisions and in response to suggestions from the public, judicial officers, and court professionals. The last substantive change to gun violence restraining order forms came in 2020 when the council revised these forms to implement legislation relating to who may file a petition requesting a gun violence restraining order, the duration of a gun violence restraining order, and the voluntary relinquishment of firearms by a person subject to a gun violence restraining order.

## Analysis/Rationale

The Legislature enacted three bills that significantly amended the statutory provisions governing gun violence restraining orders.

Effective June 30, 2022, AB 1621 (Stats. 2022, ch. 76)<sup>1</sup> adds a definition of “firearm” for the purposes of gun violence restraining orders that includes firearm parts, specifically receivers, frames, and “firearm precursor parts” as defined under Penal Code section 16531(a).<sup>2</sup> The statutory amendment is intended to include “ghost guns” (unserialized and untraceable firearms that can be bought online and assembled at home) in the items that restrained people cannot possess and must surrender. (See, e.g., Assem. Com. On Public Safety Rep. on Assem. Bill No. 1621 (2021-2022 Reg. Sess.) as amended March 24, 2022 pp. 5-7.) This means that a restrained person may not have these parts or homemade firearms, for the duration of the order. AB 1621 was enacted as an urgency statute, and therefore went into effective immediately upon approval by the Governor on June 30, 2022. AB 1621 superseded AB 1057 (Stats. 2021, ch. 682),<sup>3</sup> which would have also added firearm parts to the definition of firearm under the Penal Code. A proposal to implement AB 1057 was included as part of this proposal that was released for public comment on April 8, 2022. The committee believes that the same changes to the forms needed to implement AB 1057 would be appropriate to implement AB 1621.

In addition, Senate Bill 538 (Stats. 2021, ch. 686)<sup>4</sup> expands the provisions concerning gun violence restraining orders regarding electronic filing and remote appearances. Specifically, SB 538 provides that by July 1, 2023, courts that receive gun violence restraining order petitions “shall permit those petitions to be submitted electronically” and “shall develop local rules and instructions for electronic filing.” (§ 18122.) Additionally, effective January 1, 2022, any “party or witness may appear remotely at the hearing on a petition for a gun violence restraining order” and courts must similarly develop local rules and instructions about doing so. (§ 18123.) Each superior court is required to post the requisite local rules and instructions to their website.

The committee thus recommends revisions to the gun violence restraining order forms to reflect the statutory amendments prohibiting possession of firearm parts and permitting electronic filings and remote appearances. The committee also recommends other revisions to the forms to improve usability.

### Revisions relating to the definition of “firearms”

Given the expanded definition of “firearms” under AB 1621, the committee recommends adding the term “firearm parts” and an explanation of that term to each form in this proposal where prohibited items are listed. On most forms the explanation of the term follows in a

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<sup>1</sup> AB 1621 is available at [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB1621](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1621).

<sup>2</sup> All further statutory citations are to the Penal Code unless otherwise stated.

<sup>3</sup> AB 1057 is available at [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB1057](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1057).

<sup>4</sup> SB 538 is available at [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB538](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB538).

parenthetical—“firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531).”<sup>5</sup> Other forms in the proposal contain a slight variation of such language. First, the information sheets in the proposal (forms GV-020-INFO, GV-100-INFO, GV-120-INFO, and GV-800-INFO) also use the nomenclature “ghost guns” in the explanation of “firearm parts.”<sup>6</sup> Additionally, three of the court order forms in the proposal (forms GV-030, GV-110, and GV-130) and three information sheets (forms GV-020-INFO, GV-100-INFO, and GV-800-INFO) provide the above explanation of “firearm parts” in a new subitem listing all “prohibited items” (firearms, firearm parts, ammunition, and magazines). The information sheets also contain links to the California Courts Self-Help Guide on gun violence restraining orders. Subsequent mentions of the prohibited items in the forms refer to “the prohibited items” or “the prohibited items listed in item 6b [or 7b]” rather than each type of prohibited item.<sup>7</sup>

### **Revisions relating to remote appearances**

In addition to revisions to include “firearm parts” and an explanation of that term, revisions to gun violence restraining order forms are also needed to implement SB 538, which allows parties and witnesses to appear at hearings on gun violence restraining orders remotely. Accordingly, the committee recommends including additional information about remote appearances on the following forms: form EPO-002, the notice of hearing forms (GV-009 and GV-109), three information sheets (forms GV-020-INFO, GV-100-INFO, and GV-120-INFO), and the order on request to continue the hearing (form GV-116). All of those proposed revised forms explain that the parties may attend the hearing remotely and advise the parties to check the court’s website for more information. Where space permits, those forms provide “phone and videoconference” as examples of remote attendance and also provide a link to the “Find Your Court” webpage on the California Courts website.<sup>8</sup> Conforming changes, such as using “attend” in lieu of “go to” the hearing and referencing the ability to file papers electronically were also made to the relevant forms.

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<sup>5</sup> The first paragraph of item 2 of form EPO-002 does not contain similar added language because the text of the first paragraph is provided by section 18135, which was not amended by or in light of AB 1057 or AB 1621. This is also true of the first paragraph in “Warnings and Notices to the Restrained Party” on form GV-030 (§ 18180), the first paragraph in “Warnings and Notices to the Respondent” on form GV-110 (§ 18160), the first paragraph in “Warnings and Notices to the Respondent” on form GV-130 (§ 18180), and item 4c on form GV-730 (§ 18180). Minor modifications were made to such text on forms GV-030, GV-130, and GV-730 to track the statutory language.

<sup>6</sup> A commenter suggested that this term not be used, but the committee concluded that such a term is used in common parlance and there is no harm in including it on the information sheets.

<sup>7</sup> This revised language including “firearm parts” will also apply to domestic violence and juvenile restraining orders. Because the bills impact three protective order forms series, this committee worked with the Family and Juvenile Law Advisory Committee to harmonize the changes to the extent possible.

<sup>8</sup> Note that while the relevant information about attending hearings remotely is on the first page of forms GV-009 and GV-109, the committee recommends including such information on page 3 of form GV-116. The committee found it important to retain the existing information about temporary restraining orders on the first page of form GV-116 and accordingly there was insufficient space to also include information about attending hearings remotely.

### **Other revisions related to interpreters and disability**

The committee also recommends updating the language about interpreters and disability accommodations on forms GV-100-INFO and GV-120-INFO.

The proposed revisions regarding interpreters remove two incorrect statements—that anyone over age 18 and not involved in the case may serve as an interpreter and that parties may have to pay a fee for a court interpreter. The committee instead recommends that the information regarding interpreters on those forms include a reference to forms where litigants may request an interpreter and court website providing more information about interpreters, which has been translated into several languages

The committee also proposes broadening the language on these forms to include reference to “disabilities,” as opposed to just hearing disabilities and to also reference the information sheet about requesting court accommodations.

Similar changes are being made in information sheets for civil harassment, elder abuse, school violence, and workplace violence restraining orders in a separate proposal.

### **Policy implications**

The revised forms in this proposal implement statutory changes that prohibit additional items for a person subject to a gun violence restraining order and permit electronic filing and remote appearances. Accordingly, the key policy decisions were made by the Legislature. The only policy implications are ensuring that council forms reflect the law correctly and are not misleading to parties. The proposed forms should assist courts and parties in navigating new and existing statutory provisions related to gun violence restraining orders.

### **Comments**

The proposal was circulated for public comment between April 6 and May 13, 2022, as part of the regular winter comment cycle. Comments were received from the Giffords Law Center to Prevent Gun Violence, the Orange County Bar Association, the State of California Department of Justice, the Superior Courts of San Bernardino County and San Diego County, and the Joint Rules Subcommittee of the Trial Court Presiding Judges Advisory Committee and the Court Executives Advisory Committee (TCPJAC/CEAC Joint Rules Subcommittee). Most of the of the commenters indicated their support of the proposal or that the proposal appropriately addressed its stated purpose and all the commenters offered suggestions to the proposal. The more significant suggestions are discussed below and a chart setting forth all the comments and the committee’s responses is attached at pages 59–68.

### ***Form GV-800***

The proof of surrender (form GV-800) is an optional form that can be used by the restrained person to show that they have properly surrendered all prohibited items that they have or own. In the invitation to comment (ITC) the committee proposed an alternative format for the form that provided separate items to be filled out by law enforcement and licensed gun dealers. The ITC asked commenters whether the alternative version was preferable. The commenters who

responded to that question preferred the circulated version of the form. The committee also sought feedback on the alternative format of the form from law enforcement officers, licensed gun dealers, and volunteers who filled out the form as if they were surrendering prohibited items. The law enforcement and the gun dealer testers indicated that the alternative format was not helpful, as both law enforcement and gun dealers list the turned-in items on their own forms that they would then need to attach to form GV-800. In light of this feedback, the committee recommends the original format for form GV-800, with a new check box added immediately above the signature lines which may be used to indicate that a separate form is attached for law enforcement and gun dealers.

A commenter also pointed out that items “seized” and “stored” are not mutually exclusive, as seized items can be stored or destroyed. Accordingly, the committee recommends the check box options “Sold,” “Stored,” and “To be destroyed” in the List of Items Surrendered. Additionally, in response to a comment that the proposed title of the form was vague and in response to users asking if the form acted as the “receipt” referred to in item 7 of form GV-130 (and on other forms), form GV-800 has been retitled *Receipt for Firearms, Firearms Parts, Ammunition, and Magazines*.

Several modifications are also proposed to the information sheet accompanying form GV-800 in response to suggestions to clarify similar information on domestic violence restraining order forms. The modifications include explaining that firearms and other prohibited items may not be given to a friend or family member and clarifying that both law enforcement and a licensed gun deal may charge a fee to store firearms.

### ***Service after hearing***

Gun violence restraining orders issued after hearing are only required to be personally served on the restrained person if the restrained person “was not present in court at the time the order was issued or renewed.” (§ 18197.) As circulated, the gun violence order forms after hearing (forms GV-030, GV-130, and GV-730) stated that if the restrained person “attended the hearing” no other proof of service is needed. A member of the council’s Rules Committee suggested that such language be consistent across the different types of restraining orders and noted that it could be useful in determining whether service is required if a party attends a hearing remotely. In light of the comment, the committee re-examined the statutory language for service after hearing for the different types of restraining orders and recommends that the language on the forms at issue track the statute, and instead refer to the restrained person being “present in court.” The committee intends to work with other advisory committees that work on restraining orders in the coming rules cycle to consider whether new rules or statutory proposals should be recommended to the council to address the issue of whether personal service is required when parties have appeared remotely at hearings on restraining orders.

### ***Terminology***

Multiple commenters also suggested that certain language in the form series was confusing or easily misunderstood. In particular, commenters took issue with the phrase “guns [and] other firearms” and the word “surrender.” In light of these comments the committee recommends

using the language “firearms (guns)” throughout the form headings and text. “Firearms” without a parenthetical was retained in the findings and in language directed at law enforcement. Similarly, the committee proposes replacing “surrender” with “turn in, store, or sell” where possible. However, “surrender” was retained in certain instances and parentheticals were used to explain the meaning at the first appearance of the word. Penal Code sections 18135, 18160, and 18180 contain required notices that must appear on the orders. The required text of such notices contain the word “surrender” and do not define it. Accordingly, the committee believe including “surrender” with a definition is preferable to removing it altogether.

### ***Mandatory CLETS information***

In response to a separate proposal, the Family Violence Appellate Project suggested that the civil protective order forms for the temporary restraining order and order after hearing include stars/asterisks next to information about the restrained parties that is mandatory to enter the order into the California Law Enforcement Telecommunications System (CLETS), as is already provided on domestic violence forms. The mandatory fields are provided in the California Restraining and Protective Order System Terminal Operator’s Guide. The committee agreed and has included the suggested modification on forms GV-110 and GV-130. The proposed modification was not included on form GV-030 as the court completes that form.<sup>9</sup>

### **Alternatives considered**

Because AB 1057, AB 1621, and SB 538 made significant and substantial changes to the procedures and definitions concerning gun violence restraining orders, the committee determined it must act and that taking no action would be inappropriate. The committee also determined it would be inappropriate to not take action to update the information regarding interpreters on the forms.

In addition to this proposal, the committee considered recommending a reformatted GV-800 with separate pages for law enforcement and gun dealers but concluded after reaching out to potential users that the current format of the form is preferable.

In proposing revisions relating to remote appearances, the committee also considered including space for the clerk to fill in information for the local court website with information about remote attendance on forms GV-009 and GV-109. The committee determined, however, that doing so would add significant additional burdens to the clerk’s office and offer little additional value compared to instructing litigants to go to the court’s website via the statewide webpage.

### **Fiscal and Operational Impacts**

Most of the impacts arising from this new law—including education of judicial officers, staff, and justice partners as to the new provisions—are a result of the statute, not the forms proposal.

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<sup>9</sup> The forms in the proposal that collect identifying information about the restrained party also contain minor revisions to refer to “gender” as opposed to “sex” and provide a “nonbinary” option and check box. Such revisions are consistent with the Department of Justice procedures to register a protective order into CLETS, and the Rules Committee has directed advisory committees to make such revisions on council forms where possible.

The committee anticipates that this proposal will result in some costs incurred by courts to incorporate new forms into their paper or electronic processes and to train court staff. However, all the new and revised forms are intended to assist courts in dealing with the impact of the legislation by making it easier for clerks and judicial officers to process requests for orders to allow contact or findings related to specific debts.

### **Attachments and Links**

1. Forms EPO-002, GV-009, GV-020, GV-020-INFO, GV-030, GV-100, GV-100-INFO, GV-109, GV-110, GV-116, GV-120, GV-120-INFO, GV-125, GV-130, GV-710, GV-730, GV-800, and GV-800-INFO, at pages 9–58
2. Chart of comments, at pages 59–68
3. Link C: Assembly Bill 1621,  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB1621](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1621)
4. Link A: Assembly Bill 1057,  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220AB1057](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220AB1057)
5. Link B: Senate Bill 538,  
[https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=202120220SB538](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB538)



**EPO-002**  
**GUN VIOLENCE EMERGENCY PROTECTIVE ORDER**

LAW ENFORCEMENT CASE NUMBER:

1. **RESTRAINED PERSON** (insert name): \_\_\_\_\_

Address: \_\_\_\_\_

Gender: ☐ M ☐ F ☐ Nonbinary Ht.: \_\_\_\_\_ Wt.: \_\_\_\_\_ Hair color: \_\_\_\_\_

Eye color: \_\_\_\_\_ Race: \_\_\_\_\_ Age: \_\_\_\_\_ Date of birth: \_\_\_\_\_

2. **TO THE RESTRAINED PERSON**

(Also see important Warnings and Information on page 2):

**You are required to surrender all firearms, ammunition, and magazines that you own or possess in accordance with Section 18120 of the Penal Code and you may not have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any firearm, ammunition, or magazine while this order is in effect.** However a more permanent gun violence restraining order may be obtained from the court. You may seek the advice of an attorney as to any matter connected with the order. The attorney should be consulted promptly so that the attorney may assist you in any matter connected with the order.

**If you have any firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines you MUST IMMEDIATELY SURRENDER (GIVE) THEM** if asked by a police officer. If a police officer does not ask you to surrender the items, within 24 hours of getting this order, you must take them to a police station or a licensed gun dealer to sell or store them and must file a receipt with the court proving that this has been done. You have 48 hours to file a receipt with the court shown to the right. **If you do not file a receipt within 48 hours you have violated this order and can go to jail.**

3. **This order will last until:** \_\_\_\_\_ **Time** \_\_\_\_\_

INSERT DATE OF 21st CALENDAR DAY (DO NOT COUNT DAY THE ORDER IS GRANTED)

4. **Court Hearing** ☐ A court hearing will be set within 21 days.

☐ A court hearing will take place at the court above on: Date: \_\_\_\_\_ Time/Dept: \_\_\_\_\_

**You must attend the court hearing if you do not want this restraining order against you. You may attend the hearing remotely (check your court's website for instructions). At the hearing, the judge can make this order last for up to five years.**

5. Reasonable grounds for the issuance of this order exist, and a Gun Violence Emergency Protective Order (1) is necessary because the Restrained Person poses an immediate danger of causing personal injury to **themselves** or to another by having custody or control, owning, purchasing, possessing, or receiving any firearms, **firearm parts**, ammunition, or magazines; **and** (2) less restrictive alternatives were ineffective or have been determined to be inadequate or inappropriate under the circumstances.

6. Judicial officer (name): \_\_\_\_\_ granted this order on (date): \_\_\_\_\_ at (time): \_\_\_\_\_

**APPLICATION**

7. Officer has a reasonable cause to believe that the grounds set forth in item 5, above, exist (state supporting facts and dates; specify weapons—number, type and location):  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. ☐ Firearms (including parts) were ☐ observed ☐ reported ☐ physically searched for ☐ seized.

☐ Ammunition (including magazines) was ☐ observed ☐ reported ☐ physically searched for ☐ seized.

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

By: \_\_\_\_\_  
(PRINT NAME OF LAW ENFORCEMENT OFFICER)

(SIGNATURE OF LAW ENFORCEMENT OFFICER)

Agency: \_\_\_\_\_

Telephone No: \_\_\_\_\_ Badge No: \_\_\_\_\_

Address: \_\_\_\_\_

**PROOF OF SERVICE**

9. I personally delivered copies of this Order to the restrained person name in item 1.

Date of service: \_\_\_\_\_ Time of service: \_\_\_\_\_ Address: \_\_\_\_\_

10. At the time of service, I was at least 18 years of age.

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

Date: \_\_\_\_\_  
(TYPE OR PRINT NAME OF SERVER/LAW ENFORCEMENT OFFICER)

(SIGNATURE OF SERVER)

Clerk stamps date here when form is filed.

**DRAFT**

**8/10/2022**

**Not approved by  
the Judicial Council**

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:**

# GUN VIOLENCE EMERGENCY PROTECTIVE ORDER WARNINGS AND INFORMATION

EPO-002

**TO THE RESTRAINED PERSON:** You are prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a firearm (gun), a firearm part (any receiver, frame, or unfinished receiver or frame), ammunition, or a magazine. (Pen. Code, §§ 16531 & 18125 et seq.) A violation of this order is a misdemeanor punishable by a \$1,000 fine or imprisonment for six months or both. (Pen. Code, §§ 19 & 18205.) Within 24 hours of receipt of this order, you must turn in all items listed above to a law enforcement agency or sell them to or store them with a licensed firearms dealer until the expiration of this order. (Pen. Code, § 18125 et seq.) A receipt proving surrender, sale, or storage must be filed with the court within 48 hours of receipt of this order, or on the next court business day if the 48-hour period ends on a day when the court is closed. You must also file the receipt with the law enforcement agency that served you with this Order. You may use Form GV-800, *Receipt for Firearms, Firearm Parts, Ammunition, and Magazines*.

This Gun Violence Emergency Protective Order is effective when made. It will last until the date and time in item 3 on the front. The court will hold a hearing within 21 days to determine if a longer-term order should be issued. If the date and time are not stated in item 4 on the front, you will get a notice with the date and time of the hearing in the mail at the residential address listed on page 1 of this form. If you would like to respond to this order in writing you must use Form GV-020, *Response to Gun Violence Emergency Protective Order*. A family member, employer, coworker, teacher, or school administrator may also seek a more permanent restraining order from the court.

If you violate this order, you will also be prohibited from having in your custody or control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, a firearm (gun), firearm part (any receiver, frame, or unfinished receiver or frame), ammunition, or magazine for an additional five-year period, to begin on the expiration of the more permanent gun violence restraining order. (Pen. Code, §§ 16531 & 18205.)

This protective order must be enforced by all law enforcement officers in the state of California who are aware of it or shown a copy of it. The terms and conditions of this order remain enforceable regardless of the acts or any agreement of the parties; it may be changed only by order of the court.

**A LA PERSONA RESTRINGIDA:** Tiene prohibido ser dueño de, o poseer, comprar, recibir, o tratar de comprar o recibir un arma de fuego, componentes de armas de fuego (todo recibidor o armazón, acabado o inacabado), municiones o cargadores. (Código Penal, §§ 16531 & 18125 y siguientes). Una violación de esta orden es un delito menor que está sujeta a una multa de \$1000 o encarcelamiento de seis meses o ambos. (Código Penal, §§ 19 & 18205.)

Dentro de las 24 horas de recibir esta orden, tiene que entregar todos los artículos indicados arriba a una agencia del orden público o venderlos a un comerciante de armas autorizado, o almacenarlos con el mismo hasta el vencimiento de esta orden. (Código Penal, § 18125 y siguientes). Se tiene que presentar a la corte una prueba de haberlos entregado, vendido, o almacenado dentro de las 48 horas de recibir esta orden, o el próximo día hábil, si el periodo de 48 horas termina un día en que está cerrada la corte. También tiene que presentar el recibo a la agencia del orden público que le entregó esta Orden. Se puede usar el formulario GV-800, *Recibo por armas de fuego, componentes de armas de fuego, municiones, y cargadores*.

Esta orden de protección de emergencia de armas de fuego entra en vigencia en el momento en que se emite. Durará hasta la fecha y hora indicadas en el punto 3 de la primera página. Se realizará una audiencia dentro de 21 días para determinar si es necesario emitir una orden que dure por más tiempo. Si la fecha y la hora no se indican en el punto 4 de la primera página, recibirá un aviso con la fecha y la hora de la audiencia por correo a la dirección residencial indicada en la primera página. Si desea responder a esta orden por escrito, tiene que usar el formulario GV-020, *Respuesta a la orden de protección de emergencia de armas de fuego*. Un miembro de su familia, su empleador, un colega del trabajo, un maestro o profesor, o administrador educativo también puede solicitar al tribunal una orden de restricción más permanente.

Si contraviene esta orden de restricción, se le prohibirá tener en su posesión o control, comprar, poseer o recibir, o tratar de comprar o recibir un arma de fuego, componentes de armas de fuego (todo recibidor o armazón, acabado o inacabado), municiones o cargadores por otro periodo de cinco años más, comenzando a partir del vencimiento de la orden de restricción de armas de fuego más permanente. (Código Penal, §§ 16531 & 18205.)

Todo agente del orden público del estado de California que tenga conocimiento de la orden o a quien se le muestre una copia de la misma tiene que hacer cumplir esta orden de protección. Los términos y condiciones de esta orden se podrán hacer cumplir independientemente de las acciones de las partes; solo la corte podrá cambiar esta orden.

**To law enforcement:** The Gun Violence Emergency Protective Order must be served on the restrained person by the officer if the restrained person can reasonably be located. Ask the restrained person if he or she has any firearms, firearm parts, ammunition, or magazines in his or her possession or under his or her custody or control. A copy must be filed with the court as soon as practicable, but not later than three court days, after issuance, so a hearing can be set, if one was not already scheduled. If the court did not give you a hearing date when issuing the order (to put in item 4 on the front), the court will set a hearing within 21 days and will provide you with notice of the hearing. Also, the officer must have the order entered into the computer database system for protective and restraining orders maintained by the Department of Justice.

The provisions in this temporary Gun Violence Emergency Protective Order do not affect those of any other protective or restraining order in effect, including a criminal protective order. The provisions in another existing protective order remain in effect.

Clerk stamps date here when form is filed.

DRAFT

7/20/2022

Not approved by  
the Judicial Council

## 1 Requesting Agency or Officer

*(A petition may be filed in the name of the law enforcement agency in which the officer is employed)*Law enforcement agency or officer who applied for the *Gun Violence Emergency Protective Order*: \_\_\_\_\_

Fill in court name and street address:

Superior Court of California, County of \_\_\_\_\_

Court fills in case number.

Case Number: \_\_\_\_\_

## 2 Restrained Person

Full Name: \_\_\_\_\_

Address: \_\_\_\_\_

## 3 Hearing

A *Gun Violence Emergency Protective Order* (form EPO-002) having been served on the Restrained Person, the court will hold a hearing at the time and place below to determine if a longer-term gun violence restraining order should be issued.

Name and address of court if different from above:

Hearing  
DateDate: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

You may attend your hearing remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to [www.courts.ca.gov/find-my-court.htm](http://www.courts.ca.gov/find-my-court.htm).

## CLERK'S CERTIFICATE OF MAILING

I certify that I am not a party to this cause, and that a true copy of the *Notice of Court Hearing (Gun Violence Prevention)* (form GV-009) was mailed first class, postage fully prepaid, in a sealed envelope, addressed as shown below, and that the notice was mailed at (place): \_\_\_\_\_, California, on (date): \_\_\_\_\_

Date:

Clerk, by \_\_\_\_\_, Deputy

Name and address of law enforcement officer and agency

Name and address of Restrained Person

DRAFT

8/10/2022

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the Judicial Council**

**Use this form if you do not want the court to extend the *Gun Violence Emergency Protective Order* for a period of time between 1–5 years.**

1. Read *How Can I Respond to a Gun Violence Emergency Protective Order?* (form GV-020-INFO) to protect your rights.
2. Fill out this form and take it to the filing window at the court.
3. Have someone age 18 or older—**not you**—mail a copy of this form and any attached pages to the law enforcement agency that applied for the *Gun Violence Emergency Protective Order* (form EPO-002). (Use *Proof of Service by Mail* (form GV-025).)

Fill in court name and street address:

Superior Court of California, County of

## 1 Requesting Agency or Officer

*(A petition may be filed in the name of the law enforcement agency in which the officer is employed.)*

See Notice of Hearing for case number and fill in:

Case Number:

## 2 Restrained Person

- a. Your Name: \_\_\_\_\_  
 Your Lawyer *(if you have one for this case)*:  
 Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
 Firm Name: \_\_\_\_\_

- b. Your Address *(If you have a lawyer, give your lawyer's information. You do not have to give telephone, fax, or email address.)*

Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

Be prepared to tell the court at the hearing why you don't agree. Write your hearing date, time, and place from the Notice of Hearing or *Gun Violence Emergency Protective Order* (form EPO-002) here:

**Hearing  
Date** →

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

**You must obey the *Gun Violence Emergency Protective Order* until the expiration date. At the hearing, the court may make an order against you for a period of time between 1–5 years.**

## 3 Gun Violence Restraining Order

- ☐ I do not agree that a gun violence restraining order should be extended for 1–5 years *(explain)*:

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- ☐ Check here if there is not enough space above for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 3—Reasons I Disagree" as a title. You may use form MC-025, Attachment.



**4** ☐ **Denial, Justification, or Excuse**

- ☐ I did not do anything described in item 7 of form EPO-002.
- ☐ If I did some of the things stated in the Gun Violence Emergency Protective Order, my actions were justified or excused for the following reasons (*explain*):

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- ☐ Check here if there is not enough space above for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 4—Denial, Justification, or Excuse" as a title. Use form MC-025, Attachment.


**5** **Firearms (Guns), Firearm Parts, Ammunition, and Magazines**

A **Gun Violence Emergency Protective Order** (form EPO-002) was issued against you. You cannot own or possess any firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines. You must turn over any of these items in your possession to law enforcement when they ask you to do so. If not asked, you must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any of the above listed items in your immediate possession or control within 24 hours of being served with form EPO-002. You must file a receipt with the court and the law enforcement agency. You may use **Receipt for Firearms, Firearm Parts, Ammunition, and Magazines** (form GV-800) for the receipt.

- a. ☐ I do not own or control any firearms (guns), firearm parts, ammunition, or magazines.
- b. ☐ I have turned in my firearms (guns), firearm parts, ammunition, and magazines to a law enforcement officer or agency, 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 and the law enforcement agency.


**6** 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: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name* \_\_\_\_\_  
*Sign your name*



**What is a Gun Violence Emergency Protective Order (form EPO-002)?**

It is a court order requested by law enforcement that prohibits someone from having any of the following prohibited items:

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, including any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531, also called “ghost guns”;
- Ammunition; and
- Magazines (any ammunition feeding device).

The person must turn in, sell, or store all prohibited items listed above that they currently own.

For more information about prohibited items, please see <https://selfhelp.courts.ca.gov/restraining-orders/prohibited-items>.

**Who can ask for a gun violence emergency protective order?**

The gun violence emergency protective order must have been requested by a law enforcement officer and was issued by a judicial officer based on the statements made under penalty of perjury in the protective order.

**I've been served with a Gun Violence Emergency Protective Order (form EPO-002) and a Notice of Court Hearing. What do I do now?**

Read the papers served on you very carefully. The *Notice of Court Hearing* or form EPO-002 tells you when to appear for court and where the court is located. If you want to attend the hearing remotely, such as by phone or videoconference, check your local court's website for instructions and availability. Follow the *Gun Violence Emergency Protective Order* (form EPO-002) prohibiting you from having any prohibited items listed above and requiring you to surrender, sell, or store any prohibited items that you currently own or possess. You must obey the order until the expiration date on the form.



**DRAFT**  
**8/17/2022**

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**What if I don't obey the emergency protective order?**

The police can arrest you. You can go to jail and pay a fine. You may also be prohibited for a longer period of time from having access to firearms, firearm parts, ammunition, and magazines.

**What if I don't want the order to be extended?**

If you disagree with the order that has been issued and do not want the court to extend it for a longer time, fill out [Response to Gun Violence Emergency Protective Order \(form GV-020\)](#), before your hearing date. File the form with the court and serve it on the requesting law enforcement agency. You can get the form from legal publishers or on the Internet at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms). You also may be able to find it at your local courthouse or county law library.

**Will I have to pay a filing fee?**

No.

**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 the completed *Response to Gun Violence Emergency Protective Order* (form GV-020) to the law enforcement agency that issued the *Gun Violence Emergency Protective Order* (form EPO-002). (This is called “service by mail.”)

The person who serves the form by mail must fill out [Proof of Service by Mail \(form GV-025\)](#). Have the person who did the mailing sign the original form GV-025. Take the completed form back to the court clerk or bring it with you to the hearing.

**Should I attend the court hearing?**

Yes. You should attend the hearing listed on the *Notice of Court Hearing* or the *Gun Violence Emergency Protective Order* (form EPO-002). You can do so remotely, such as by telephone or videoconference, or go to court in person. If you do not attend the hearing, the judge can extend the order against you for a period of time between 1–5 years without hearing from you.

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

It's possible the law enforcement officer may appear at the court hearing.

**Can I attend the court hearing remotely, such as by telephone or videoconference?**

Yes. Remote appearances are permitted for parties and witnesses. Check with your local court for instructions on how to appear remotely. Information is also available on the court's website, which you can find at [www.courts.ca.gov/find-my-court.htm](http://www.courts.ca.gov/find-my-court.htm).

**What if I need help to understand English?**

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300, Request for Interpreter \(Civil\)](#), or a local court form or website to request an interpreter. For more information about court interpreters, go to [www.courts.ca.gov/selfhelp-interpreter.htm](http://www.courts.ca.gov/selfhelp-interpreter.htm).

**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 [Declaration \(form MC-030\)](#) for this purpose.)

**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.

**What if I have a disability?**

If you have a disability and need an accommodation while you are at court, you can use form [MC-410, Disability Accommodation Request](#), to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO, How to Request a Disability Accommodation for Court](#).

**For help in your area, contact:**

[Local information may be inserted.]

**How long does the order last?**

The *Gun Violence Emergency Protective Order* (form EPO-002) will last until the expiration date listed on the front of the form in item 3. The court will decide at the hearing whether to issue a gun violence restraining order that can last for a period of time between 1–5 years.

**Gun Violence Restraining Order  
After Hearing on EPO-002**

Clerk stamps date here when form is filed.

**DRAFT****8/10/2022****Not approved by  
the Judicial Council***The court will complete this form.***1 Requesting Agency or Officer***(A petition may be filed in the name of the law enforcement agency  
in which the officer is employed.)*Law enforcement agency or officer that applied for the Gun Violence  
Emergency Protective Order: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:****2 Restrained Person**

Full Name: \_\_\_\_\_

Lawyer *(if there is one for this case)*:

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

**Description of Restrained Person****Gender:** ☐ M ☐ F ☐ Nonbinary Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Race: \_\_\_\_\_

Home Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**3 Expiration Date***This order expires at:*(Time): \_\_\_\_\_ ☐ a.m. ☐ p.m. ☐ midnight on (date): \_\_\_\_\_

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

**4 Hearing**

a. There was a hearing on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_.

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

b. These people attended the hearing:

(1) ☐ The officer or representative of the Requesting Agency \_\_\_\_\_(2) ☐ The Restrained Person ☐ Lawyer for the Restrained Person (name): \_\_\_\_\_**This is a Court Order.**



5

- [illegible]

☐ See the attached *Attachment* (form MC-025)

- [illegible]

**This is a Court Order.**

**6 No Firearms (Guns), Firearm Parts, Ammunition, and Magazines**

- a. You cannot have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any prohibited items listed below in b.
- b. **Prohibited items are:**
- (1) Firearms (guns);
  - (2) Firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531);
  - (3) Ammunition; and
  - (4) Magazines (ammunition feeding devices).
- c. You must surrender (turn in, sell, or store) all prohibited items in your custody or control or that you possess or own. If a law enforcement officer asks you to turn over prohibited items, you must do so immediately. If no request is made by a law enforcement officer, you must surrender all prohibited items within 24 hours of being served with this Order. You may surrender these items by turning them in to law enforcement, selling them to a licensed gun dealer, or storing them with a licensed gun dealer for as long as this Order or any more permanent order granted at the hearing in item 4 is in effect.
- d. Within 48 hours of receiving this Order, you must file a receipt with the court that proves that all your prohibited items have been turned in, sold, or stored. (You may use *Receipt for Firearms, Firearm Parts, Ammunition, and Magazines* (form GV-800) for the receipt.) You must also file a copy of the receipt with the law enforcement agency that served you with this order. **FAILURE TO FILE THIS RECEIPT IS A VIOLATION OF THIS ORDER.**
- e. ☐ **Order dissolving (terminating) Gun Violence Emergency Protective Order.**
- The court dissolves (terminates) the *Gun Violence Emergency Protective Order* (form EPO-002) originally issued on (date): \_\_\_\_\_ as of (date of hearing): \_\_\_\_\_.

**7 Service of Order on the Restrained Person**

- a. ☐ The Restrained Person was present in court at the time the order was issued. No other proof of service is needed. The clerk has provided the Restrained Person with a blank copy of *Request to Terminate Gun Violence Restraining Order* (form GV-600), if a restraining order was granted.
- b. ☐ The Restrained Person was not present in court at the time the order was issued. The Restrained Person must be personally served with a court file-stamped copy of this order and a blank copy of *Request to Terminate Gun Violence Restraining Order* (form GV-600), if a restraining order was granted.

**8** Number of pages attached to this Order, if any: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*

**Warnings and Notices to the Restrained Person**

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

**This is a Court Order.**

Violation of this Order is a misdemeanor punishable by a \$1,000 fine or imprisonment for six months or both. (Pen. Code, §§ 19, 18205.) If you violate this Order, you will be prohibited from having in your custody or control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, **any prohibited items listed in item 6b**, above, for a period of up to five years. This Order must be enforced by any law enforcement officer in the state of California who is aware of or shown a copy of this Order. The Order remains enforceable regardless of the acts of the parties; it may be terminated only by an order of the court.

### Instructions for Law Enforcement

#### Duties of Officer Serving This Order

The officer who serves this order on the Restrained Person must do the following:

- Ask if the Restrained Person is in possession of any of **the prohibited items listed in item 6b**, above, or has custody or control of any of those items that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all **prohibited items**.
- Issue a receipt to the Restrained Person for all **prohibited items** that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use Form GV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

#### Duties of Agency on Surrender of Firearms, **Firearm Parts**, Ammunition, and Magazines

The law enforcement agency that has received the surrendered **prohibited items** listed in item 6b, above, must do the following:

- Retain the **prohibited items** until the expiration of this Order or of any other gun violence restraining order issued by the court.
- On the expiration of this order or of any later gun violence restraining order issued by the court, return the **prohibited items** to the Restrained Person as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850). Section 34000 **provides for the sale or destruction of any unclaimed items**.
- If someone other than the Restrained Person claims title to any of the **prohibited items** surrendered, determine whether that person is the lawful owner. If so, return the **prohibited items** to that person as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850).

#### Enforcing This Order

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

- The officer sees a copy of the proof of service or confirms that the proof of service is on file;
- The Restrained Person was informed of the order by an officer; or
- Item 7a is checked, **indicating** the Restrained Person **was present in court at the time the order was issued**.

**This is a Court Order.**



**Instructions for Law Enforcement***(continued)*

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

The provisions in this *Gun Violence Restraining Order After Hearing on EPO-002* do not affect those of any other protective or restraining order in effect, including a criminal protective order. The provisions in another existing protective order remain in effect.

*(Clerk will fill out this part.)***—Clerk's Certificate—**

*Clerk's Certificate*  
[seal]

I certify that this *Gun Violence Restraining Order After Hearing on EPO-002* (CLETS-HGV) (form GV-030) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

**Petition for Gun Violence  
Restraining Order**

Read *Can a Gun Violence Restraining Order Help Me?* (form GV-100-INFO) before completing this form.

Clerk stamps date here when form is filed.

**DRAFT**

**8/10/2022**

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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**

a. Your Full Name or Name of Law Enforcement Agency:

I am:

- ☐ A family member of the Respondent.
- ☐ An officer of a law enforcement agency (*A petition may be filed in the name of the law enforcement agency in which the officer is employed. If you wrote your full name above, write the name of the law enforcement agency that employs you*):
- ☐ An employer of the Respondent (*your position and name of company*):
- ☐ A coworker of the Respondent. I have had substantial and regular interactions with the Respondent for at least one year and I have obtained the approval of my employer to file this petition (*name of company*):
- ☐ An employee or teacher of a secondary or postsecondary school that the Respondent has attended in the last 6 months. I have obtained the approval of a school administrator to file this petition (*name of the school*):

b. Your Lawyer (*if you have one for this case*): Name: \_\_\_\_\_  
Firm Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

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

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

**2 Respondent**

Full Name: \_\_\_\_\_ Age: \_\_\_\_\_

Address (*if known*): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**This is not a Court Order.**



**3 Venue**

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

a. ☐ The Respondent lives in this county.

b. ☐ Other (specify): \_\_\_\_\_

**4 Other Court Cases**

a. Are you aware of any other court cases, civil or criminal, involving the Respondent?

☐ Yes ☐ No If yes, check each kind of case and give as much information as you know as to where and when each was filed:

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

b. Are there now any protective or restraining orders in effect relating to Respondent?

☐ Yes ☐ No ☐ I don't know If yes, attach a copy if you have one.

**5 Description of Respondent's Firearms (Guns), Firearm Parts, Ammunition, or Magazines**

If you have reason to believe that the respondent is in possession of firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines, answer 5a or check 5b, below.

a. ☐ I am informed, and on that basis believe, that Respondent currently possesses or controls the following firearms, firearm parts, ammunition, or magazines (describe the number, types, and locations of any of those items that you believe that the Respondent currently possesses or controls):

	<u>Types of firearms (guns), firearm parts, ammunition or magazines</u>	<u>How many or what amount?</u>	<u>Location, if known</u>
(1)	_____	_____	_____
(2)	_____	_____	_____
(3)	_____	_____	_____
(4)	_____	_____	_____
(5)	_____	_____	_____
(6)	_____	_____	_____

b. ☐ I am informed, and on that basis believe, that Respondent currently possesses or controls firearms, firearm parts, ammunition, or magazines, but I have no further specific information as to the number, types, and locations of those items.

**This is not a Court Order.**



6

I have reasonable cause to believe both of the following are true:

- a. The Respondent poses a significant danger in the near future of causing personal injury to themselves or another person by having in their custody or control, owning, purchasing, possessing, or receiving a firearm (gun), a firearm part (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or a magazine.
- b. A gun violence restraining order is necessary to prevent personal injury to Respondent or to another person because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the current circumstances.
- c. The facts supporting the above statements are set forth:  
☐ Below  
☐ On *Attached Declaration* (form MC-031).

[illegible]

7

I request that the court issue an order prohibiting Respondent from having in their custody or control, owning, purchasing, possessing or receiving, or attempting to purchase or receive, any firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines. I further request that Respondent be ordered to immediately surrender (turn in, sell, or store) all firearms, firearm parts, ammunition, and magazines currently in their possession to a law enforcement officer or to sell those items to or store them with a licensed gun dealer.

- a. I request the order above for \_\_\_\_\_ years. *(Please include a number of years between one and five years.)*
- b. I am asking for this amount of time because:

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**This is not a Court Order.**

**8 No Fee to Serve (Notify) Restrained Person**

*If you want the sheriff or marshal to serve (notify) the restrained person about the orders, they will do it for free.*

**9 Request for Hearing**

I request that the court set a hearing in this matter for the purpose of issuing a gun violence restraining order that will last between one and five years.

**10 ☐ Temporary Gun Violence Restraining Order**

I request that a temporary gun violence restraining order be issued against the Respondent to last until the hearing. I am presenting Temporary **Gun Violence Restraining Order** (form GV-110) for the court's signature together with this Petition.

Has the Respondent been told that you were going to court to seek a temporary gun violence restraining order?

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

☐ Reasons stated in Attachment 10.

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**11 ☐ Request to Give Less Than Five Days' Notice of Hearing**

*You must have your papers personally served on Respondent at least five calendar days before the hearing, unless the court orders a shorter time for service. (See What Is "Proof of Personal Service"? (form GV-200-INFO). Proof of Personal Service (form GV-200) 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 below:

☐ Reasons stated in Attachment 11.

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**12** Number of pages attached to this form, if any: \_\_\_\_\_

Date: \_\_\_\_\_


\_\_\_\_\_  
*Lawyer's name (if any)*

 \_\_\_\_\_  
*Lawyer's signature*

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

Date: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

 \_\_\_\_\_  
*Sign your name*

**This is not a Court Order.**



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 or a self-help center.

## What is a gun violence restraining order?

It is a court order that temporarily prohibits someone from having any of the following items:

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, including finished or unfinished receivers and frames, also called “ghost guns”;
- Ammunition; and
- Magazines (any ammunition feeding device).

The person must turn in, sell, or store any prohibited items listed above that that person currently owns. The police will come and remove the items or the person can store them with a licensed gun dealer while the restraining order is in effect. The restrained person also cannot buy any of the prohibited items during this time.

For more information about prohibited items, please see <http://selfhelp.courts.ca.gov/restraining-orders/prohibited-items>.

## Can I get a gun violence restraining order against someone?

You can ask for one if you are connected to the person you think is dangerous as:

- An immediate family member;
- An employer;
- A coworker who has substantial and regular interactions with the person and has worked with them for at least a year. You must have permission from your employer to ask for the restraining order;
- An employee or teacher at a school that the person has attended in the last six months, where you have permission from a school administrator or staff member who has a supervisory role; or
- A law enforcement officer or law enforcement agency.

Immediate family members include:

- Your spouse or domestic partner;
- Your parents, children, siblings, grandparents, and grandchildren and their spouses, including any stepparent or stepgrandparent;

Immediate family members (continued):

- Your spouse’s parents, children (your stepchildren), siblings, grandparents, and grandchildren; and
- Any other person who regularly resides in the household, or who, within the last six months, regularly resided in the household.

If you do not have the necessary relationship, advise a law enforcement officer of the situation. The officer may investigate and file the petition if grounds exist.

## Will I have to pay a filing fee to request the order?

No.

## Will the order protect me in other ways, such as keeping the person from coming near me?

No, the only order the court can make is to force the person to not have the prohibited items listed above. If you need personal protection from a family member, you should proceed under the Domestic Violence Prevention Act. See [Can a Domestic Violence Restraining Order Help Me? \(form DV-500-INFO\)](#) for information on how to proceed. For information on other civil restraining orders, please see <http://selfhelp.courts.ca.gov/restraining-orders-california>.

## What forms do I need to get the order?

You must fill out the following forms:

- [Petition for Gun Violence Restraining Order \(form GV-100\)](#);
- [Confidential CLETS Information \(form CLETS-001\)](#);
- [Notice of Court Hearing \(form GV-109\)](#), items 1 and 2 only; and
- [Temporary Gun Violence Restraining Order \(form GV-110\)](#), items 1 and 2 only.

You may need other local forms. Ask your self-help center or visit your court’s website.

## Where can I get these forms?

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

### What do I need to do to get the order?

You must **file your papers** with the superior court in the county where the person to be restrained lives. **Check online or ask the court how to file** your request for a gun violence restraining order. (A self-help center or legal aid association may be able to assist you in filing your request.) **File your forms electronically or** give your forms to the clerk of the court. The court will give you a hearing date on the *Notice of Court Hearing* form.

### How soon can I get the order?

You can ask for a temporary gun violence restraining order, which will be effective right away if granted. The court may decide whether or not to grant the temporary order based only on the facts that you have stated in your petition. If so, the court will decide within 24 hours whether or not to make the temporary order. Sometimes the court will want to examine you personally under oath. **If you file in person**, the clerk will tell you whether you should wait to talk to the judge or come back later to find out if the court has signed a temporary order.

If you don't ask for a temporary restraining order, you will have to wait until the hearing, at which the court will decide whether to make an order that will last for a period of time between 1–5 years.

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



If the court issues a temporary restraining order, someone age 18 or older—**not you**—must personally “serve” (give) the person to be restrained a copy of the order. The server must then fill out [Proof of Personal Service \(form GV-200\)](#) and give it to you to file with the court. If the person to be restrained attends the hearing, no further proof of service is required. But if they do not attend the hearing, then any order issued at the hearing must also be personally served. For help with service, ask the court clerk for [What Is “Proof of Personal Service”? \(form GV-200-INFO\)](#). Note: A sheriff or marshal can serve the order for free.

### 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.

### What do I have to prove to get the order?

You will have to convince the judge that the person to be restrained poses a significant danger in the near future of causing personal injury to **themselves** or another person by having in his or her custody or control, owning, purchasing, possessing, or receiving **any of the prohibited items listed on page 1**.

You will also have to convince the judge that a gun violence restraining order is needed to prevent personal injury to the person to be restrained or to another person because less restrictive alternatives either have been tried and haven't worked, or are inadequate or inappropriate for the current circumstances.



### How can I convince the judge?

You will need to give the judge specific information. You should tell the judge everything that you know about the firearms, **firearm parts**, ammunition, or magazines that the person to be restrained currently owns, including how many the person owns, the types, and where they are kept.

Then you will need to present facts to show that the person to be restrained is dangerous. This could be information about any threat of violence that the person to be restrained has made, any violent incident in which the person has been involved, or any crime of violence the person has committed. It could also be evidence that the person to be restrained has violated a protective order or abuses controlled substances or alcohol. It could also be evidence of the unlawful and reckless use, display, or brandishing of a firearm or the recent acquisition of a firearm. Or it could be evidence that the person to be restrained has been identified by a mental health provider as someone prohibited from purchasing, possessing or controlling any firearms.

You should include all of this information in your Petition and also be prepared to present it to the judge at the hearing.

## Do I have to attend a court hearing?

Yes. Attend the hearing on the date listed on *Notice of Court Hearing* (form GV-109).

**GV-109 Notice of Court Hearing**

Click stamps date here when form is filed.

**1 Petitioner**

a. Your Full Name: \_\_\_\_\_

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

b. Your Lawyer (if you have one for this case):  
 Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
 Firm Name: \_\_\_\_\_

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

**2 Respondent**

Full Name: \_\_\_\_\_

**3 Hearing**

The court will complete the rest of this form.

Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

Name and address of court if different from above: \_\_\_\_\_

**4 Temporary Gun Violence Restraining Order** (Any order granted is on Form GV-110, served with this notice.)

a. A Temporary Gun Violence Restraining Order as requested in Form GV-109, *Petition for Gun Violence Restraining Order*, is (check only one box below):

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

Judicial Council of California, www.courtinfo.ca.gov  
 Rev. January 1, 2016. Replaces Form  
 GV-109, 10/01/09, 10/01/10, 10/01/11, 10/01/12, 10/01/13, 10/01/14, 10/01/15, 10/01/16, 10/01/17, 10/01/18, 10/01/19, 10/01/20, 10/01/21, 10/01/22, 10/01/23, 10/01/24, 10/01/25, 10/01/26, 10/01/27, 10/01/28, 10/01/29, 10/01/30, 10/01/31, 10/01/32, 10/01/33, 10/01/34, 10/01/35, 10/01/36, 10/01/37, 10/01/38, 10/01/39, 10/01/40, 10/01/41, 10/01/42, 10/01/43, 10/01/44, 10/01/45, 10/01/46, 10/01/47, 10/01/48, 10/01/49, 10/01/50, 10/01/51, 10/01/52, 10/01/53, 10/01/54, 10/01/55, 10/01/56, 10/01/57, 10/01/58, 10/01/59, 10/01/60, 10/01/61, 10/01/62, 10/01/63, 10/01/64, 10/01/65, 10/01/66, 10/01/67, 10/01/68, 10/01/69, 10/01/70, 10/01/71, 10/01/72, 10/01/73, 10/01/74, 10/01/75, 10/01/76, 10/01/77, 10/01/78, 10/01/79, 10/01/80, 10/01/81, 10/01/82, 10/01/83, 10/01/84, 10/01/85, 10/01/86, 10/01/87, 10/01/88, 10/01/89, 10/01/90, 10/01/91, 10/01/92, 10/01/93, 10/01/94, 10/01/95, 10/01/96, 10/01/97, 10/01/98, 10/01/99, 10/01/100, 10/01/101, 10/01/102, 10/01/103, 10/01/104, 10/01/105, 10/01/106, 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Petitioner must complete items ① and ② only.

Clerk stamps date here when form is filed.

**DRAFT**

**8/10/2022**

**Not approved by  
the Judicial Council**

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**

a. Your Full Name or Name of Law Enforcement Agency:

- I am: ☐ A family member of the Respondent.  
☐ An officer of a law enforcement agency.  
☐ An employer of the Respondent.  
☐ A coworker of the Respondent.  
☐ An employee or teacher of a secondary or postsecondary school that the Respondent has attended in the last 6 months.

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

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

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

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

**② Respondent**

Full Name: \_\_\_\_\_

*The court will complete the rest of this form.*

**③ Hearing**

**Hearing  
Date** →

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Name and address of court if different from above:

Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

You may attend your hearing remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to [www.courts.ca.gov/find-my-court.htm](http://www.courts.ca.gov/find-my-court.htm).

**④ Temporary Gun Violence Restraining Order** (Any order granted is on form GV-110, served with this notice.)

a. A Temporary Gun Violence Restraining Order as requested in *Petition for Gun Violence Restraining Order* (form GV-100) is (check only one box below):

(1) ☐ **GRANTED** until the court hearing.

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



**4** b. Reasons for denial of a Temporary Gun Violence Restraining Order as requested in *Petition for Gun Violence Restraining Order* (form GV-100) are:

- (1) ☐ The facts as stated in form GV-100 do not show that there is a substantial likelihood that both of the following are true:

Respondent poses a significant danger of causing personal injury to themselves or another person by having custody or control of, owning, purchasing, possessing, or receiving firearms, firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines.

A gun violence restraining order is necessary to prevent personal injury to Respondent or to another person because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the current circumstances.

- (2) ☐ Other (as stated): ☐ Below ☐ On Attachment 4b(2)

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**5** Service of Documents on Respondent

At least ☐ five ☐ \_\_\_\_\_ calendar days before the hearing, a law enforcement officer or someone age 18 or older—and not a party to the action—must personally give (serve) a court file-stamped copy of this Form GV-109 to the Respondent, along with a copy of all the forms indicated below:

- a. GV-100, *Petition for Gun Violence Restraining Order* (file-stamped)
- b. ☐ GV-110, *Temporary Gun Violence Restraining Order* (file-stamped) **IF GRANTED**
- c. GV-120, *Response to Petition for Gun Violence Restraining Order* (blank form)
- d. GV-120-INFO, *How Can I Respond to a Petition for a Gun Violence Restraining Order?*
- e. GV-250, *Proof of Service by Mail* (blank form)
- f. GV-125, *Consent to Gun Violence Restraining Order and Surrender of Firearms* (blank form)
- g. ☐ Other (specify): \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Judicial Officer



**To the Petitioner in 1:**

- The court cannot make an order at the court hearing unless the Respondent has been personally given (served) a copy of the Petition and a temporary order if issued. To show that the Respondent has been served, the person who served the forms must fill out a proof of service form. *Proof of Personal Service* (form GV-200) may be used.
- For information about service, read *What Is "Proof of Personal Service"?* (form GV-200-INFO).
- If you are unable to serve the Respondent in time, you may ask for a later hearing date, which will give you more time to serve the documents. Use *Request to Continue Court Hearing for Gun Violence Restraining Order* (form GV-115).

**To the Respondent:**

- If you want to oppose the *Petition for Gun Violence Restraining Order* (form GV-100) in writing, file *Response to Petition for Gun Violence Restraining Order* (form GV-120) and have someone age 18 or older—**not you**—mail it to the Petitioner.
- The person who mailed the form must fill out a proof of service form. *Proof of Service by Mail* (form GV-250) 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, attend 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 order requested.
- You may bring witnesses and other evidence.
- At the hearing, the judge may order you to turn in to law enforcement, or sell to or store with, a licensed gun dealer, any firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines that you own or possess. If issued, the order will last for one year.
- If you do not oppose the petition and are willing to give up your firearm rights, complete and file a *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125).

**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](http://www.courts.ca.gov/forms) for *Disability Accommodation Request* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

**—Clerk's Certificate—**

I certify that this *Notice of Court Hearing* (form GV-109) is a true and correct copy of the original on file in the court.

*Clerk's Certificate*

[seal]

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

# Temporary Gun Violence Restraining Order

Petitioner must complete items ① and ② only.

Clerk stamps date here when form is filed.

**DRAFT**

**8/10/2022**

**Not approved by  
the Judicial Council**

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

a. Your Full Name or Name of Law Enforcement Agency:

- I am: ☐ A family member of the Respondent  
☐ An officer of a law enforcement agency  
☐ An employer of the Respondent  
☐ A coworker of the Respondent  
☐ An employee or teacher of a secondary or postsecondary school that the Respondent has attended in the last 6 months

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

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

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

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

## ② Respondent

(Give all the information you know. Information with a star (\*) is required to add this order to the California police database. If age is unknown, give an estimate.)

\*Full Name: \_\_\_\_\_ \*Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 \*Race: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_  
 \*Gender: ☐ M ☐ F ☐ Nonbinary Home Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Relationship to Protected Person: \_\_\_\_\_

The court will complete the rest of this form.

## ③ 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.**



4

- [illegible]

- ☐ See the attached *Attachment* (form MC-025).

5

If the sheriff or marshal serves this order, service will be free.

**This is a Court Order.**



**6 No Firearms (Guns), Firearm Parts, Ammunition, and Magazines**

- a. You cannot have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any prohibited items listed below in b.
- b. **Prohibited items are:**
- (1) Firearms (guns);
  - (2) Firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531);
  - (3) Ammunition; and
  - (4) Magazines (ammunition feeding devices).
- c. The court has received credible information that you own or possess one or more prohibited items that have not been turned in, sold, or stored. You must surrender (turn in, sell, or store) all prohibited items in your custody or control or that you possess or own. If a law enforcement officer asks you to turn over your prohibited items, you must do so immediately. If no request is made by a law enforcement officer, you must surrender all prohibited items within 24 hours of being served with this Order. You may surrender these items by turning them in to law enforcement, selling them to a licensed gun dealer, or storing them with a licensed gun dealer for as long as this Order or any more permanent order granted at the hearing in item ③ is in effect.
- d. Within 48 hours of receiving this Order, you must file a receipt with the court that proves that all your prohibited items have been turned in, sold, or stored. (You may use *Receipt for Firearms, Firearm Parts, Ammunition, and Magazines* (form GV-800) for the receipt.) You must also file a copy of the receipt with the law enforcement agency that served you with this order. **FAILURE TO FILE THIS RECEIPT IS A VIOLATION OF THIS ORDER.**

**7** Number of pages attached to this Order, if any: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*

**Warnings and Notices to the Respondent**

To the restrained person: This Order is valid until the expiration date and time noted on page 1. You are required to surrender all firearms, ammunition, and magazines that you own or possess in accordance with section 18120 of the Penal Code and you may not have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any firearm, ammunition, or magazines while this order is in effect. A hearing will be held on the date and at the time noted on Page 1 to determine if a more permanent gun violence restraining order should be issued. Failure to appear at the hearing may result in a court making an order against you that is valid for a period between one and five years. You may seek the advice of an attorney as to any matter connected with the order. The attorney should be consulted promptly so that the attorney may assist you in any matter connected with the order.

Violation of this Order is a misdemeanor. If you violate this Order, you will be prohibited from having in your custody or control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, any prohibited items listed in item 6b, above, for a period of five years. This Order must be enforced by any law enforcement officer in the state of California who is aware of or shown a copy of this Order. The Order remains enforceable regardless of the acts of the parties; it may be changed only by an order of the court.

**This is a Court Order.**



## After You Have Been Served With a Temporary Order

- Obey the order by turning in all firearms (guns), firearm parts, ammunition, and magazines to a law enforcement agency or selling them to or storing them with a licensed gun dealer.
- Read *How Can I Respond to a Petition for Gun Violence Restraining Order?* (form GV-120-INFO) to learn how to respond to this Order.
- If you do not oppose the petition, fill out *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125) and file it with the court clerk.
- If you disagree with the petition, fill out *Response to Petition for Gun Violence Restraining Order* (form GV-120) and file it with the court clerk.
- You must have form GV-120 served by mail on the Petitioner or the Petitioner's attorney. You cannot do this yourself. The person who does the mailing should complete and sign *Proof of Service by Mail* (form GV-250). 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 *Declaration* (form MC-030) 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](http://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 attend the hearing. You and your witnesses may attend the hearing remotely (check with your court for instructions).
- At the hearing, the judge can make a gun violence restraining order against you that lasts between one to five years. Tell the judge why you disagree with the order requested.

## Instructions for Law Enforcement

### Duties of Officer Serving This Order

The officer who serves this order on the Restrained Person must do the following:

- Ask if the Restrained Person is in possession of any of the prohibited items listed in item 6b, above, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. You may use form GV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

### Duties of Agency on Surrender of Firearms, Firearm Parts, Ammunition, or Magazines

The law enforcement agency that has received the surrendered prohibited items listed in item 6b, above, must do the following:

- Retain the prohibited items until the termination or expiration of this Order or of any other gun violence restraining order issued by the court.
- On the expiration of this Order or of any later gun violence restraining order issued by the court, return the prohibited items to the respondent as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850). Section 34000 provides for the sale or destruction of any unclaimed items.

## This is a Court Order.



**Instructions for Law Enforcement***(continued)*

- If someone other than the Respondent claims title to any of the prohibited items surrendered, determine whether that person is the lawful owner. If so, return the prohibited items to that person as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850).

**Enforcing This Order**

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

- The officer sees a copy of the proof of service or confirms that the proof of service is on file; or
- The Respondent was informed of the order by an officer; or
- The officer sees a filed copy of form GV-125.

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

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

*(Clerk will fill out this part.)*

Clerk's Certificate

*[seal]***—Clerk's Certificate—**

I certify that this *Temporary Gun Violence Restraining Order (CLETS-TGV)* (form GV-110) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

Complete items ① and ② only.

① **Petitioner:** \_\_\_\_\_

② **Respondent:** \_\_\_\_\_

\_\_\_\_\_ The court will complete the rest of this form \_\_\_\_\_

③ **Next Court Date**

- a. ☐ The request to reschedule the court date is **denied**.

Your court date is: \_\_\_\_\_

(1) Any *Temporary Gun Violence Restraining Order* ([form GV-110](#)) or *Gun Violence Emergency Protective Order* ([form EPO-002](#)) already granted stays in full force and effect until the next court date.

(2) Your court date is not rescheduled because: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of** \_\_\_\_\_

Fill in case number:

**Case Number:** \_\_\_\_\_

- b. ☐ The request to reschedule the court date is **granted**. Your court date is rescheduled for the day and time listed below. See ④–⑧ for more information.

Name and address of court, if different from above: \_\_\_\_\_

**New  
Court  
Date**

→ Date: \_\_\_\_\_ Time: \_\_\_\_\_  
Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

④ **Temporary Gun Violence Restraining Order or Gun Violence Emergency Protective Order**

- a. ☐ There is no *Temporary Gun Violence Restraining Order* (TRO) in this case because:

(1) ☐ A TRO was not previously granted by the court.

(2) ☐ The court terminates (cancels) the previously granted TRO because: \_\_\_\_\_

- b. ☐ A *Temporary Gun Violence Restraining Order* ([form GV-110](#)) is still in full force and effect because:

(1) ☐ The court extends the order previously granted on (date): \_\_\_\_\_

It now expires on (date): \_\_\_\_\_

(If no date is listed, the TRO expires at the end of the court date listed in 3b.)

- c. ☐ A *Gun Violence Emergency Protective Order* ([form EPO-002](#)) is still in full force and effect.

(1) ☐ The court extends the order previously granted on (date): \_\_\_\_\_

It now expires on (date): \_\_\_\_\_

(If no date is listed, the TRO expires at the end of the court date listed in 3b.)

- d. ☐ Other (specify): \_\_\_\_\_

**Warning and Notice to the Restrained Party:**

If ④b or c is checked, a gun violence restraining order has been issued against you. You must follow the orders until they expire.

**This is a Court Order.**

**5 Reason Court Date Is Rescheduled**a. ☐ There is good cause to reschedule the court date (*check one*):(1) ☐ The protected party has not served the restrained party.(2) ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_b. ☐ The court reschedules the court date on its own motion.**6 Serving (Giving) Order to Other Party**

The request to reschedule was made by the:

a. ☐ **Petitioner/Requesting Agency**      b. ☐ **Respondent/Restrained Party**      c. ☐ **Court**(1) ☐ You do not have to serve the respondent/restrained party because they or their lawyer were at the court date or agreed to reschedule the court date.(2) ☐ You must have the restrained party personally served with a copy of this order and a copy of all documents listed on form [GV-109](#), item **5**, by (date): \_\_\_\_\_(3) ☐ You must serve the respondent/restrained party with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_(4) ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_(1) ☐ You do not have to serve the petitioner because they or their lawyer were at the court date or agreed to reschedule the court date.(2) ☐ You must have the petitioner personally served with a copy of this order by (date): \_\_\_\_\_(3) ☐ You must serve the petitioner with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_(4) ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_(1) ☐ Further notice is not required.(2) ☐ The court will mail a copy of this order to all parties by (date): \_\_\_\_\_(3) ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_**This is a Court Order.**

**7 No Fee to Serve**

The sheriff or marshal will serve this order for **free**.  
Bring a copy of all the papers that need to be served to the sheriff or marshal.

**8 Remote Appearances**

You may attend your hearing listed in item **3** remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to [www.courts.ca.gov/find-my-court.htm](http://www.courts.ca.gov/find-my-court.htm).

**9 ☐ Other Orders**

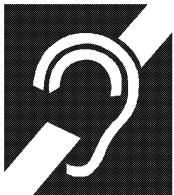
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Date: \_\_\_\_\_

\_\_\_\_\_  
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](http://www.courts.ca.gov/forms.htm) for *Disability Accommodation Request* (form MC-410). (Civ. Code, § 54.8.)

**Instructions to Clerk**

If the hearing is rescheduled and the court extended, modified, or terminated a temporary restraining order, then the court must enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made.

**—Clerk's Certificate—**

Clerk's Certificate [seal] I certify that this *Order on Request to Continue Hearing (EPO-002 or Temporary Restraining Order) (CLETS-EGV or CLETS-TGV)* (form GV-116) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

# Response to Petition for Gun Violence Restraining Order

Clerk stamps date here when form is filed.

DRAFT

8/10/2022

**Not approved by  
the Judicial Council**

## Use this form to respond to the Petition (form GV-100)

- Read *How Can I Respond to a Petition for a Gun Violence Restraining Order?* (form GV-120-INFO) to protect your rights.
- If you agree to the Petition for a gun violence restraining order filed against you, use *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125) to agree to a voluntary gun violence restraining order.
- If you do not agree to the gun violence restraining order filed against you, fill out this form and take it to the filing window at the court.
- Have someone age 18 or older—not you—mail a copy of this form and any attached pages to the Petitioner or to their lawyer. (Use *Proof of Service by Mail* (form GV-250).)

Fill in court name and street address:

Superior Court of California, County of

See Petition for case number and fill in:

Case Number:

### 1 Petitioner

Name of person or law enforcement agency seeking order (see form GV-100, item ①):

### 2 Respondent

a. Your Name: \_\_\_\_\_

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

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

- b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

Be prepared to tell the court at the hearing why you don't agree. Write your hearing date, time, and place from form GV-109 item ③ here:

Hearing  
Date

→ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

**If a Temporary Gun Violence Restraining Order was issued, you must obey it until the hearing.** At the hearing, the court may make an order against you for one to five years.

### 3 Gun Violence Restraining Order

- ☐ I do not agree to the order requested in the Petition because:

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- ☐ Check here if there is not enough space for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 3—Reasons I Disagree" as a title. You may use Attachment (form MC-025).





**4** ☐ **Denial**

I did not do anything described in item **6** of form GV-100.

**5** ☐ **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*):

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☐ Check here if there is not enough space for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 5—Justification or Excuse" as a title. You may use Attachment (form MC-025).

**6** **Firearms (Guns), Firearms Parts, Ammunition, and Magazines**


If a *Temporary Gun Violence Restraining Order* (form GV-110) was issued, you cannot own or possess any firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines. (See item **6** of form GV-110.) You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency or officer, any of those items in your immediate possession or control within 24 hours of being served with form GV-110. You must file a receipt with the court. You may use *Receipt for Firearms, Firearm Parts, Ammunition, and Magazines* (form GV-800) for the receipt.

- a. ☐ I do not own or control any firearms (guns), firearm parts, ammunition, or magazines.
- b. ☐ I have turned in my firearms (guns), firearm parts, ammunition, and magazines to a law enforcement officer or agency, 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.

**7** 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: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name*

 \_\_\_\_\_  
*Sign your name*



**What is a gun violence restraining order?**

It is a court order that temporarily prohibits someone from having any firearms (guns), firearm parts, including finished or unfinished receivers and frames, also called “ghost guns,” ammunition, or magazines (any ammunition feeding device). The person must turn in, sell, or store all such items that the person currently owns.

For more information about prohibited items and obeying these orders, please see <http://selfhelp.courts.ca.gov/restraining-orders/prohibited-items>.

**I've been served with a Petition for Gun Violence Restraining Order. What do I do?**

Read the papers served on you very carefully. The *Notice of Court Hearing* (form GV-109) tells you when to appear in court. There may also be a *Temporary Gun Violence Restraining Order* (form GV-110) prohibiting you from having any firearms (guns), firearm parts, ammunition, or magazines and requiring you to turn in, sell, or store any such items that you currently own or possess. You must obey the order until the hearing.

**Who can ask for a gun violence restraining order?**

The petition must have been filed by a:

- Law enforcement officer or law enforcement agency,
- An employer,
- A coworker who has had “regular interactions” with you for at least a year,
- A teacher or employee of a school that you have attended in the last 6 months, or
- An immediate family member of yours.

Immediate family member is defined by this law to include people who are not blood relatives. The definition includes (1) your spouse or domestic partner; (2) your parents, children, siblings, grandparents, and grandchildren and their spouses, including any stepparent or stepgrandparent; (3) your spouses parents, children (your stepchildren), siblings, grandparents, and grandchildren; and (4) any other person who regularly resides in the household, or who, within the last six months, regularly resided in the household.

**What if I don't obey the temporary order?**

The police can arrest you. You can go to jail and pay a fine. You could lose access to firearms and other items for a longer period of time.

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

If you disagree with the order that the Petitioner is asking for, fill out [Response to Petition for Gun Violence Restraining Order \(form GV-120\)](#) before your hearing date and file it with the court. You can get the form from legal publishers or on the Internet at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms). You also may be able to find it at your local courthouse or county law library.

**What if I don't oppose the Petition?**

If you agree to give up your access to firearms and your rights to own, possess, and buy guns, firearm parts, ammunition, and magazines for the time period requested in the petition, which is between one and five years, then you can fill out [Consent to Gun Violence Restraining Order and Surrender of Firearms \(form GV-125\)](#) and check the box for item 4a. Make sure you take it to the court clerk and file it, and then mail it to the person or law enforcement agency that applied for the petition. The court will issue the gun violence restraining order before the hearing and remove the hearing from the calendar. You do not have to go to your court date, and the court will mail you a copy of the order. Make sure you check with the court to see if you have to show up for your court date.

**Will I have to pay a filing fee?**

No.

**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 *Response to Petition for Gun Violence Restraining Order* (form GV-120) to the person who asked for the order (or that person's lawyer). (This is called “service by mail.”)

The person who serves the form by mail must fill out [Proof of Service by Mail \(form GV-250\)](#). 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.

## 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.



## Should I attend the court hearing?

Yes. You should attend the hearing on the date listed on *Notice of Court Hearing* (form GV-109). If you do not attend the hearing, the judge can extend the order against you for a period between one and five years without hearing from you.

You can attend the hearing by remotely, such as by telephone or videoconference, or go to court in person. Check with your local court for instructions on how to appear remotely. Information is also available on the court's website, which you can find here: [www.courts.ca.gov/find-my-court.htm](http://www.courts.ca.gov/find-my-court.htm).

Information about the process is also available online.

<http://selfhelp.courts.ca.gov/GV-restraining-order>.

## 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 whether to issue a gun violence restraining order that can last for one to five years.

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

Assume that the person who is asking for the order will attend the hearing. It is probably best not to talk to them 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 [Declaration \(form MC-030\)](#) for this purpose.)

## Can I agree with the protected person to terminate the order?

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



## What if I need help to understand English?

When you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300, Request for Interpreter \(Civil\)](#), or a local court form or website to request an interpreter. For more information about court interpreters, go to [www.courts.ca.gov/selfhelp-interpreter.htm](http://www.courts.ca.gov/selfhelp-interpreter.htm).

## What if I have a disability?

If you have a disability and need an accommodation while you are at court, you can use form [MC-410, Disability Accommodation Request](#), to make your request. You can also ask the ADA Coordinator in your court for help. For more information, see form [MC-410-INFO, How to Request a Disability Accommodation for Court](#).

## For help in your area, contact:

[Local information may be inserted.]

Use this form if you have been served with a Petition for Gun Violence Restraining Order (form GV-100) and you want to agree to voluntarily give up your firearm rights without a court hearing.

- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—**not you**—mail a copy of this form and any attached pages to the Petitioner or to their lawyer. (Use *Proof of Service by Mail* (form GV-250).)
- If you do not agree to a gun violence restraining order, use *Response to Petition for Gun Violence Restraining Order* (form GV-120) to tell the court you oppose a gun violence restraining order.

DRAFT

8/10/2022

**Not approved by  
the Judicial Council**

Fill in court name and street address:

Superior Court of California, County of

See Petition for case number and fill in:

Case Number:

### 1 Petitioner

Name of person or law enforcement agency seeking order (see form GV-100, item ①):

### 2 Respondent

- a. Your Name: \_\_\_\_\_  
 Your Lawyer (if you have one for this case):  
 Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
 Firm Name: \_\_\_\_\_
- b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email Address: \_\_\_\_\_

### 3 Gun Violence Restraining Order

- ☐ • By checking this box and signing this form, I agree to give up my right to own, possess, or purchase firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), magazines, and ammunition for the time requested in the petition (between one to five years) or, if no time is specified, then for one year.
- I am not contesting the petition.
  - I understand that the petitioner can request to renew this order for one to five years.
  - I understand that I can only request to terminate this order once per year while it is in effect.

**4 Firearms (Guns), Firearm Parts, Ammunition, and Magazines**


- After you file this form, the court will issue a *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order* (form GV-130) and send it to you and the petitioner in the mail.
- This form will be listed in the statewide California Restraining and Protective Order System, where it will be accessible to all law enforcement.
- You cannot own or possess any guns, other firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, those items in your immediate possession or control within 48 hours of filing this form. You must file a receipt with the court. You may use *Receipt for Firearms, Firearm Parts, Ammunition, and Magazines* (form GV-800) for the receipt.

- a. ☐ I do not own or control any firearms (guns), firearm parts, ammunition, or magazines.
- b. ☐ I have turned in my firearms (guns), firearm parts, ammunition, and magazines to a law enforcement officer or agency, 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.

**Instructions to Clerk**


- On the filing of *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125), submit the proposed order, *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order* (form GV-130) to the judicial officer, because the court must issue the order at least five court days before the scheduled hearing, or if this form is filed within five court days before the scheduled hearing, the court must issue, without any hearing, the gun violence restraining order, as soon as possible.
- Within one business day of issuance of the order, submit this form directly into the California Restraining and Protective Order System (CARPOS) or to law enforcement to enter into CARPOS within one business day of receipt from the court.

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: \_\_\_\_\_

\_\_\_\_\_  
*Type or print your name* \_\_\_\_\_  
*Sign your name*

Petitioner must complete items ① and ② only.

## ① Petitioner

a. Your Full Name or Name of Law Enforcement Agency:

- I am: ☐ A family member of the Respondent.  
☐ An officer of a law enforcement agency (*A petition may be filed in the name of the law enforcement agency in which the officer is employed.*)  
☐ An employer of the Respondent.  
☐ A coworker of the Respondent.  
☐ An employee or teacher of a secondary or postsecondary school that the Respondent has attended in the last 6 months.

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

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
 Firm Name: \_\_\_\_\_

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

Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Email Address: \_\_\_\_\_ Fax: \_\_\_\_\_

Fill in court name and street address:

Superior Court of California, County of \_\_\_\_\_

Court fills in case number when form is filed.

Case Number: \_\_\_\_\_

## ② Respondent

(Give all the information you know. Information with a star (\*) is required to add this order to the California police database. If age is unknown, give an estimate.)

\*Full Name: \_\_\_\_\_ \*Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 \*Race: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_  
 \*Gender: ☐ M ☐ F ☐ Nonbinary Home Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Relationship to Protected Person: \_\_\_\_\_

## ③ Expiration Date

The court will complete the rest of this form.

This Order expires at:

(Time): \_\_\_\_\_ ☐ a.m. ☐ p.m. ☐ midnight on (date): \_\_\_\_\_

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

**This is a Court Order.**

**4 Hearing**

- a. ☐ There was a hearing (*date*): \_\_\_\_\_ at (*time*): \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_.  
(*Name of judicial officer*): \_\_\_\_\_ made the orders at the hearing.
- b. ☐ These people attended the hearing.
- (1) ☐ The Petitioner (3) ☐ The lawyer for the Petitioner (*name*): \_\_\_\_\_
- (2) ☐ The Respondent (4) ☐ The lawyer for the Respondent (*name*): \_\_\_\_\_
- c. ☐ There was not a hearing because Respondent filed a *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125).

**5 Findings**

- a. The court finds by clear and convincing evidence that the following are true:
- (1) Respondent poses a significant danger of causing personal injury to **themselves** or another person by having in their custody or control, owning, purchasing, possessing, or receiving firearms, **firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531)**, ammunition, or magazines.
- (2) A gun violence restraining order is necessary to prevent personal injury to Respondent or to another person because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the current circumstances.
- b. ☐ The court has received credible information that the Respondent owns or possesses one or more firearms, **firearm parts**, ammunition, or one or more magazines.
- c. ☐ The facts as stated in the Petition and supporting documents, which are incorporated here by reference, establish sufficient grounds for the issuance of this Order. **Any reasons stated below apply as well.**
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
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- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- ☐ See the attached *Attachment* (form MC-025).
- d. ☐ The Respondent filed *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125). The court finds that Respondent agreed not to have in Respondent's custody or control, own, purchase, possess, or receive a firearm, **firearm part**, ammunition, or magazine or attempt to purchase or receive those items until: (*expiration date*) \_\_\_\_\_.

**This is a Court Order.**



**6 No Fee to Serve**

If the sheriff or marshal serves this order, service will be free.

**7 No Firearms (Guns), Firearm Parts, Ammunition, and Magazines**

- a. You cannot have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any prohibited items listed below in b.
- b. **Prohibited items are:**
  - (1) Firearms (guns);
  - (2) Firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531);
  - (3) Ammunition; and
  - (4) Magazines (ammunition feeding devices).
- c. You must surrender (turn in, sell, or store) all prohibited items in your custody or control or that you possess or own. If a law enforcement officer asks you to turn over your prohibited items, you must do so immediately. If no request is made by a law enforcement officer, you must surrender all prohibited items within 24 hours of being served with this Order. You may surrender these items by turning them in to law enforcement, selling them to a licensed gun dealer, or storing them with a licensed gun dealer for as long as this Order is in effect.
- d. Within 48 hours of receiving this Order, you must file a receipt with the court that proves that all your prohibited items have been turned in, sold, or stored. (You may use *Receipt for Firearms, Firearm Parts, Ammunition, and Magazines* (form GV-800) for the receipt.) You must also file a copy of the receipt with the law enforcement agency that served you with this order. **FAILURE TO FILE THIS RECEIPT IS A VIOLATION OF THIS ORDER.**

**8 Service of Order on Respondent**

- a. ☐ The Respondent was present in court at the time the order was issued. No other proof of service is needed. The clerk has provided the Respondent with a blank copy of *Request to Terminate Gun Violence Restraining Order* (form GV-600).
- b. ☐ The Respondent was not present in court at the time the order was issued. The Respondent must be personally served with a court file-stamped copy of this Order and a blank copy of *Request to Terminate Gun Violence Restraining Order* (form GV-600) by a law enforcement officer or someone age 18 or older, **and not a party to the action.**
- c. ☐ This is an order based on the Respondent's filing of a *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125). The court will provide notice to all parties.

**9** Number of pages attached to this Order, if any: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer*

**This is a Court Order.**



## Warnings and Notices to the Respondent

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

Violation of this Order is a misdemeanor punishable by a \$1,000 fine or imprisonment for six months or both. (Pen. Code, §§ 19, 18205.) If you violate this Order, you will be prohibited from having in your custody or control, owning, purchasing, possessing, or receiving, or attempting to purchase or receive, any prohibited items listed in item 7b, above, for a period of five years. This Order must be enforced by any law enforcement officer in the State of California who is aware of or shown a copy of this Order. The Order remains enforceable regardless of the acts of the parties; it may be terminated only by an order of the court.

## Instructions for Law Enforcement

### Duties of Officer Serving This Order

The officer who serves this order on the Restrained Person must do the following:

- Ask if the Restrained Person is in possession of any of the prohibited items listed in item 7b, above, or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all prohibited items.
- Issue a receipt to the Restrained Person for all prohibited items that have been surrendered.
- Complete a proof of personal service and file it with the court. The officer may use form GV-200 for this purpose.
- Within one business day of service, submit the proof of service directly into the California Restraining and Protective Order System (CARPOS), including the serving officer's name and law enforcement agency.

### Duties of Agency on Surrender of Firearms, Firearm Parts, Ammunition and Magazines

The law enforcement agency that has received surrendered prohibited items listed in item 7b, above, must do the following:

- Retain the prohibited items until the expiration of this order or of any other gun violence restraining order issued by the court.
- On the expiration of this order or of any later gun violence restraining order issued by the court, return the prohibited items to the Respondent as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850). Section 34000 provides for the sale or destruction of any unclaimed items.
- If someone other than the Respondent claims title to any of the prohibited items surrendered, determine whether that person is the lawful owner. If so, return the prohibited items to that person as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850).

## This is a Court Order.



**Instructions for Law Enforcement***(continued)***Enforcing This Order**

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

- The officer sees a copy of the proof of service or confirms that the proof of service is on file; or
- The respondent was informed of the order by an officer.
- Item 8a or 8c is checked.

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

The provisions in this *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order* (form GV-130) do not affect those of any other protective or restraining order in effect, including a criminal protective order. The provisions in any other existing protective order remain in effect.

**Instructions to Clerk**

This order must be served on all parties by the court, if it is made following the filing of a *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125).

*(Clerk will fill out this part.)***—Clerk's Certificate—**

*Clerk's Certificate*  
[seal]

I certify that this *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order (CLETS-OGV)* (form GV-130) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_ Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

Respondent completes items ① and ②. Court completes items ③ and ④.

**① Petitioner**

a. Your Full Name or Name of Law Enforcement Agency:

- I am: ☐ A family member of the Respondent.  
☐ An officer of a law enforcement agency *(a petition may be filed in the name of the law enforcement agency in which the officer is employed).*  
☐ An employer of the Respondent.  
☐ A coworker of the Respondent.  
☐ An employee or teacher of a secondary or postsecondary school that the Respondent has attended in the last 6 months.

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 email. Law enforcement officer, give agency information.)*

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Fax: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email: \_\_\_\_\_

**② Respondent**

Full Name: \_\_\_\_\_

Address *(if known)*: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**③ Court Hearing**

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

**The current restraining order stays in effect.**

**Hearing  
Date** →

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Name and address of court if different from above:

Dept.: \_\_\_\_\_ Room: \_\_\_\_\_

You may attend your hearing remotely, such as by phone or videoconference. For more information, go to the court's website for the county listed above. To find the court's website, go to [www.courts.ca.gov/find-my-court.htm](http://www.courts.ca.gov/find-my-court.htm).

**This is a Court Order.**

**DRAFT**

**7/20/2022**

**Not approved by  
the Judicial Council**

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**

**To the Petitioner:****4 Service on Respondent**

Someone age 18 or older—**not you**—must serve a copy of the following forms on the Respondent

- *Request to Renew Gun Violence Restraining Order* (form GV-700);
- *Notice of Hearing on Request to Renew Gun Violence Restraining Order* (form GV-710) (this form);
- *Response to Request to Renew Gun Violence Restraining Order* (form GV-720) (blank copy);

- a. ☐ The forms must be personally served on the Respondent \_\_\_\_\_ days before the hearing.
- b. ☐ The forms may be served by mail on the Respondent or the Respondent's lawyer \_\_\_\_\_ days before the hearing.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer***To the Respondent:**

At the hearing, the judge can renew the current restraining order for between one and five years. You *must* continue to obey the current restraining order. 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* continue to 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 *Response to Request to Renew Gun Violence Restraining Order* (form GV-720). 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 *Proof of Service by Mail* (form GV-250) with the court before the hearing or bring it with you to the hearing.

**Requests 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 proceeding. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for *Disability Accommodation Request* ([form MC-410](#)). (Civ. Code, § 54.8.)

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

I certify that this *Notice of Hearing on Request to Renew Gun Violence Restraining Order* (form GV-710) is a true and correct copy of the original on file in the court.

Date: \_\_\_\_\_

Clerk, by \_\_\_\_\_, Deputy

**This is a Court Order.**

**Order on Request to Renew Gun Violence Restraining Order**

Prevailing party completes items ① and ②. If the Order is granted, the Petitioner is the prevailing party. If the Order is denied, the Respondent is the prevailing party.

**① Petitioner**

a. Your Full Name: \_\_\_\_\_

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

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 email.)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

**② Respondent**

Full Name: \_\_\_\_\_

Address (if known): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

**③ 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 **attended** the hearing:

- a. ☐ The Petitioner  
 b. ☐ The Respondent  
 c. ☐ The lawyer for the Petitioner (name): \_\_\_\_\_  
 d. ☐ The lawyer for the Respondent (name): \_\_\_\_\_

Clerk stamps date here when form is filed.

**DRAFT**

**8/10/2022**

**Not approved by  
the Judicial Council**

Fill in court name and street address:

**Superior Court of California, County of**

Court fills in case number when form is filed.

**Case Number:**

**This is a Court Order.**



**4 Order on Request for Renewal**

The request to renew the attached *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order* (form GV-130), originally issued on (date): \_\_\_\_\_, is:

- ☐ **DENIED.** The attached order expires as stated in item ③ of the order.
- ☐ **GRANTED.** The attached order is renewed for one year and will now expire:

on (date): \_\_\_\_\_ at (time): \_\_\_\_\_ ☐ a.m. ☐ p.m. or ☐ midnight

If no expiration date is written here, the order expires one year from the date of the hearing in item ③.

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

- (1) Respondent continues to pose a significant danger of causing personal injury to **themselves** or another person by having in his or her custody or control, owning, purchasing, possessing, or receiving firearms, **firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or magazines.**
- (2) A gun violence restraining order remains necessary to prevent personal injury to Respondent or to another person because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the current circumstances.

b. ☐ The facts as stated in the *Request to Renew Gun Violence Restraining Order* (form GV-700) and supporting documents, which are incorporated here by reference, establish sufficient grounds for the issuance of this Order. **Any reasons stated below apply as well.**

☐ See the attached Form MC-025, *Attachment*.

c. **To the restrained person:** If this order is renewed, it will last until the date and time noted above. If you have not done so already, you must surrender all firearms, ammunition, and magazines that you own or possess in accordance with section 18120 of the Penal Code. You may not have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive a firearm, ammunition, or magazine, while this order is in effect. Pursuant to section 18185, you have the right to request one hearing **on an annual basis** to terminate this Order at any time during its effective period. You may seek the advice of an attorney as to any matter connected with the order.

**This is a Court Order.**



**To the Prevailing Party:****5 Service of Order**

Someone age 18 or older—**not you**—must serve a copy of this order on the other party.

- ☐ **Order Granted**—The Respondent was present in court at the time the order was renewed. **No further service is required.**
- ☐ **Order Granted**—The Respondent was not present in court at the time the order was renewed. **Personal service is required.** The Respondent must be personally served with this Order. *(After the Respondent has been served, file form GV-200, Proof of Personal Service, with the court clerk. For help with service, read form GV-200-INFO, What Is “Proof of Personal Service”?)*
- ☐ **Order Denied—Service by Mail**—If the Petitioner was not present in court at the hearing, the Petitioner may be served with this Order by mail. *(After the Petitioner has been served, the person doing the mailing should fill out form POS-030, Proof of Service by First-Class Mail—Civil. File the form with the court clerk. For help with service by mail, read the Information Sheet on page 2 of form POS-030.)*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Judicial Officer**(Clerk will fill out this part.)***—Clerk's Certificate—***Clerk's Certificate*  
*[seal]*

I certify that this *Order on Request to Renew Gun Violence 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.**



## ① Petitioner/Requesting Agency

Name: \_\_\_\_\_

## ② Respondent/Restrained Person

a. Your Name: \_\_\_\_\_

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

Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_

Firm Name: \_\_\_\_\_

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.)

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email Address: \_\_\_\_\_

DRAFT

8/3/2022

Not approved by  
the Judicial Council

Fill in court name and street address:

Superior Court of California, County of \_\_\_\_\_

Court fills in case number when form is filed.

Case Number: \_\_\_\_\_

## ③ To the Restrained Person:

If a judge has ordered you to turn in, sell, or store your firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, and magazines, use this form to prove to the judge that you have obeyed their orders. Take this form to law enforcement officer or a licensed gun dealer to complete item ④ or ⑤. For more information on how to properly turn in your items, read form GV-800-INFO, *How Do I Turn In, Sell, or Store My Firearms, Firearm Parts, Ammunition, and Magazines?*

④

## To Law Enforcement

(Complete the section below. Keep a copy and give the original to the person in ②.)

Name of Law Enforcement Agency: \_\_\_\_\_

Name of Law Enforcement Agent: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

## Items Surrendered

a. Firearms, firearm parts, ammunition, and magazines transferred on:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ ☐ a.m. ☐ p.m.

b. List of items (List all the items surrendered by the person in ②. You may attach a separate form from your agency (e.g., a property report), use item ⑥, or both. Check below if you have attached a separate form):

☐ Separate form is attached. (If it does not include all surrendered items, list additional items in item ⑥.)

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 \_\_\_\_\_

5

**To Licensed Gun Dealer***(Complete the section below. Keep a copy and give the original to the person in (2).)*

Name of Licensed Gun Dealer: \_\_\_\_\_

License number: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_ Email Address: \_\_\_\_\_

**Items Stored or Sold**

a. Firearms, firearm parts, ammunition, and magazines transferred on:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ ☐ a.m. ☐ p.m.b. List of items *(List all the items surrendered by the person in (2). You may attach a separate form (e.g., Department of Justice's Report of Firearms Acquisition) or you may use item (6). Check below if you have attached a separate form):*☐ Separate form is attached. *(If it does not include all surrendered items, list additional items in item (6).)*

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

▶ Signature of licensed gun dealer \_\_\_\_\_

**(6) ☐ List of Items Surrendered**

Firearms and firearm parts

	Make	Model	Serial Number, if there is one	Sold	Stored	To be destroyed
(1)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Ammunition and magazines

	Brand	Type	Amount	Sold	Stored	To be destroyed
(1)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(5)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6)	_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Check here if there is not enough space above for your answer. Use a separate sheet of paper to list other items. Write "GV-800, item 6" at the top, and attach it to this form.

**7 To the Restrained Person:**

Besides the items listed on page 2 or in an attached form, do you have or own any other firearms (guns), firearm parts, ammunition, or magazines?

☐ No

☐ Yes (If yes, check one of the boxes below:)

- a. ☐ I filed a *Receipt of Firearms, Firearm Parts, Ammunition, and Magazines* (form GV-800) or other proof for those items with the court on (date): \_\_\_\_\_
- b. ☐ I am filing the proof for those firearms (guns), firearm parts, ammunition, or magazines along with this proof.
- c. ☐ I have not yet filed the proof for the other firearms (guns), firearm parts, ammunition, or magazines. (Explain why not):

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**Your 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

**Your Next Steps**

- After the form is complete, make two additional copies. Take the copies and original to the court clerk to file.
- If law enforcement served you with the restraining order, give a copy to the law enforcement agency that served you with the restraining order.
- Keep a copy for yourself.

**Note that failure to file a receipt with the court and with the law enforcement agency is a violation of the court's order.**

**What items do I need to turn in, sell, or store?**

You must turn in, sell, or store all of the following prohibited items that you have or control:

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, including any receiver, frame or unfinished receiver or frame (also called “ghost guns”);
- Ammunition, also called ammo, including bullets, shells, cartridges, and clips; and
- Magazines (any ammunition feeding device, whether fixed or removable).

**How do I properly turn in, sell, or store the prohibited items?**

You must take them to:

- Law enforcement, who will accept all prohibited items and may store them or destroy them;

OR

- A licensed gun dealer, who can buy or store firearms. If you have firearm parts, ammunition, or magazines, call ahead for more information.

**When do I have to turn in, sell, or store the prohibited items?**

Immediately if law enforcement asks you for the items.  
Otherwise, within 24 hours.

**Who can I turn in, sell, or store the prohibited items with?**

Only law enforcement or a licensed gun dealer. You cannot give your prohibited items to a family member, friend, or anyone else.

**Where can I sell the prohibited items?**

At a licensed gun dealer in your area. You can search the internet for “Gun Dealers” or “Firearms Dealers” to find one. Make sure the dealer is licensed.

**Do I have to pay a fee to store prohibited items?**

You may have to pay a fee. Contact your local law enforcement agency or a licensed gun dealer about fees and whether they have space to store your items.

**How do I turn in the prohibited items to law enforcement?**

Call your local law enforcement agency to ask about their procedures. Unload your firearms and take a copy of the court order with you.

**Do not bring firearms to court.**

**If I turn in the prohibited items to law enforcement, how long will they keep them?**

It depends. There are procedures for getting your firearms back after the restraining order has expired. Ask the law enforcement agency for more information.

**After I turn in the prohibited items to law enforcement, can I change my mind?**

Yes. You are allowed to sell firearms, ammunition, and magazines to a licensed gun dealer. To do this, the 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 items that you are selling.

**Do I have to prove that I have turned in, sold, or stored the prohibited items?**

Yes. Within 48 hours you must file a receipt with the court and the law enforcement agency showing that you have surrendered the prohibited items to a law enforcement agency or sold them to or stored them with a licensed gun dealer. You may use [Receipt for Firearms, Firearm Parts, Ammunition, and Magazines \(form GV-800\)](#) for this purpose.

**Additional Questions?**

Contact an attorney for legal advice. Call your local law enforcement agency, for example, your city police or county sheriff for their procedures.

**Information about prohibited items and how to obey these orders is also available online.**

<https://selfhelp.courts.ca.gov/respond-to-GV-restraining-order/obey-firearms-orders>.

**For help in your area, contact:**

[Local information may be inserted.]

## SPR22-23

### Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms (Revise forms EPO 002, GV 009, GV 020, GV 020 INFO, GV 030, GV 100, GV 100 INFO, GV 109, GV 110, GV 116, GV 120, GV 120 INFO, GV 125, GV 130, GV 710, GV 730, GV 800, and GV 800 INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	DRAFT Committee Response
1.	Giffords Law Center to Prevent Gun Violence by Julia Weber Implementation Director San Francisco	AM	On behalf of Giffords Law Center to Prevent Gun Violence, we appreciate the opportunity to comment on these important proposals. Thank you to Judicial Council staff and committee members for your work to make these proposals as responsive as possible.	The committee appreciates the information provided.
			On EPO-001, the reference to firearms being "searched for" has caused some confusion: does this mean searched for electronically in the Automated Firearms System (AFS) or physically searched for at the scene? It would be clarifying for both the officer requesting the EPO, and the court, and for anyone enforcing or protected by the order to know which occurred. Suggesting a clarifying checkbox with language indicating what is meant here be added to the form.	In light of this comment, the word "physically" has been added preceding the incidences of the phrase "searched for" on form EPO-002.
			Re: remote hearings, should specify that courts must make remote hearings available ("may" is ambiguous).	The committee declines this suggestion as the forms alert <i>litigants</i> that they "may" attend the hearing remotely not that courts may make remote hearings available.
			Headings here on the GVRO forms (firearms, parts, ammunition) should be consistent across all civil restraining forms to avoid confusion (unless the relevant statutes differ).	In light of this comment the headings related to surrendering firearms, firearm parts, ammunition, and magazines were made consistent with similar items domestic violence restraining orders forms.
			"Ghost guns" is a term that can be confusing and is not necessary when "firearm parts" and "firearms" are both used and under the definition, include unserialized firearms (and parts).	The committee declines this suggestion and includes "ghost guns" on the information sheets because it is a commonly used term to refer to unserialized firearms.

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

## SPR22-23

### Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms (Revise forms EPO 002, GV 009, GV 020, GV 020 INFO, GV 030, GV 100, GV 100 INFO, GV 109, GV 110, GV 116, GV 120, GV 120 INFO, GV 125, GV 130, GV 710, GV 730, GV 800, and GV 800 INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	DRAFT Committee Response
			On GV-020-INFO, reference to “and other items” is vague and confusing. Specify what items this is referring to so as to avoid confusion and increase the likelihood that restrained parties will/can comply.	In light of this comment, “other items” was removed from form GV-020-INFO and instead the prohibited items were listed out.
			The notice in bold “FAILURE TO FILE THIS RECEIPT IS A VIOLATION OF THIS ORDER” should appear on all firearm prohibiting orders where this is the case for consistency and avoiding the appearance that this order is somehow different from other orders where this is required (please share this comment with the relevant Advisory Committees handling other firearm-prohibiting ITCs).	The committee declines this comment as the other protective order forms advise the restrained person before the granted orders that “If you do not obey these orders, you can be arrested and charged with a crime.”
			On pages 18 and 19, the use of the phrase “prohibited items” may be confusing; recommended spelling out the items (firearms, firearm parts, ammunition, and magazines) where possible and more frequently to avoid being vague and unnecessarily confusing.	In light of this comment, the phrase “prohibited items” in item 6b of forms GV-030, GV-110, and GV-130, where the prohibited items are defined has been bolded to draw attention to it. The committee declines to specifically spell out the prohibited items later in the form as the item where the prohibited items are defined is included, and the heading also lists out the prohibited items.
			On GV-100-INFO, this paragraph should include reference to other prohibiting orders that protect a named party since the GVRO does not: Will the order protect me in other ways, such as keeping the person from coming near me? No, the only order the court can make is to force the person to not have the prohibited items listed above. If you	The committee declines this suggestion as the paragraph already contains the sentence: “For information on other civil restraining orders, please see” a California Courts Self-Help website. The link has been updated to the Courts new online Self-Help Guide.

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

## SPR22-23

### Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms (Revise forms EPO 002, GV 009, GV 020, GV 020 INFO, GV 030, GV 100, GV 100 INFO, GV 109, GV 110, GV 116, GV 120, GV 120 INFO, GV 125, GV 130, GV 710, GV 730, GV 800, and GV 800 INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	DRAFT Committee Response
			need personal protection from a family member, you should proceed under the Domestic Violence Prevention Act [propose adding] or obtain information about Civil Harassment Orders and orders that include protection for individuals and also prohibit the restrained person from having firearms.	
			Globally, consider avoiding the use of the term “surrender” and instead use “turn in” or “store or sell” where appropriate to explain relinquishment so that “surrender” is not misread or understood as requiring an individual to surrender themselves to law enforcement	In light of this comment, “surrender” was replaced with “turn in, store, or sell” where possible. In certain instances “surrender” was retained and parentheticals were used to explain the meaning at the first appearance of that word. Penal Code sections 18135, 18160, and 18180 contain required notices that must appear on the orders. Such notices contain the word “surrender” and do not define it. Accordingly, including “surrender” with a definition is preferable to removing it all together.
			P. 32 and 47 (and anywhere that is missing the reference), add “firearm parts” to list in 1. under “Warnings.” and change “surrender” to “turn in”	The committee declines this suggestion as the language on the forms is required by statute. (See Penal Code sections 18135, 18160, and 18180.)
			GV-800: title should be “Proof of Surrender of Firearms, Firearm Parts, Ammunition and Magazines” - reference to “firearms-related items” is vague and without statutory support.	In light of this comment, the title of form GV-800 has been updated to <i>Receipt for Firearms, Firearm Parts, Ammunition and Magazines</i> .
			Change description below to: “This form may be used to prove that the restrained party has relinquished (turned in) all firearms, firearm parts,	In light of this comment, the instructions in item 3 on form GV-800 has been updated to: “If a judge has ordered you to turn in, sell, or store your

Positions: A = Agree; AM = Agree if modified; N = Do not agree.



## SPR22-23

### Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms (Revise forms EPO 002, GV 009, GV 020, GV 020 INFO, GV 030, GV 100, GV 100 INFO, GV 109, GV 110, GV 116, GV 120, GV 120 INFO, GV 125, GV 130, GV 710, GV 730, GV 800, and GV 800 INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	DRAFT Committee Response
			ammunition, and magazines to a licensed gun dealer or law enforcement.”	firearms (guns), firearm parts (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, and magazines use this form to prove to the judge that you have obeyed their orders.”
			Please avoid “firearm related items” due to vagueness. Only used “prohibited items” when reference is clear to avoid confusion.	In light of this comment, the phrase “firearm-related items” has been removed from the form.
2.	Orange County Bar Association by Daniel S. Robinson President	AM	Incorporates ability to appear remotely for firearm hearing.  Adds language reflecting new prohibition on ghost guns and parts. Item 7 in the GV-800 form currently has check boxes providing options for “Stored” and “Seized.” This seems confusing, as law enforcement will generally store an item after seizing it. It would be helpful to further define “Stored” and “Seized” (perhaps “stored privately” or “seized by law enforcement”).	In light of this and other comments, the checkboxes have been updated to “sold,” “stored,” and “to be destroyed.”
3.	State of California Department of Justice by Elizabeth Troxel Staff Services Manager II	N	Noticed that the "The “Warnings and Notices to the Respondent” did not include firearm parts. Not sure if you wanted to include in the Warning section.	The committee declines this suggestion as the language on the forms is required by statute. (See Penal Code sections 18135, 18160, and 18180.)
4.	Superior Court of San Bernardino	NI	<b>Summary:</b> The Civil and Small Claims Advisory Committee recommends the revision of 18 of the council’s Gun Violence forms to implement statutory changes in Assembly Bill 1057 (Stats. 2021, ch. 682) and Senate Bill 538 (Stats. 2021,	The committee appreciates the information provided.

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

## SPR22-23

### Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms (Revise forms EPO 002, GV 009, GV 020, GV 020 INFO, GV 030, GV 100, GV 100 INFO, GV 109, GV 110, GV 116, GV 120, GV 120 INFO, GV 125, GV 130, GV 710, GV 730, GV 800, and GV 800 INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	DRAFT Committee Response
			<p>ch. 686) and to make other necessary changes to accurately reflect current law. Assembly Bill 1057 amends the definition of “firearms” for the purpose of gun violence restraining orders to include certain firearm parts. Senate Bill 538 permits parties and witnesses to attend hearings on gun violence restraining orders remotely. The proposal incorporates these new provisions into the council’s forms and makes other minor changes to gun violence protective order forms.</p> <p><b>Request for Specific Comments in addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:</b></p> <p>Does the proposal appropriately address the stated purpose? Yes</p>	
			<p>Are the check boxes in items 6 and 7 of form GV-800 for the status of each surrendered item (sold, stored, or seized) helpful? Are “sold,” “stored,” and “seized” the correct statuses or are there other, preferable terms? Yes. I don’t know any other preferable terms.</p>	<p>The committee appreciates the information provided, but in light of other comments, the checkboxes have been updated to “sold,” “stored,” and “to be destroyed.”</p>
			<p>Is the reorganization of form GV-800, so that there are now separate items to be completed by gun dealers (item 6) and law enforcement agencies (Item 7), rather than one item that could be completed by either, helpful? Or is a shorter form preferable? Yes, I think this is fine.</p>	<p>The committee appreciates the information provided, but in light of user testing, the committee recommends the original formatting for form GV-800.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

## SPR22-23

### Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms (Revise forms EPO 002, GV 009, GV 020, GV 020 INFO, GV 030, GV 100, GV 100 INFO, GV 109, GV 110, GV 116, GV 120, GV 120 INFO, GV 125, GV 130, GV 710, GV 730, GV 800, and GV 800 INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	DRAFT Committee Response
			<p><b>The advisory committee also seeks comments from courts on the following cost and implementation matters:</b></p> <p>Would the proposal provide cost savings? If so, please quantify. No</p> <p>What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? Updated procedures. Updated packets.</p> <p>Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? Yes</p> <p>How well would this proposal work in courts of different sizes? Size should not impact.</p>	The committee appreciates the information provided.
5.	Superior Court of San Diego County by Mike Roddy Executive Officer	AM	<p>Does the proposal appropriately address the stated purpose? <b>Yes.</b></p> <p>Are the check boxes in items 6 and 7 of form GV-800 for the status of each surrendered item (sold, stored, or seized) helpful? Are “sold,” “stored,” and “seized” the correct statuses or are there other, preferable terms?</p>	<p>The committee appreciates the information provided.</p> <p>The committee appreciates the information provided, but in light of other comments, the checkboxes have been updated to “sold,” “stored,” and “to be destroyed.”</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

## SPR22-23

### Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms (Revise forms EPO 002, GV 009, GV 020, GV 020 INFO, GV 030, GV 100, GV 100 INFO, GV 109, GV 110, GV 116, GV 120, GV 120 INFO, GV 125, GV 130, GV 710, GV 730, GV 800, and GV 800 INFO)

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	Commenter	Position	Comment	DRAFT Committee Response
			<b>Yes. The check boxes are helpful. The terms “sold,” “stored,” and “seized” are appropriate.</b>	
			Is the reorganization of form GV-800, so that there are now separate items to be completed by gun dealers (item 6) and law enforcement agencies (Item 7), rather than one item that could be completed by either, helpful? Or is a shorter form preferable? <b>Yes. The separate items are helpful.</b>	The committee appreciates the information provided, but in light of user testing, the committee recommends the original formatting for form GV-800.
			Would the proposal provide cost savings? If so, please quantify. <b>No.</b>  What would the implementation requirements be for courts—for example, training staff (please identify position and expected hours of training), revising processes and procedures (please describe), changing docket codes in case management systems, or modifying case management systems? <b>Updating internal procedures, local packets, case management entries, and training staff.</b>  Would 3 months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? <b>Yes, if the final versions of the forms are provided to the court by that time. The court provides local law enforcement with printed stock of EPO-002 forms (in triplicate). This will</b>	The committee appreciates the information provided.

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

## SPR22-23

### Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms (Revise forms EPO 002, GV 009, GV 020, GV 020 INFO, GV 030, GV 100, GV 100 INFO, GV 109, GV 110, GV 116, GV 120, GV 120 INFO, GV 125, GV 130, GV 710, GV 730, GV 800, and GV 800 INFO)

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	Commenter	Position	Comment	DRAFT Committee Response
			<p><b>ensure that the court is able to update local packets and obtain printed stock.</b></p> <p>How well would this proposal work in courts of different sizes?</p> <p><b>It appears that the proposal would work for courts of all sizes.</b></p>	
			<p><b>OTHER COMMENTS:</b></p> <p><b>GV-030: Warnings and Notices to the Restrained Party (Page 3):</b> Propose renaming to “Warnings and Notices to Restrained <b>Person</b>” to consistent with other restraining order forms.</p>	In light of this comment, the “Party” was changed to “Person” in the heading.
			Propose deleting “To the restrained person:” from the first paragraph as it is redundant.	The committee declines this suggestion as the language on the forms is required by statute. (See Penal Code sections 18135, 18160, and 18180.)
			Propose using non-bold text as it makes the section difficult to read.	The committee declines this comment as the bold text draws attention to that language.
			<b>GV-110: Warnings and Notices to the Respondent (Page 3):</b> Propose using non-bold text as it makes the section difficult to read.	The committee declines this comment as the bold text draws attention to that language.
			<b>GV-130: Warnings and Notices to the Respondent (Page 4):</b> Propose using non-bold text as it makes the section difficult to read.	The committee declines this comment as the bold text draws attention to that language.
			<b>GV-730: Item 4 Order on Request for Renewal:</b> Propose using non-bold text in item 4c as it makes the section difficult to read.	The committee declines this comment as the bold text draws attention to that language.

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

**SPR22-23****Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms** (Revise forms EPO 002, GV 009, GV 020, GV 020 INFO, GV 030, GV 100, GV 100 INFO, GV 109, GV 110, GV 116, GV 120, GV 120 INFO, GV 125, GV 130, GV 710, GV 730, GV 800, and GV 800 INFO)

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	Commenter	Position	Comment	DRAFT Committee Response
			<b>GV-800-INFO: After I give the prohibited items to law enforcement, can I change my mind?</b> Propose that “firearms” in the last sentence be replaced with “prohibited items” to reflect that the items sold to a licensed gun dealer may be items other than firearms (i.e. ammunition).	
6.	Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC) by TCPJAC/CEAC Joint Rules Subcommittee	NI	<p><b>JRS Position: Agree</b> with proposed changes.</p> <ul style="list-style-type: none"> <li>EPO-002. Consider the language “You may attend remotely, such as by phone or video conference.” This is consistent with other language found in the DV and GV forms. <ul style="list-style-type: none"> <li>Consider changing the phrase “CLETS-EGV” to “California Law Enforcement Telecommunications – EGV.”</li> </ul> </li> <li>No comments on GV-009</li> <li>No comments on GV-020</li> <li>No comments on GV-020-INFO</li> <li>No comments on GV-030</li> <li>No comments on GV-100</li> <li>No comments on GV-100-INFO</li> <li>No comments on GV-109</li> </ul>	<p>The committee appreciates the information provided.</p> <p>The committee declines this suggestion as there is insufficient space on the form to include the phrase “such as by phone or video conference.” The committee notes that the form contains the following language: “You may attend the hearing remotely (Check your court’s website for instructions).”</p> <p>The committee declines this suggestion as the parenthetical “CLETS” in the form title is required by the California Department of Justice for any forms that are entered into CLETS.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

**SPR22-23****Protective Orders: Gun Violence Forms Implementing Statutory Amendments Permitting Remote Appearances and Modifying the Definition of Firearms** (Revise forms EPO 002, GV 009, GV 020, GV 020 INFO, GV 030, GV 100, GV 100 INFO, GV 109, GV 110, GV 116, GV 120, GV 120 INFO, GV 125, GV 130, GV 710, GV 730, GV 800, and GV 800 INFO)

All comments are verbatim unless indicated by an asterisk (\*).

	Commenter	Position	Comment	DRAFT Committee Response
			<ul style="list-style-type: none"><li>• No comments on GV-110</li><li>• No comments on GV-116</li><li>• No comments on GV-120 and GV-120-INFO</li><li>• No comments on GV-125</li><li>• No comments on GV-130</li><li>• No comments on GV-170</li><li>• No comments on GV-730</li></ul> No comments on GV-800 and GV-800-INFO	

Positions: A = Agree; AM = Agree if modified; N = Do not agree.