



JUDICIAL COUNCIL OF CALIFORNIA

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REPORT TO THE JUDICIAL COUNCIL

Item 20-133

For business meeting on: May 15, 2020

Title

Protective Orders: Duration and Categories of Petitioners for Gun Violence Restraining Orders; Relinquishment of Firearm Rights

Rules, Forms, Standards, or Statutes Affected

Adopt form GV-125; revise forms EPO-002, GV-009, GV-020, GV-020-INFO, GV-030, GV-100, GV-100-INFO, GV-109, GV-110, GV-120, GV-120-INFO, GV-130, GV-600, GV-610, GV-620, GV-630, GV-700, and GV-710

Recommended by

Civil and Small Claims Advisory Committee
Hon. Ann I. Jones, Chair

Agenda Item Type

Action Required

Effective Date

September 1, 2020

Date of Report

April 29, 2020

Contact

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Executive Summary

The Civil and Small Claims Advisory Committee recommends adopting 1 new gun violence restraining order (GVRO) form and revising 18 existing forms. These changes are needed to implement recent amendments in the Penal Code: Assembly Bill 12,¹ allows an officer to file a GVRO in the name of the officer's law enforcement agency and extends the duration of a GVRO to a maximum of five years; Assembly Bill 61,² allows an employer, coworker, or school administrator or teacher of a person believed to be dangerous to file a petition requesting a

¹ Assem. Bill 12 (Stats. 2019, ch. 724).

² Assem. Bill 61 (Stats. 2019, ch. 725).

GVRO; and Assembly Bill 1493,³ authorizes a person who is the subject of a GVRO to submit a form to the court voluntarily relinquishing his or her firearm rights.

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective September 1, 2020:

1. Adopt *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125) to implement AB 1493, which amends the Penal Code to allow the subject of a petition to file a form relinquishing his or her firearm rights; and
2. Revise the following forms to implement recent statutory changes legislated in AB 12, AB 61, and AB 1493, and to use gender-neutral terms where appropriate:
 - *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)
 - *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)
 - *Gun Violence Restraining Order After Hearing* (form GV-130)
 - *Request to Terminate Gun Violence Restraining Order* (form GV-600)
 - *Notice of Hearing on Request to Terminate Gun Violence Restraining Order* (form GV-610)
 - *Response to Request to Terminate Gun Violence Restraining Order* (form GV-620)
 - *Order on Request to Terminate Gun Violence Restraining Order* (form GV-630)
 - *Request to Renew Gun Violence Restraining Order* (form GV-700)
 - *Notice of Hearing on Request to Renew Gun Violence Restraining Order* (form GV-710)

The proposed new and revised forms are attached at pages 12–61.

³ Assem. Bill 1493 (Stats. 2019, ch. 733).

Relevant Previous Council Action

Gun violence restraining orders were authorized by statute, which was enacted in 2014 and effective January 1, 2016, in response to a mass shooting in Isla Vista, California.⁴ The Judicial Council created the majority of the GVRO forms in 2015, effective January 1, 2016, including several of the forms revised in this proposal.⁵ The forms that the Judicial Council created in response to SB 1200 (Stats. 2018, ch. 898), which required courts to hold a hearing on an emergency gun violence protective order within 21 days of its issuance, were effective September 1, 2019.⁶

The Judicial Council, effective September 1, 2019, revised 22 GVRO forms to comply with other provisions in SB 1200, which required orders under Penal Code section 18100 et seq. to be referred to as gun violence restraining orders, expanded the definition of ammunition to include a magazine, prohibited a filing fee for GVRO forms and documents, required a law enforcement officer to make a specific request when serving a gun violence restraining order, and provided that parties do not need to pay the sheriff for service of a GVRO.

Analysis/Rationale

Changes to petitioner name to include law enforcement agency

AB 12 (Stats. 2019, ch. 724)⁷ authorizes a law enforcement officer to bring a petition for a gun violence restraining order “in the name of the law enforcement agency in which the officer is employed.”⁸ The purpose of this statutory change is to allow an officer to use the name of the officer’s law enforcement agency, rather than the officer’s name, when filing a petition so that the law enforcement agency’s name appears in the case caption. The individual officer still must sign the form and declare under penalty of perjury that the facts meet the statutory requirements for the restraining order. Item 1 or item 2, as applicable, has been revised on the following forms, to add law enforcement agency as a petitioner in a layout that allows the clerk to easily find and accurately enter the case name using the name of the petitioner, whether an individual or a law enforcement agency: GV-009, GV-030, GV-100, GV-109, GV-110, GV-120, GV-130, GV-600, GV-610, GV-620, GV-630, GV-700, and GV-710.

⁴ See Assem. Bill 1014 (Stats. 2015, ch. 872).

⁵ Forms EPO-002, GV-100, GV-100-INFO, GV-109, GV-110, GV-120, GV-120-INFO, GV-130, GV-600, GV-610, GV-620, GV-630, GV-700, and GV-710.

⁶ Forms GV-009, GV-020, GV-020-INFO, and GV-030.

⁷ Assem. Bill 61 incorporates additional changes to Pen. Code, §§ 18170 & 18190 proposed by Assem. Bill 12 to be operative only if this bill and Assem. Bill 12 are enacted and this bill is enacted last, which is the order that the bills were chaptered and enrolled. Assem. Bill 1493 incorporates the changes in Pen. Code, § 18175 from Assem. Bill 12 and Assem. Bill 61.

⁸ Pen. Code, § 18109(b), eff. Jan. 1, 2020; oper. Sept. 1, 2020.

New categories of petitioners

AB 61 (Stats. 2019, ch. 725) authorizes the following people, in addition to an immediate family member of the subject of the petition, to file a petition for an ex parte, one-year, or renewed GVRO:

- (1) An employer of the subject of the petition.
- (2) A coworker of the subject of the petition, if they had substantial and regular interactions with the subject . . . and have obtained the approval of the employer.
- (3) An employee or teacher of a secondary or postsecondary school that the subject has attended in the last six months, [with] approval of a school administrator or a school administration staff member with a supervisory role.

(Pen. Code, § 18150.)

Petition for Gun Violence Restraining Order (form GV-100) would be revised to add to item 1a, new categories of petitioners and information or instructions about them: for an employer, the employer’s position and name of company; for a coworker who has had substantial and regular interactions with the respondent for at least one year and has obtained permission from his or her employer to file the petition, the name of company; and for an employee or teacher of a secondary or postsecondary school that the respondent has attended in the last six months—and who has obtained approval from a school administrator to file the petition—the name of the school. Form EPO-002 would add to the warning and information section that an “employer, coworker, teacher, or school administrator” may seek a restraining order that lasts between one to five years.

Forms GV-109, GV-110, GV-130, GV-620, GV-700, and GV-710 would be revised to add the additional categories of petitioners and their relationship to the respondent. The information sheets, forms GV-100-INFO and GV-120-INFO would be revised to add the new categories of petitioners. The committee considered adding additional information, but did not go beyond the statutory requirements.

Expanded duration for GVRO and renewal of GVRO

AB 12 (Stats. 2019, ch. 724) changes the duration of a GVRO to “a period of time between one to five years”⁹ and changes the renewal of a GVRO from one year to “a duration of between one to five years.”¹⁰ It also requires a court, in determining the duration of the GVRO, to consider the length of time that the threat of personal injury is likely to continue and to issue the order based

⁹ Pen. Code, § 18170(a)(1), eff. Jan. 1, 2020; oper. Sept. 1, 2020.

¹⁰ Pen. Code, § 18190(f)(1), eff. Jan. 1, 2020; oper. Sept. 1, 2020.

on that determination.¹¹ Revisions would be made to include the change in duration and, in response to public comment, the revisions mirror the statutory language of “between one to five years.”¹² The following forms would be revised to change the existing language that states that the GVRO will last for up to a year: EPO-002, GV-020-INFO, GV-100, GV-100-INFO, GV-110, GV-120, GV-120-INFO, GV-700, and GV-710.

Petition for Gun Violence Restraining Order (form GV-100), item 7, would be revised to allow the petitioner to request a specific number of years, between one and five, for the restraining order to last. And a space would be provided for the petitioner to answer, “Why are you asking for this amount of time?” to provide information for the judge to make an informed decision about the duration of the GVRO in accordance with the statutory requirement that the judge consider the length of time that the person will pose a significant danger of causing personal injury to themselves or another person by possessing a firearm. Also, item 9 would be revised to include that the order will last “between one and five years.”

Request for termination of GVRO

AB 12 also allows the restrained person to request a hearing annually to request termination of the GVRO.¹³ Revisions consistent with the legislation have been proposed for forms GV-030, GV-130, and GV-600. On *Request to Terminate Gun Violence Restraining Order* (form GV-600), the instruction “You may make only one request each year that the order is in effect” would be added. And in item 3c, a check box would be added that says, “I have requested the court to terminate the order before, but my request was denied. It has been a year since I made my previous request.” The instructions following item 3 would be revised to say that the request to terminate can be made “one time each year” and “one time each year” for any renewal period.

Changes to gender terms

AB 1493 (Stats. 2019, ch. 733) amended the language in Penal Code sections 18115 and 18175 to make it gender neutral. Although doing so is not required by the statute, the Rules and Projects Committee has asked advisory bodies to consider making such changes to Judicial Council forms. The advisory committee proposes to change “he or she” to “person,” “himself or herself” to “themselves,” “his or her” to “their” or “Respondent,” and “him or her” to “the officer,” or “that person” where they appear on the following forms: GV-020-INFO, GV-030, GV-100, GV-100-INFO, GV-109, GV-110, GV-120, GV-130, and GV-630. On form GV-130, item 6, “No Fee to Serve,” “he or she will do it for free” would be revised to “service will be free.”

Hearing information

In response to a suggestion from a court, a field for the hearing department was added to form EPO-002. With the revision of form EPO-002 to allow the officer to either list the follow-up

¹¹ Pen. Code, § 18175(d)(2), eff. Jan. 1, 2020; oper. Sept. 1, 2020.

¹² Pen. Code, § 18170(a)(1), eff. Jan. 1, 2020; oper. Sept. 1, 2020.

¹³ Pen. Code, § 18180(b), eff. Jan. 1, 2020; oper. Sept. 1, 2020.

court date or check the box that a notice of hearing would be sent to the restrained person, forms GV-020 and GV-020-INFO would be revised to reflect that the hearing information may be on form EPO-002.

New type of California Law Enforcement Telecommunication System (CLETS) order for form GV-030

The Department of Justice's California Restraining and Protective Order System (CARPOS) division suggested adding a new GVRO type for form GV-030 to be able to distinguish between emergency protective orders and other types of GVROs in CARPOS. Thus, the footer of the form would be changed from "CLETS-OGV" to "CLETS-HGV."

New form for relinquishment of firearm rights

The committee recommends adopting a new form for relinquishment of firearm rights, rather than revising the existing response form to include relinquishment. A standalone form to relinquish rights and consent to a gun violence restraining order identifies its purpose, providing clarity to the clerk and judicial officer concerning necessary actions, which include removing the hearing from the calendar, entering the GVRO, and entering the relinquishment form promptly into CARPOS.

The proposed new form, *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125), has instructions for filing and service, and a reference to the *Response to Petition for GVRO* (form GV-120) if the respondent wishes to contest the petition. Form GV-125 includes a notice about how and when respondents are required to surrender their guns, ammunition, and magazines. And it includes "Instructions to Clerk," which details how to submit the proposed order to the judicial officer, how to issue a GVRO, the time frame for filing and service, and how to submit the form to CARPOS. Item 3 includes a check box for the respondent to confirm understanding of and agreement with the following:

- The respondent will give up rights to own, possess, or purchase guns, magazines, and ammunition for the time requested in the petition (between one and five years) or, if no time is specified, for one year.
- The respondent will not contest the petition.
- The petitioner can request to renew this order for one to five years.
- The respondent can request to terminate this order only once per year while it is in effect.

Revisions to other forms because of new form GV-125

The advisory committee proposes that forms GV-109, GV-120, and GV-120-INFO be revised to provide information to the respondent about the possibility of relinquishing the respondent's firearm rights and the existence of a form to help the respondent do so.

The advisory committee also proposes that form GV-130 be revised to change the title to *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order* (CLETS-OGV) to acknowledge the new form and the new judicial findings. Form GV-130

would be revised to indicate that a hearing was not held, and to include judicial findings based on the relinquishment form that “Respondent agreed not to have in Respondent’s custody or control, own, purchase, possess, or receive a firearm, ammunition, or magazine or attempt to purchase or receive a firearm, ammunition, or magazine until (*expiration date*): ____.” Additional changes would be to add new items specific to notice. Item 8c would be added: “This is an order based on the Respondent’s filing a *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125). The court will provide notice to all parties” and “Instructions to Clerk” would be added: “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).”

Minor form revisions

The committee proposes other minor form revisions including editing changes on forms GV-020 and GV-120-INFO to fix technical mistakes and formatting.

Policy implications

This proposal revises the GVRO forms to implement legislation that is meant to promote public safety and due process. It also increases judicial efficiency and cooperation between law enforcement and the judiciary.

Comments

The proposal circulated for public comment from December 13, 2019 to February 11, 2020. Comments were received from a total of 13 commenters. The largest number of comments were about changing the name of the new form GV-125, followed by comments suggesting that the demographic information on the petition forms be revised to be gender neutral. There were several commenters who suggested alternate language for some of the forms. Two commenters agreed with the proposal, nine commenters agreed if modified, one commenter, who only commented on the title of form GV-125, did not agree with the proposal, and one commenter did not indicate a position.

Revise the title of form GV-125

Four commenters, two individuals and two advocacy organizations—Brady United and the Giffords Law Center to Prevent Gun Violence—suggested that the title of form GV-125 should be changed from “Relinquishment of Firearm Rights (Gun Violence Prevention)” to “Consent to Gun Violence Restraining Order.” The reasons for changing the name of the form are to avoid people misunderstanding the form and to avoid what commenters believe is an unnecessarily broad title. Penal Code section 18175(d)(1) does not require a specific title on the form; it provides “The subject of the petition may file a form with the court relinquishing the subject’s firearm rights for the duration specified on the petition or, if not stated in the petition, for one year from the date of the proposed hearing, and stating that the subject is not contesting the petition.”

The committee discussed the proposed change to the title and felt that it would be a helpful revision to describe its purpose, but that it needed to be clearer that the restrained person had to

relinquish their firearms. The committee determined that “And Surrender of Firearms” should be added to the proposed title to accurately convey the impact of the form. The committee proposes, “Consent to Gun Violence Restraining Order and Surrender of Firearms” for the title of form GV-125. Other forms that refer to form GV-125 by form name would be revised accordingly.

Law enforcement officer and law enforcement agency as petitioners

The committee drafted the forms with the idea that it is preferable for the officer to file the petition in the name of their law enforcement agency (LEA) because it clearly conveys that it is an agency filing a GVRO, not an individual; it keeps the officer’s name out of case indexes and databases as a petitioner, which could be problematic in background checks; it allows the court to search for cases and collect case data by the LEA; and it allows a case to continue seamlessly in the name of the LEA when an officer is not employed by that LEA or has a different job assignment.

The Giffords Law Center commented that since a GVRO may be requested in the name of the law enforcement officer or “the name of the law enforcement agency in which the officer is employed,”¹⁴ the forms should allow both options. Newly added Penal Code section 18109(b) states that, “A petition brought by a law enforcement officer may be made in the name of the law enforcement agency in which the officer is employed.” The committee originally revised the forms with a line calling for the full name to allow the law enforcement officer (officer) to list either their full name or law enforcement agency (LEA). Staff sent the proposal to a small number of LEAs for their input but did not receive any comments on this issue.

Form EPO-002 requires the officer to declare that there are reasonable grounds for the issuance of an emergency gun violence protective order. It lists the officer’s name and LEA, and requires their signature under penalty of perjury. A case is initiated when the LEA transmits form EPO-002 to the court. The documents that are filed subsequently, GV-020 and GV-030, list the “Requesting Agency” as the petitioner.

Form GV-100 lists for the petitioner, “Your full name or name of law enforcement agency.” And under the check boxes for more specific information for petitioner, it lists “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 listed your full name above, list the name of the law enforcement agency that employs you):” This allows the officer to choose whether to file the petition under the officer’s or LEA’s name.

The new training requirements for law enforcement in the area of GVROs should help to alleviate any hurdles for law enforcement petitioners by providing instruction on what name to use when initiating a petition. In 2019, the Governor signed GVRO training legislation that requires “each municipal police department and county sheriff’s department, the Department of the California Highway Patrol, and the University of California and California State University

¹⁴ Pen. Code, § 18109, operative Sept. 1, 2020.

Police Departments shall, on or before January 1, 2021, develop, adopt, and implement written policies and standards relating to gun violence restraining orders.”¹⁵

Term for restrained person

The Department of Justice commented that in all areas where the forms refer to “Restrained Person” it should be changed to “Respondent.” The Giffords Law Center added that the forms could specify that a respondent is a person to be restrained, the first time it shows up on each form. The committee determined that the terms circulated for comment accurately describe the parties and did not make changes based on these comments.

Specific language revisions

- Form EPO-002
 - Instead of “Permanent order” consider “longer-term order” because it is not a permanent order. The committee understood the reasoning of the commenter and chose to use the language from the statute “Between one to five years.”
 - Add to the warnings to the restrained person on the front and back, “Law enforcement is required to ask for your firearms.” This is necessary to remind law enforcement and to avoid a situation where law enforcement does not ask and the subject retains access to firearms unnecessarily, putting themselves and others at risk. Add on the back, “You must surrender them upon request to law enforcement.” The committee added this language.
 - Where “searched for” appears, “at the scene” should be added to address existing confusion about whether “searched for” means searching a database or a physical person or location search. The committee added this language.
- Form GV-020
 - In the instructions on the second point, “Fill out this form and take it to the court clerk,” change court clerk to “filing clerk” or “the filing window at your local court” to eliminate confusion about where to take the form. The committee does not recommend making this change because they did not believe it necessary to avoid confusion.
- Form GV-100
 - Add name of administrator and employer when they are petitioners. The committee did not make this change because it goes beyond the scope of the law.
- Form GV-100-INFO
 - On page 1, second paragraph, change “You can ask for one if you are connected to the person you think is dangerous as,” to “You can ask for one if you regularly have contact with the person you think is dangerous as:” The committee did not revise this language because it is not in line with the statutory requirements.

¹⁵ Assembly Bill 339 (Irwin; Stats. 2019, ch. 727).

Alternatives considered

The committee considered creating two additional new forms but, after discussion, opted to revise existing forms. To implement AB 1493, the committee considered amending response form GV-120 and the related information sheet, and it reviewed drafts of revised forms. After consideration, the committee recommends creating a new form, *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125). A standalone form to relinquish rights identifies its purpose, providing clarity to the clerk and judicial officer concerning necessary actions—removing the hearing from the calendar, entering the GVRO, sending notice to the petitioner, and entering the relinquishment form into CARPOS. The committee also considered creating a new order form, *GVRO on Relinquishment of Firearm Rights*, but decided to revise existing order form GV-130. Revising form GV-130 is easier for CARPOS and CLETS programming and enforcement, and using a revised form GV-130 when respondents voluntarily relinquish their firearms rights, as well as when hearings are contested, appears workable.

For the forms that added the new categories of petitioners, especially form GV-100, the committee considered whether to ask who gave the approval for the coworker and the teacher or school administrator to file the GVRO petition, but decided that requesting that information went beyond what was required by the statute and could be a deterrent to filing.

Fiscal and Operational Impacts

Three courts—Superior Courts of Los Angeles, Orange, and San Diego Counties—commented on the implementation process and operational impacts for this proposal. The courts indicated that they would have to update court procedures and case management codes. Training materials would need to be developed and training would be needed for clerical staff, supervisors, legal processing specialists, courtroom clerks, judicial assistants, and judicial officers.

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-120, GV-120-INFO, GV-125, GV-130, GV-600, GV-610, GV-620, GV-630, GV-700, and GV-710 at pages 12–61.
2. Chart of comments at pages 62–91.
3. Link A: Penal Code section 18105,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=18105.
4. Link B: Penal Code section 18115,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=18115.
5. Link C: Penal Code section 18175,
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=18175.
6. Link D: Assembly Bill 12 (Stats. 2019, ch. 724),
https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB12.
7. Link E: Assembly Bill 61 (Stats. 2019, ch. 725),

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB61.](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB61)

8. Link F: Assembly Bill 1493 (Stats. 2019, ch. 733),

[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB61.](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201920200AB61)

EPO-002
GUN VIOLENCE EMERGENCY PROTECTIVE ORDER

LAW ENFORCEMENT CASE NUMBER:

1. **RESTRAINED PERSON** (insert name): _____

Clerk stamps date here when form is filed.

Address _____

or Mailing _____

Address: _____

Sex: ☐ M ☐ F 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):

DRAFT Not approved by the Judicial Council 3.2.2020

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 gun violence restraining order that lasts from 1 - 5 years 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.

Fill in court name and street address:

Superior Court of California, County of

If you have any firearms, ammunition, and magazines, you MUST IMMEDIATELY SURRENDER THEM if asked by a police officer. If a police officer does not ask you to surrender any of the above, 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.**

Court fills in case number when form is filed.

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: _____

Case Number:

You must go to the court hearing if you do not want this restraining order against you. At the hearing, the judge can make this order last from 1 - 5 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 himself or herself or to another by having custody or control, owning, purchasing, possessing, or receiving any firearms, 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 were ☐ observed ☐ reported ☐ searched for at the scene ☐ seized.

☐ Ammunition (including magazines) was ☐ observed ☐ reported ☐ searched for at the scene ☐ 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)

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, ammunition, or a magazine. (Pen. Code, § 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.) **Law enforcement is required to ask for your firearms. You must surrender them on request to law enforcement.**

Within 24 hours of receipt of this order, you must turn in all firearms, ammunition, and magazines 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 *Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored* (form GV-800).

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 *Response to Gun Violence Emergency Protective Order* (form GV-020). A family member, employer, coworker, teacher, or school administrator may also seek a **gun violence restraining order that lasts from 1 to 5 years 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, ammunition, or magazine for an additional five-year period, to begin on the expiration of the more permanent gun violence restraining order. (Pen. Code, § 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 un arma de fuego, municiones o cargadores, o poseer, comprar, recibir, o tratar de comprar o recibir un arma de fuego, municiones o cargadores. (Código Penal, §§ 18125 y siguientes). Una violación de esta orden está sujeta a una multa de \$1000 o encarcelamiento de seis meses o ambos. (Código Penal, §§ 19 y 18205.)

Dentro de las 24 horas de recibir esta orden, tiene que entregar sus armas de fuego, municiones y cargadores 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. Se puede usar el formulario GV-800, *Prueba de entrega, venta o almacenamiento de armas de fuego, municiones y cargadores*, por este propósito.

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, 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, § 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 deberá 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, 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 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 03/12/2020

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
Date

Date: _____ Time: _____

Dept.: _____ Room: _____

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

Clerk stamps date here when form is filed.

Draft 3.2.2020

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:

2 Restrained Person

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

Case Number:

- 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):

- ☐ 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*):

- ☐ 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 **Surrender of Guns, Ammunition, and Magazines**

A Gun Violence Emergency Protective Order (form EPO-002) was issued against you. You cannot own or possess any guns, other firearms, ammunition, or magazines. You must surrender 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 other guns, other firearms, ammunition, or magazines 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 *Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored* (form GV-800) for the receipt.

- a. ☐ I do not own or control any guns, other firearms, ammunition, or magazines.
- b. ☐ I have turned in my guns, other firearms, 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 guns, ammunition, or magazines (any ammunition feeding device). A person who is served with the order must surrender all guns, ammunition, and magazines that person currently owns.

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 in court and where the court is located. Follow the *Gun Violence Emergency Protective Order* (form EPO-002) prohibiting you from having any guns, ammunition, or magazines and requiring you to surrender, sell, or store any guns, ammunition, or magazines that you currently own or possess. You must obey the order until the expiration date on the form.

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 and ammunition.

**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. 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 go to the court hearing?

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

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.

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.

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.

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

When you file your papers, ask your court's clerk or [self-help center](#) if your court will provide an interpreter. To request an interpreter, you may use form INT-300. You should also check your local court's website via Find My Court for additional information on how to request an interpreter for a civil matter. If an interpreter is not available for your court date, you should ask someone who is over age 18 to interpret for you.

What if I am deaf or hard of hearing?

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

For help in your area, contact:

[Local information may be inserted.]

Gun Violence Restraining Order After Hearing on EPO-002

The court will complete this form.

Clerk stamps date here when form is filed.

Draft 2020

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 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: _____

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

Sex: ☐ M ☐ F 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 were at 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.



6 Order Prohibiting All Firearms, Ammunition, and Magazines

- a. You cannot have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any firearm or ammunition, including magazines (ammunition feeding devices).

You must:

- (1) Surrender all firearms and ammunition, including magazines, in your custody or control or that you possess or own. If a law enforcement officer orders you to surrender all of your firearms and ammunition, including magazines, to **the officer**, you must do so immediately. If no order to surrender is made by a law enforcement officer, you must surrender all of your firearms and ammunition, including magazines, within 24 hours of being served with this Order. You may do so by:
- surrendering all of your firearms and ammunition, including magazines, in a safe manner to the local law enforcement agency; or
 - selling all of your firearms and ammunition, including magazines, to a licensed gun dealer; or
 - storing all of your firearms and ammunition, including magazines, 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.
- (2) Within 48 hours of receiving this Order, file a receipt with the court that proves that your firearms and ammunition have been turned in, sold, or stored. (*You may use Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored (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.**

- b. ☐ **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 personally attended the hearing. 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 did not attend the hearing. 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 Party

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, any firearms, ammunition, or magazines while this Order is in effect. Under section 18185, you have the right to request one hearing **per year** 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 firearm, ammunition, or magazine 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 firearms, ammunition, or magazines or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all firearms, ammunition, and magazines.
- Issue a receipt to the Restrained Person for all firearms, ammunition, and magazines 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, Ammunition, and Magazines

The law enforcement agency that has received surrendered firearms, ammunition, or magazines must do the following:

- Retain the firearms, ammunition, or magazines 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 firearms and ammunition to the Restrained Person as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850). Firearms, ammunition, or magazines that are not claimed are subject to the requirements of section 34000.
- If someone other than the Restrained Person claims title to any of the firearms, ammunition, or magazines surrendered, determine whether that person is the lawful owner. If so, return the firearms, ammunition, and magazines 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, the Restrained Person attended the hearing.

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 - Not approved by
Judicial Council 2020

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:*)

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

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 <i>(specify)</i> : _____	_____	_____	_____

- 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, Ammunition, or Magazines

If you have reason to believe that the respondent is in possession of firearms, ammunition, or magazines, answer (a) or check (b).

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

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

This is not a Court Order.



6 Grounds for Issuance of a Gun Violence Restraining Order

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, 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).

This image shows a single sheet of white paper with horizontal blue ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

7 Request for Gun Violence Restraining Order

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, ammunition, or magazines. I further request that Respondent be ordered to immediately surrender all firearms, ammunition, and magazines currently in their possession to a law enforcement officer or to sell the firearms, ammunition, and magazines 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:

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 (TGV) be issued against the Respondent to last until the hearing. I am presenting *Temporary 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 TGV?

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

☐ Reasons stated in Attachment 10.

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. (Form GV-200-INFO explains What Is "Proof of Personal Service"? 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.

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 guns, ammunition, or magazines (ammunition feeding devices). The person must surrender all guns, ammunition, and magazines that he or she currently owns. The police will come and remove the guns 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 guns, ammunition, or magazines during this time.

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:

1. An immediate family member;
2. An employer;
3. 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 this restraining order;
4. An employee or teacher at a school that the person has attended in the last six months, and you have permission from a school administrator or a school administration staff who has a supervisory role; and/or
5. A law enforcement officer or law enforcement agency.

Immediate family members include:

- (1) Your spouse or domestic partner;
- (2) Your parents, children, siblings, grandparents, and grandchildren and their spouses, including any stepparent or stepgrandparent;
- (3) Your spouse's 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.

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 he or she finds that the 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 firearms, ammunition, or magazines. 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 www.courts.ca.gov/selfhelp-abuse.htm.

What forms do I need to get the order?

You must fill out the following forms:

- o *Petition for Gun Violence Restraining Order* (form GV-100);
- o *Confidential CLETS Information* (form CLETS-001);
- o *Notice of Court Hearing* (form GV-109), items 1 and 2 only; and
- o *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. You also may be able to find them at your local courthouse or county law library.

What do I need to do to get the order?

You must go to the superior court in the county where the person to be restrained lives. At the court, ask where you should 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.) Give your forms to the clerk of the court. The clerk 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. 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 himself, herself, or another person by having in his or her custody or control, owning, purchasing, possessing, or receiving any firearms, ammunition, or magazines.

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, 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.

GV-100-INFO Can a Gun Violence Restraining Order Help Me?

Do I have to go to court?

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

How long does the order last?

If the court makes a temporary order, it will last until your hearing date, which must be within 21 days of the date of the temporary order. If at the hearing the court issues a more permanent order, it will last for **one to five years**. It may be renewed for an additional **one to five years**.

What if the restrained person does not obey the order?

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

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

No. Once the order is issued, only the judge can change or terminate it. The restrained person 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 your court's clerk or [self-help center](#) if your court will provide an interpreter for you at no cost. If not, you will have to pay a fee for the interpreter. If an interpreter is not available for your court date, you should ask someone who is over age 18 to interpret for you.

What if I am deaf or hard of hearing?



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

For help in your area, contact:

[Local information may be inserted.]

Will I see the restrained person at the court hearing?

If the person comes to the hearing, yes. If you are afraid, tell the court officer.

Can I bring someone with me to court?

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

Do I need to bring a witness to the hearing?

Witnesses are not required, but it helps to have more proof than just your word. For example, consider bringing:

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

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

Petitioner must complete items ① and ② only.

Clerk stamps date here when form is filed.

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.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

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: _____

③ Hearing

The court will complete the rest of this form.

Name and address of court if different from above:

Hearing
Date

→ Date: _____ Time: _____
Dept.: _____ Room: _____

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, 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)

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, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the 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, 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 for *Request for Accommodations by Persons with Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

I certify that this *Notice of Court Hearing* (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.

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: _____

Fill in court name and street address:

Superior Court of California, County of _____

Court fills in case number when form is filed.

Case Number: _____

② Respondent

Full Name: _____

Description: _____

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

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

Home Address (if known): _____

City: _____ State: _____ Zip: _____

Relationship to Petitioner: _____

The court will complete the rest of this form.

③ Expiration Date

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

Date: _____ Time: _____ ☐ a.m. ☐ p.m.

This is a Court Order.

4

-
- This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

-

5

service will be free.

This is a Court Order.

6 Order Prohibiting All Firearms, Ammunition, and Magazines

- a. You cannot have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any firearm or ammunition, including magazines (ammunition feeding devices).
- b. The court has received credible information that you own or possess one or more firearms, ammunition, or one or more magazines that have not been surrendered or sold. You must:
 - (1) Surrender all firearms and ammunition, including magazines, in your custody or control or that you possess or own. If a law enforcement officer orders you to surrender all of your firearms and ammunition, including magazines, to the officer, you must **surrender them to the officer**. If no order to surrender is made by a law enforcement officer, you must surrender all of your firearms and ammunition, including magazines, within 24 hours of being served with this Order. You may do so by:
 - a. surrendering all of your firearms and ammunition, including magazines, in a safe manner to the local law enforcement agency; or
 - b. selling all of your firearms and ammunition, including magazines, to a licensed gun dealer; or
 - c. storing all of your firearms and ammunition, including magazines, 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.
 - (2) Within 48 hours of receiving this Order, file a receipt with the court that proves that your firearms and ammunition have been turned in, sold, or stored. (*You may use Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored (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, a firearm, ammunition, or magazine 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, 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 of Response 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. If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make 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 firearms, ammunition, or magazines or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all firearms, ammunition, and magazines.
- Issue a receipt to the Restrained Person for all firearms, ammunition, and magazines 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, Ammunition, or Magazines

The law enforcement agency that has received surrendered firearms, ammunition, or magazines must do the following:

- Retain the firearms, ammunition, or magazines 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 firearms, ammunition, or magazines to the respondent as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850). Firearms, ammunition, or magazines that are not claimed are subject to the requirements of section 34000.

This is a Court Order.



Instructions for Law Enforcement*(continued)*

- If someone other than the Respondent claims title to any of the firearms, ammunition, or magazines surrendered, determine whether that person is the lawful owner. If so, return the firearms, ammunition, or magazines 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;
- 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.

DRAFT 2020

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: _____

3 Gun Violence Restraining Order

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

- ☐ 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).

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.



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*):

☐ 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 **Surrender of Guns, Ammunition, and Magazines**

If a *Temporary Gun Violence Restraining Order* (form GV-110) was issued, you cannot own or possess any guns, other firearms, 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 guns, other firearms, ammunition, or magazines 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 *Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored* (form GV-800) for the receipt.

- a. ☐ I do not own or control any guns, other firearms, ammunition, or magazines.
- b. ☐ I have turned in my guns, other firearms, 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 guns, ammunition, or magazines (any ammunition feeding device). The person must surrender all guns, ammunition, and magazines that he or she currently owns.

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



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 guns, ammunition, or magazines and requiring you to surrender, sell, or store any guns, ammunition, or magazines 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 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 court date and file it with the court. You can get the form from legal publishers or on the Internet at www.courts.ca.gov. 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, 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.

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**.

Should I go to the court hearing?

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



GV-109 Notice of Court Hearing

Clerk 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: _____

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

Court fills in case number when form is filed.
 Case Number: _____

2 Respondent

Full Name: _____

3 Hearing

The court will complete the rest of this form.

Name and address of court if different from above: _____

Hearing Date: _____ Date: _____ Time: _____
 Dept.: _____ Room: _____

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-100, *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.courts.ca.gov
 Rev. January 1, 2019, Mandatory Form
 Penal Code § 16100 et seq.
 Approved by DOJ

Notice of Court Hearing
 (Gun Violence Prevention)

GV-109, Page 1 of 3

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 your court's clerk or [self-help center](#) if your court will provide an interpreter for you at no cost. If not, you will have to pay a fee for the interpreter. If an interpreter is not available for your court date, you should ask someone who is over age 18 to interpret for you.

What if I am deaf or hard of hearing?



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

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 2020

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 guns, 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 Surrender of Guns, 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 and Surrender of Firearms* (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, ammunition, or magazines. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns, other firearms, ammunition, or magazines in your immediate possession or control within 48 hours of filing this form. You must file a receipt with the court. You may use *Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored* (form GV-800) for the receipt.
- a. ☐ I do not own or control any guns, other firearms, ammunition, or magazines.
- b. ☐ I have turned in my guns, other firearms, 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 *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125), the clerk must submit the proposed order, *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order and Surrender of Firearms* (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

Full Name: _____
 Description: _____

Sex: ☐ M ☐ F Height: _____ Weight: _____ Date of Birth: _____
 Hair Color: _____ Eye Color: _____ Age: _____ Race: _____
 Home Address (*if known*): _____
 City: _____ State: _____ Zip: _____
 Relationship to Petitioner: _____

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.

6 No Fee to Serve

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

7 Order Prohibiting All Firearms, Ammunition, and Magazines

- a. You cannot have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any firearm, ammunition, or magazine (any ammunition feeding device).
- b. You must:
 - (1) Surrender all firearms and ammunition, including magazines, in your custody or control or that you possess or own. If a law enforcement officer orders you to surrender all of your firearms and ammunition, including magazines, to the officer, you must do so immediately. If no order to surrender is made by a law enforcement officer, you must surrender all of your firearms and ammunition, including magazines, within 24 hours of being served with this Order. You may do so by:
 - a. surrendering all of your firearms and ammunition, including magazines, in a safe manner to the local law enforcement agency; or
 - b. selling all of your firearms and ammunition, including magazines, to a licensed gun dealer; or
 - c. storing all of your firearms and ammunition, including magazines, with a licensed gun dealer for as long as this Order is in effect.
 - (2) Within 48 hours of receiving this Order, file a receipt with the court that proves that your firearms and ammunition have been turned in, sold, or stored. (*You may use Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored (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 personally attended the hearing. 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 did not attend the hearing. The Respondent must be personally served with a court file-stamped copy of this Order and a blank copy of *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 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

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, any firearm, ammunition, or magazines while this Order is in effect. Under section 18185, you have the right to request **one hearing per year** 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 firearm, ammunition, or magazines 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 firearms, ammunition, or magazines or has custody or control of any that they have not already turned in.
- Order the Restrained Person to immediately surrender to you all firearms, ammunition, and magazines.
- Issue a receipt to the Restrained Person for all firearms, ammunition, and magazines 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 and Ammunition

The law enforcement agency that has received surrendered firearms, ammunition, or magazines must do the following:

- Retain the firearms, ammunition, or magazines 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 firearms and ammunition to the Respondent as provided by chapter 2 of division 11 of title 4 of the Penal Code (commencing with section 33850). Firearms, ammunition, or magazines that are not claimed are subject to the requirements of section 34000.
- If someone other than the Respondent claims title to any of the firearms, ammunition, or magazines surrendered, determine whether that person is the lawful owner. If so, return the firearms, ammunition, and magazines to him or her 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(s) 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.

Request to Terminate Gun Violence Restraining Order

Clerk stamps date here when form is filed.

Use this form to ask the court to terminate a gun violence restraining order against you. You may make only one request each year that the order is in effect.

1 Respondent

- a. Full Name: _____
- 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.)
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 Email Address: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**2 Petitioner**

- a. Full Name or Name of Law Enforcement Agency: _____
- b. Address (if known): _____
 City: _____ State: _____ Zip: _____

3 ☐ Request to Terminate Restraining Order

- a. I ask the court to terminate the:
- ☐ Gun Violence Restraining Order After Hearing on EPO-002 (form GV-030)
- ☐ Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order and Surrender of Firearms (form GV-130)
- ☐ Order on Request to Renew Gun Violence Restraining Order (Form GV-730)
- because (give reasons below):

- ☐ Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 3 Reasons to Terminate Order" for a title. You may use Attachment (form MC-025).

This is not a Court Order.

3 ☐ **Request to Terminate Restraining Order** *(continued from the prior page)*


- b. ☐ A copy of the current order is attached.
- c. ☐ I have not previously requested that the court terminate the Order.
- ☐ I have requested the court to terminate the Order before, but my request was denied. It has been a year since I made my previous request.
- ☐ The Order has been renewed. I have not previously requested that the court terminate the Order since it was renewed.

(You may request termination of a gun violence restraining order only one time per year while the order is in effect and one time per year during any period of renewal. If the court denies your request, you may not request termination again for another year.)

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

Date: _____

Type or print your name

 _____
Sign your name

This is not a Court Order.

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

① Respondent

- a. Full Name: _____
- 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.)
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 Email Address: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**② Petitioner**

- a. Full Name or Name of Law Enforcement Agency: _____
- b. 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 unless terminated by the court.**Hearing
Date**

Date: _____ Time: _____
 Dept.: _____ Room: _____

Name and address of court if different from above:

To the Respondent:**④ Service**Someone age 18 or older—**not you**—must serve a copy of the following forms on the Petitioner:

- Request to Terminate Gun Violence Restraining Order (form GV-600);
- Notice of Hearing on Request to Terminate Gun Violence Restraining Order (form GV-610) (this form); and
- Response to Request to Terminate Gun Violence Restraining Order (form GV-620) (blank copy).

This is a Court Order.

- 4 a. ☐ The forms must be personally served on the Petitioner _____ days before the hearing.
- b. ☐ The forms may be served by mail on the Petitioner or the Petitioner's lawyer _____ days before the hearing.

The person who serves the forms must fill out either *Proof of Personal Service* (form GV-200) or *Proof of Service by Mail* (form GV-250). Have the person who served sign the original. Take the completed proof of service form back to the court clerk for filing or bring it with you to the hearing. For help with personal service, see *What is "Proof of Personal Service"?* (form GV-200-INFO).

Date: _____

Judicial Officer

To the Petitioner:

If you wish to make a written response to this request to terminate the current firearms restraining order, you may fill out *Response to Request to Terminate Gun Violence Restraining Order* (form GV-620). 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 other party 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.

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

(Clerk will fill out this part.)

—Clerk's Certificate—

I certify that this *Notice of Hearing on Request to Terminate Gun Violence Restraining Order* (form GV-610) is a true and correct copy of the original on file in the court.

Clerk's Certificate
[seal]

Date: _____

Clerk, by _____, Deputy

This is a Court Order.

Use this form to respond to the *Request to Terminate Gun Violence Restraining Order* (Form GV-600).

- Fill out this form and then 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 Respondent at the address in ② below. Use *Proof of Service of Response by Mail* (form GV-200-INFO).

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

1 Petitioner

- 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.

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: _____

Telephone: _____ Fax: _____

Email Address: _____

The court will consider your response at the hearing. Write your hearing date, time, and place from form GV-610 item ③ here.

Hearing
Date

Date: _____

Time: _____

Dept.: _____ Room: _____

2 Respondent

Name: _____

Address: _____

City: _____ State: _____ Zip: _____



3 Response

- a. ☐ I do not oppose termination of the order.
- b. ☐ I oppose termination of the order for the following reasons (*specify below*):

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

Date: _____

Lawyer's name, if you have one

► _____
Lawyer's signature

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

Date: _____

Type or print your name

► _____
Sign your name

To the Petitioner:

1. Have someone age 18 or older—**not you**—mail a copy of this completed form GV-620 to the Respondent or to the Respondent's lawyer, if any. This is called "service by mail."
2. 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 form GV-250.
3. Take the completed *Proof of Service by Mail* (form GV-250) back to the court clerk or bring it with you to the hearing.

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

Clerk stamps date here when form is filed.

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

① Respondent

- a. Full Name: _____
- 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.)
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 Email Address: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**② Petitioner**

Full Name or Name of Law Enforcement Agency: _____

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 were at the hearing:

- a. ☐ The Petitioner ☐ The lawyer for the Petitioner (name): _____
- b. ☐ The Respondent ☐ The lawyer for the Respondent (name): _____

④ Findings

- ☐ The court finds that there is no longer clear and convincing evidence that:
- Respondent poses a significant danger of causing personal injury to themselves or another person by having in the person's custody or control, owning, purchasing, possessing, or receiving firearms, ammunition, or magazines; and
 - 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.
- ☐ There remains clear and convincing evidence that grounds continue to exist to support the order.

This is a Court Order.

5 Order on Request to Terminate

The request to terminate the *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order* (form GV-130), originally issued on (date): _____

☐ and most recently renewed on (date): _____ is:

a. ☐ **GRANTED.** The order is terminated as of (date of hearing): _____

b. ☐ **DENIED.** The order and expiration date remain in effect.

To the Prevailing Party:**6 Service of Order**

If service is required, someone age 18 or older—**not you**—must serve a copy of this order on the other party. If a party is represented, you are required to serve the attorney instead of the party.

a. ☐ **Order Granted**—The Petitioner attended the hearing. **No further service is required.**

b. ☐ **Order Granted**—The Petitioner did not attend the hearing. **Service is required:** This Order:

☐ Must be personally served on the Petitioner within _____ days of the date of this Order.

☐ May be served by mail on the Petitioner within five days of the date of this Order.

c. ☐ **Order Denied**—If the Petitioner did not attend the hearing, **Service by Mail:** The Petitioner may be served with this Order by mail.

Date: _____

Judicial Officer

(Clerk will fill out this part.)

—Clerk's Certificate—

I certify that this *Order on Request to Terminate Gun Violence Restraining Order* (form GV-630) is a true and correct copy of the original on file in the court.

Clerk's Certificate

[seal]

Date: _____

Clerk, by _____, Deputy

This is a Court Order.

Request to Renew Gun Violence Restraining Order

Clerk stamps date here when form is filed.

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.

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

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: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

3 Request to Renew Restraining Order

I ask the court to renew the *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order* (form GV-130) for an additional period of between 1 and 5 years. A copy of the order is attached.

a. The order currently will end on (date): _____
 (If the order has already expired, you must file a new petition.)

- b. ☐ This is my first request to renew the order.
☐ The order has been renewed _____ times.

This is not a Court Order.



This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Date: _____

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: _____

This is not a Court Order.

Notice of Hearing on Request to Renew Gun Violence Restraining Order

Clerk stamps date here when form is filed.

DRAFT NOT APPROVED BY
JUDICIAL COUNCIL 2020

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: _____

Fill in court name and street address:

Superior Court of California, County of _____

Fill in case number:

Case Number: _____

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.



Date: _____ Time: _____

Dept.: _____ Room: _____

Name and address of court if different from above:

This is a Court Order.



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 for *Request for Accommodations by Persons With Disabilities and Response* ([form MC-410](#)). (Civ. Code, § 54.8.)

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

I certify that this *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.

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Protective Orders – GVRO Form Revisions

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

	Commenter	Position	Comment	Committee Responses
1.	Ruth Borenstein Individual	AM	The name of GV-125 should be changed to “Consent to GVRO Order” to avoid being overly broad.	The committee appreciates your comment and agrees with your suggestion and has incorporated it with a minor change to make the title of GV-125 “Consent to Gun Violence Restraining Order and Surrender of Firearms” to convey the impact of the form.
2.	Brady United By Mattie Scott, CA. State President	AM	SW 125, title should be changed to "Consent to Gun Violence Restraining Order" to protect women, children and families who die every day in our nation in domestic abuse situations. I lost my friend and her daughter last year in Antioch California to gun violence. Too many lives are lost to gun violence in domestic situations.	The committee appreciates your comment and agrees with your suggestion and has incorporated it with a minor change to make the title of GV-125 “Consent to Gun Violence Restraining Order and Surrender of Firearms” to convey the impact of the form.
3.	California Department of Justice By Rebekah Lee Associate Governmental Program Analyst	AM	<p>Suggested changes to verbiage in bold. Other suggested changes in italics.</p> <p>1. Epo-002 gun violence emergency protective order (p. 12) question #4 up to five years a period of time between one to five years.</p> <p>2. Gv-020 response to gun violence emergency protective order (p. 15) in the box area: at the hearing, the court may make an order against you for one year a period of time change to between one to five years.</p> <p>3. Gv-020-info how can i respond to a gun violence emergency protective order</p>	<p>The committee appreciates the comments from the Department of Justice.</p> <p>The committee understands that Penal Code section 18170(a) states that the time frame for a GVRO is between one to five years and will modify the GVRO forms accordingly so that there is no confusion about the time frame.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p>

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Protective Orders – GVRO Form Revisions

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Commenter	Position	Comment	Committee Responses
		<p>(p. 17) should i go to the court hearing? : if you do not go to the hearing, the judge can extend the order against you for up to five years a period of time between one to five years without hearing from you.</p> <p>(P. 18) how long does the order last? : the court will decide at the hearing whether to issue a gun violence restraining order that can last for up to five years for a period of time between one to five years.</p> <p>4. Gv-100 petition for gun violence restraining order</p> <p>Pg 4 of 4 (p. 27): question #10 temporary restraining order: suggest changing temporary restraining order to temporary gun violence restraining order, and (tro) to (tgv)</p> <p>5. Gv-100-info can a gun violence restraining order help me?</p> <p>(p. 28) what is a gun violence restraining order? The restrained person respondent also cannot buy any guns, ammunition, or magazines during this time.</p> <p>Pg 2 of 3 (p. 29): how soon can i get the 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 one year a period of time between one to five years.</p> <p>Pg 3 of 3 (p. 30): **suggest to change all areas that read the restrained person to respondent</p>	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee will take this suggestion under advisement when it revises the INFO forms in the future.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee discussed this suggestion but feels that the forms use consistent language now pre-GVRO and post-GVRO and that restrained person, rather than respondent, is easier for a self-represented litigant to understand.</p>

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Protective Orders – GVRO Form Revisions

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	Commenter	Position	Comment	Committee Responses
			<p>6. Gv-109 notice of court hearing Pg 2 of 3 (p. 32): question #5 suggest to include option for gv-125, relinquishment of firearm rights (blank form)</p> <p>7. Gv-110 temporary GVRO Pg 1 of 5 (p. 34): question #3 **suggest to add guidance regarding 21 day expiration mandated per penal code 18165.</p> <p>Pg 2 of 5 (p. 35): question #5 no fee to serve (notify) restrained person respondent Pg 3 of 5 (p. 36): question #7 to the restrained person: **suggest to remove to the restrained person (consistent with gv-130 page 4 of 5, warnings and notices to the respondent) Pg 4 of 5 (p. 37): instructions for law enforcement **suggest to change all areas that read the restrained person to respondent Pg 5 of 5 (p. 38): enforcing this order Consider the respondent “served” (given notice) if: **suggest to add a bullet point for relinquishment of firearm rights **Suggest to change all areas that read the restrained person to respondent</p> <p>8. Gv-120-info pg 2 of 2 (p. 42) can i agree with the protected person petitioner to terminate the order?</p> <p>9. Gv-130 gun violence restraining order after hearing or on relinquishment of firearm rights</p>	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee does not choose to adopt this suggestion because this order does not apply in a situation addressed by Penal Code section 18165.</p> <p>See answer above.</p> <p>Because this section is directed at the restrained person, the committee opts to leave it in.</p> <p>See answer above.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>See answer above.</p> <p>The committee does not choose to adopt this suggestion because the way that the form is drafted is easier to understand.</p>

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Protective Orders – GVRO Form Revisions

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	Commenter	Position	Comment	Committee Responses
			<p>Pg 4 of 5 (p. 48): instructions for law enforcement **suggest to change all areas that read the restrained person to respondent Pg 5 of 5 (p. 49): enforcing this order Bullet point 3 item 9a 8a or 8c is checked</p> <p>**suggest to change all areas that read the restrained person to respondent Instructions to clerk ***“provide notice” verbiage preferred to “serve”. Per pc 18115 (d) relinquishment will constitute proof of service.</p> <p>10. Gv-600 request to terminate gun violence restraining order Pg 1 of 2 (p. 50): question #2 a. full name or name of law enforcement agency **suggest to capitalize full field name of item #2 (a)</p>	<p>See answer above.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>See answer above.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p>
4.	Giffords Law Center to Prevent Gun Violence By Julia Weber, JD, MSW, Implementation Director	AM	<p>Thank you for the hard and thoughtful work on these forms. We appreciate the opportunity to contribute to their development and have provided comments in an effort to make the information as accessible and accurate as possible. These forms are an important part of increasing individual and public safety; they are also a critical part of the ongoing effort statewide to decrease the time between a prohibiting event, often during a crisis, and temporary removal of firearms for safety.</p> <ul style="list-style-type: none">EPO-002“Permanent order” is a misnomer; consider “longer-term order” (that same language “longer-term order” is currently in the warnings section on	<p>The committee appreciates the comments from the Giffords Law Center to Prevent Gun violence.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p>

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Protective Orders – GVRO Form Revisions

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	Commenter	Position	Comment	Committee Responses
			<p>the back of EPO-002 so the consistency would also be helpful here)</p> <ul style="list-style-type: none">o Add, “Law enforcement is required to ask for your firearms.” This is necessary to remind law enforcement and to avoid a situation where law enforcement does not ask and the subject retains access to firearms unnecessarily, putting themselves and others at risk.o This order lasts for 1 to 5 yearso Searched for “at the scene” should be added to address existing confusion about whether “searched for” means searching a database or a physical person or location search.o Warnings section on back: The same information needs to be addressed re: surrendering firearms and ammunition upon request to law enforcement so that the back and the front provide the same, accurate information about the restrained person’s obligations.• GV-009o In number one, please add “and/or Law Enforcement Officer” because the order may be requested under current law by the officer under their name OR under the name of the agency. If the policy is to favor filing under the agency name, that should be addressed through training. Given that the officer’s name is a line on the EPO-002, and at the bottom of this form, it is important to include that here, too.	<p>The committee agrees with this suggestion and has modified its proposal. The translation will be added following Judicial Council approval.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal to add “You must surrender them on request to law enforcement.”</p> <p>The committee discussed this suggestion where the suggestion is to add “and/or law enforcement officer,” the committee included clarifying instructions to the officer that they can file in their name or in the name of the agency that employs them and feels that this language eliminates confusion about filing.</p>

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Protective Orders – GVRO Form Revisions

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Commenter	Position	Comment	Committee Responses
		<ul style="list-style-type: none"> GV-020 - Response to Gun Violence Emergency Protective Order <ul style="list-style-type: none"> Page 15: “Use this form if you do not want the court to extend the Gun Violence Emergency Protective Order for a longer period.” -- “For a longer period” is vague Please indicate that the court can make an order for 1-5 years. We suggest that universally where the forms refer to the duration of the order after hearing. Page 15: The three points at the top under “Use this form if you do not want the court to extend the Gun Violence Emergency Protective Order for a longer period” should be numbered. Do you have to do all three? Make that clear. On the second point (“Fill out this form and take it to the court clerk.”) --- <ul style="list-style-type: none"> There is significant confusion about which clerk and where to take the forms. Consider clarifying language such as : the filing clerk or the filing window at your local court. On the third point (“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 EPO-002.) --- <ul style="list-style-type: none"> Consider replacing “EPO-002” with the name of the form (“Gun Violence Emergency Protective Order”) or including the number and the form. In some cases, two EPOs may be issued (EPO-001 and EPO-002) so additional clarification may be particularly helpful. 	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee discussed this suggestion and appreciates the alternate suggestions but decided to leave the language because the committee members did not see this problem in their courts and each court has a different procedure so changing the language could lead to more confusion rather than less.</p> <p>The committee can revise the form to include the form name and form number for clarity for EPO-002.</p>

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Protective Orders – GVRO Form Revisions

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	Commenter	Position	Comment	Committee Responses
			<ul style="list-style-type: none">o Page 15: “(1.) Requesting Agency” – Confusing re: who the requesting agency is if the officer is named. Change to “Requesting officer and/or agency listed on the original order.”o Page 15: “(2.) Restrained Person... (b.) Your address (If you have a lawyer, give your lawyer’s information. You do not have to give telephone, fax, or e-mail address.)” --- Does that last part (“You do not have to give telephone, fax, or e-mail address) apply if they’re giving their own information, or just if they’re giving their lawyer’s information? It’s unclear.o Page 15: In the box, change the sentence to read, “At the hearing, the court may make an order against you for 1-5 years.”o Page 15: “(3.) Gun Violence Restraining Order. I do not agree that a gun violence restraining order should be issued because...” -- It’s confusing that this language is different from the language at the very top of the form (“Use this form if you do not want the court to extend the Gun Violence Emergency Protective Order for a longer period”). Consider changing to something like “I do not agree that the gun violence restraining order should be extended for 1-5 years...” Also consider adding “(explain)” at the end (as in (4.)).o Page 16: Delete the checkmark box before “Denial, Justification, or Excuse.”	<p>See the answer above regarding law enforcement agency and officer.</p> <p>The committee appreciates the comment but declines to make changes to this item because the protective order forms have uniform language in this section. The Protective Order Working Group, a joint working group of the Civil and Small Claims Advisory Committee and the Family and Juvenile Law Advisory Committee, is undertaking a redesign of the protective order series of forms. This comment will be incorporated into a future proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee appreciates the comment but declines to make changes to this item because this is an optional item for the respondent and the checkbox indicates that they opt to complete this section or not.</p>

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Protective Orders – GVRO Form Revisions

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Commenter	Position	Comment	Committee Responses
		<p>o Page 16: Under “(5.) Surrender of Guns, Ammunition, and Magazines”:</p> <p>☐ 1st sentence -- Change “A Gun Violence Emergency Protective Order (form EPO-002) was issued” to “A Gun Violence Emergency Protective Order (form EPO-002) was issued against you.”</p> <p>☐ 3rd and 4th sentences are repetitive and therefore confusing. Consider swapping them and/or changing 3rd sentence (“You must surrender any of these items in your possession to law enforcement when they ask you to do so”) to “You must surrender any of these items in your possession to law enforcement if and when they ask you to do so.” Consider also deleting “immediate” from the 4th sentence.</p> <p>☐ (b.) “... A copy of the receipt... is attached OR has already been filed with the court” --- consider adding “and the law enforcement agency,” so the second option reads, “has already been filed with the court and the law enforcement agency.”</p> <p>• GV-020-INFO: How Can I Respond to a Gun Violence Emergency Protective Order?</p> <p>o Page 17: Who should ask for a Gun Violence Emergency Protective Order? Eliminate the word “was” from “and was issued by a judicial officer”.</p> <p>o Page 17: Under “Should I go to the court hearing? The sentence should read “Yes. You should go to court on the date listed on the Notice of Court Hearing or Gun Violence Emergency Protective Order (form EPO-002)” (include the name of the form not just the form number)</p>	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee appreciates the comment but declines to make changes to this item because the existing language is less confusing than the proposed language.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p>

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Protective Orders – GVRO Form Revisions

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	Commenter	Position	Comment	Committee Responses
			<ul style="list-style-type: none">o What if I don't obey the emergency protective order should include the following: "You may also be prohibited for a longer period of time from having access to firearms."o What if I don't agree with what the order says? Consider changing it to "What if I don't want the order extended?" Then, "The order cannot be changed until the hearing. If you do not want the court to extend the order for 1-5 years, fill out...."o Should I go to the court hearing? Delete for up to five years and insert for 1-5 years. Same with "How long does the order last?" <ul style="list-style-type: none">• GV-030: Gun Violence Restraining Order After Hearing on EPO-002<ul style="list-style-type: none">o Requesting Agency or Officer should be included in #1 and 1.a. should say, "Law enforcement agency or officer"o Page 19: Consider adding a box in the Sex category of "Description of Restrained Person" for those who do not identify as male or female.• GV-100: Petition for Gun Violence Restraining Order<ul style="list-style-type: none">o Page 24: Add name of administratoro Add name of employero It might be good to specify what a respondent is the first time it shows up on each form (person to be restrained).	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>See the answer above regarding law enforcement agency and officer.</p> <p>The committee agrees with this suggestion. But this item is pending change until further policy instructions from the Department of Justice (DOJ).</p> <p>The committee does not recommend making these changes because they go beyond the scope of the legislation.</p> <p>The committee declines to make this change because the forms currently use language that is easier to understand.</p>

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Protective Orders – GVRO Form Revisions

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		<ul style="list-style-type: none"> o Venue: what is the venue requirement for GVROs? Could that be explained on an INFO sheet for pro pers who may not be familiar with the rules? o Law enforcement agency or officer • GV-100-INFO: o What is? Add to “It is a court order that prohibits...for a temporary period of time” or “temporarily.” o If you need...refer to the other options for civil restraining orders (workplace, civil harassment, elder abuse) o Add: You may need other local forms. Ask your self-help center or the clerk. (many courts have local cover sheets). o Page 28: It should be noted that any person who regularly resides in the household within the last six months is grouped in under “1. An immediate family member.” This might be confusing for those who have roommates or atypical housing arrangements. Making it its own # might fix this. o Page 28: Under “What do I need to do to get the order?” this might be better as a checklist. o Page 29: Under “How can I convince the judge?”, the form lists the kinds of evidence that could work, but it might be useful to also present the various forms this evidence could take (witnesses, text messages, voicemails, photos, etc.). Right now 	<p>This comment is outside the scope of this proposal, but will be addressed in the future.</p> <p>See the answer above regarding law enforcement agency and officer.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>This information is already included in the form.</p> <p>The committee appreciates the feedback but prefers to leave it in its present form because all of the steps may not be exactly the same for each person and it may create more confusion if it looks like it is mandatory in the form of a checklist.</p> <p>The Protective Order Working Group, a joint working group of the Civil and Small Claims Advisory Committee and the Family and Juvenile Law Advisory Committee, is undertaking a redesign of the information sheets for the</p>

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			<p>this is listed under “Do I need to bring a witness to the hearing?”, but it might fit better when discussing the evidence needed.</p> <ul style="list-style-type: none">o It might be beneficial to include how the process affects the respondent since they are often someone the petitioner cares about. It may be important to note that this is a civil action but if the respondent violates the order they could be charged with a crime. <ul style="list-style-type: none">• GV-109 Notice of Court Hearingo Add officer or agency <ul style="list-style-type: none">o Page 31: 1 “Court fills in these fields” above all three boxes would be helpful <ul style="list-style-type: none">• GV-110 Temporary Gun Violence Restraining Ordero Law enforcement agency or officer <ul style="list-style-type: none">o Page 34: same issue with court address box as page 31o Page 37: if you consent to the order and are willing to give up your access to firearms and ammunition for 1-5 years instead to be more accurate, avoid confusion around the duration and what people are consenting to, and to support court efficiency: if people want to agree to the order, they can now but suggesting it is a permanent relinquishment of firearms rights (which it is not) will make it less likely consent to the order will be perceived as a viable option.	<p>protective order series of forms. This comment will be incorporated into a future proposal.</p> <p>Same response as above.</p> <p>See the answer above regarding law enforcement agency and officer.</p> <p>The standards for Judicial Council forms dictate the format that is currently on the form.</p> <p>See the answer above regarding law enforcement agency and officer.</p> <p>Same response as above.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p>

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		<ul style="list-style-type: none"> • GV-120: Response to Petition for Gun Violence Restraining Order <ul style="list-style-type: none"> o Pg. 39: change “a” to “the” in “if you agree to” at the top of the page o “If you do not agree to THE gun violence restraining order, add “filed against you”, fill out this form and take it to the court clerk.” o Law enforcement agency....and/or OFFICER should be added. o Pg. 39: “If you agree to a gun violence restraining order, use Relinquishment of Firearm Rights (form GV-125)”...add “to tell the court.” o Pg. 40: “You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns, other firearms, ammunition, or magazines 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 form GV-800, Proof of Firearms Turned In, Sold, or Stored for the receipt.” <ul style="list-style-type: none"> ☐ What does “immediate possession or control” mean? ☐ “Other firearms”: What is a firearm other than a gun? ☐ Licensed gun dealer in state of filing? Which law enforcement agency? ☐ Does “may use” indicate that GV-800 is optional? If so, what suffices for an acceptable receipt? ☐ How soon must the respondent file a receipt with the court? Can the receipt be filed concurrently 	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>See the answer above regarding law enforcement agency and officer.</p> <p>The committee does not choose to adopt this edit at this time.</p> <p>The committee appreciates the comments and notes that the chosen language follows the language from Penal Code sections 18100 et seq. to provide the required legal warnings to the parties.</p> <p>Penal Code section 18120(b)(5) specifies that the person shall file a receipt within 48 hours after being served with the order.</p>

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			<p>with this form? Must the receipt be attached to this form?</p> <p>o Pg. 40 (check box): “I have turned in my guns, other firearms, ammunition, and magazines to a law enforcement officer or agency, or sold them to or stored them with a licensed gun dealer.”</p> <p>☐ This language mentions the option of turning in to a law enforcement officer--as opposed to agency--for the first time in this form. Preceding paragraph did not include this. Consider adding “officer” above.</p> <p>• GV-120-INFO</p> <p>o Pg. 41: “It is a court order that prohibits someone from having any guns, ammunition, or magazines (any ammunition feeding device).</p> <p>☐ Consider defining all three terms, esp. given the potential confusion over a non-gun firearm as noted above.</p> <p>o Add “temporarily” at the end of the first sentence or else it reads as though it is a permanent order.</p> <p>o Pg. 41: “a coworker who has had regular interactions with you for at least a year...”</p> <p>☐ How is the phrase “regular interactions” defined? Consider putting it in quotes so that people might know it is in the law.</p>	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The Protective Order Working Group is redesigning the information sheets for the protective order series of forms. This comment will be incorporated into a future proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p>

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		<p>o Pg. 41: “What if I don't obey the temporary order? The police can arrest you. You can go to jail and pay a fine.”</p> <p>☐ Add “You could lose access to firearms for a longer period of time.”</p> <p>☐ Under “What if I don’t oppose the Petition”? Change the sentence for clarity and to avoid being inaccurately broad to, “If you agree to give up your access to firearms and ammunition, for the time period...”</p> <p>o Pg. 42: Delete “Yes.” Under, “Yes”, and just start with, “Assume that the person who is asking for the order will attend the hearing. It is probably best not to talk to him or her [replace with “them” unless the judge or that person’s attorney says that you can.”</p> <p>☐ Would replace “him or her” with “them”</p> <p>• GV-125 Change name to “Consent to Gun Violence Restraining Order” for plain language accessibility and understanding and to avoid being unnecessarily broad.</p> <p>- Change first sentence to “...and you want to agree to the order without a court hearing.”</p> <p>- Use “filing clerk” instead of court clerk (people may get confused with courtroom clerk otherwise)</p> <p>- Petitioner needs to include officer in addition to agency since it can be filed by either</p> <p>-</p>	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee appreciates this comment and agrees with your suggestion and has incorporated it with a minor change to make the title of GV-125 “Consent to Gun Violence Restraining Order and Surrender of Firearms” to convey the impact of the form.</p> <p>The committee agrees with this suggestion and has modified its proposal. See answer above.</p> <p>See the answer above regarding law enforcement agency and officer.</p>

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	Commenter	Position	Comment	Committee Responses
			<ul style="list-style-type: none">• GV-130 Gun Violence Restraining Order After Hearing or [change to “On Consent to Order”]<ul style="list-style-type: none">o Add option for those not using Male or Femaleo Page 2: On c and d, change name of form to Consent to Order.• GV-610-Notice of Hearing on Request to Terminate Gun Violence Restraining Order<ul style="list-style-type: none">o Pg. 52- Does the court fill in the middle box for the court name and address(same with case number box below) or does the petitioner need to? Unclear if it is part of Section 1 and 2 that must be filled out petitioner, especially with the box above which is to be filled out by the clerk. Additionally, if needs to be filled out by petitioner, where can case number be found?• GV-620<ul style="list-style-type: none">o Add officer at top line (not just agency) – same with GV-630 and GV-700 and everywhere agency is without officer as it can still be filed under officer or agency name.o Pg. 54-2. Does the petitioner use the address provided by the respondent on form GV-610? Maybe state this explicitly, “Address provided by the respondent in form GV-610 Section 1c.”	<p>See answer above.</p> <p>See answer above.</p> <p>The current instructions are consistent with Judicial Council form standards. The Protective Order Working Group, a joint working group of the Civil and Small Claims Advisory Committee and the Family and Juvenile Law Advisory Committee, is undertaking a redesign of the protective order forms. This comment will be incorporated into that discussion.</p> <p>See the answer above regarding law enforcement agency and officer.</p> <p>The committee chooses to keep the current item as is. This item seeks to obtain information from the Petitioner if they have a different address for the Respondent.</p>
5.	Joint Rules Subcommittee (JRS), on behalf of the Trial Court Presiding Judges Advisory Committee (TCPJAC) and the Court Executives Advisory Committee (CEAC)	AM	<p>EPO-002-include form number on bottom right corner.</p> <p>GV-020-In the hearing box, remove “one year” and replace with “up to five years.”</p>	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The forms have been revised to state between one to five years.</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

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Protective Orders – GVRO Form Revisions

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

	Commenter	Position	Comment	Committee Responses
			GV020 INFO under “What if I don’t obey the emergency protective order?” Recommend “You can go to jail and/or pay a fine.”	Other changes have been made to this section to add more information.
			GV-020-INFO paragraph starting “The person who serves the form must fill out a Proof”	The committee agrees with this suggestion and has modified its proposal.
			GV-020-INFO page 2, first paragraph, remove “But.” Sentence should start “If possible, you...”	The committee agrees with this suggestion and has modified its proposal.
			GV-030-Since courts are leaning toward gender neutrality, should the M and F in the box be removed, or should we include a box for “non-binary.”	See answer above regarding DOJ policy.
			GV-030 page 4, first paragraph, should read “firearm, ammunition, or magazine for a period of up to five years.”	The committee agrees with this suggestion and has modified its proposal.
			GV-100-page 1, #1a-Your full name... Page 1, “I am... 4 and 5 boxes are asking for approval of the employer/school to file, what must be submitted showing “approval?”	Assembly Bill 61 (Stats. 2019, ch. 725) did not dictate what must be submitted to show “approval” for filing by an employer or a school. This is up to judicial discretion.
			Page 1, #2, since the “gender” is on the GV-130, should be include an option for male, female and non-binary?	See answer above regarding DOJ policy.
			GV-100 INFO-page 1, 2nd paragraph, we recommend changing language to “You can ask for one if you regularly have contact with the parson you think is dangerous as:”	The committee does not recommend this change because it does not exactly track the language of the statute.

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Protective Orders – GVRO Form Revisions

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	Commenter	Position	Comment	Committee Responses
			GV-100 INFO page 2, 2nd paragraph, “...make an order that will last one to five years.”	The committee agrees with this suggestion and has modified its proposal.
			GV-100 INFO page 2, 8th paragraph, remove “Then...” Paragraph should start You will also need to ...”	The committee agrees with this suggestion and has modified its proposal.
			GV-110-page 1, #2, either remove the gender options or add an option for “non-binary.”	See answer above regarding DOJ policy.
			GV-110 page 2, #4c, move “and/or for the...” should be moved up a line for continuous flow.	The committee agrees with this suggestion and has modified its proposal.
			GV-110, page 3, add a space between the 2 paragraphs at the bottom. Add in last paragraph “...firearm, ammunition, or magazine for a period up to five years.”	The committee agrees with this suggestion and has modified its proposal.
			GV-110, page 5 last paragraph, we recommend should read “The provisions in any other existing protective order(s) remain in effect.”	The committee agrees with this suggestion and has modified its proposal.
			GV-120, page 1 in hearing box, we recommend changing sentence to “Be prepared to tell the court at the hearing why you don’t agree.”	The committee agrees with this suggestion and has modified its proposal.
			GV-120-INFO, page 1 paragraph 1, remove “he or she” and replace with “they.”	This is already revised on the form.
			GV-120-INFO, we recommend changing language from What if I don’t oppose the Petition? To What if I don’t agree with the Petition?	The committee prefers the language that is on the form.
			GV-120-INFO, page 2, 3rd paragraph, should read “for up to five years without...”	This language has been changed to be consistent with the statutory language.

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Protective Orders – GVRO Form Revisions

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	Commenter	Position	Comment	Committee Responses
			GV-120-INFO, page 2, first paragraph in 2nd column, remove “him or her” and replace with “them.”	The committee agrees with this suggestion and has modified its proposal.
			GV-125 page 1, bullet 3, remove “to oppose a gun violence restraining order.” And replace with “to tell the court why.”	The committee agrees to add the suggested language because it is more descriptive but also opts to keep the current language.
			GV-130, page 1, #2, remove options for gender or include “non-binary.”	See answer above regarding DOJ policy.
			GV-130, page 2, #5c, move “and/or for the reasons...” to follow this Order (line above)	The committee agrees with this suggestion and has modified its proposal.
			Page 12 of 12 GV-130, page 5, last paragraph, we recommend removing last line and replacing with “The provisions in any other existing protective order(s) remain in effect.”	The committee agrees with this suggestion and has modified its proposal.
			GV-610, page 2 last paragraph before Judicial Officer signature line, third sentence, “Take the completed proof of service form...”	The committee agrees with this suggestion and has modified its proposal.
			GV-630, page 1, because #4 is broken up on 2 pages, we recommend putting the entire “Findings” on one page. Having the last paragraph end with “and” and then continue on to the 2nd page reads awkwardly.	The committee agrees with the commenter’s reasoning, but space constraints prevent making this edit.
			GV-710, page 2, for consistency, #4, last box, remove “attorney” and replace with “lawyer.”	The committee agrees with this suggestion and has modified its proposal.

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Protective Orders – GVRO Form Revisions

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		<p>Request for Specific Comment In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:</p> <p>1. Does the proposal appropriately address the stated purpose? • Yes.</p> <p>2. Are the forms easy for users, especially self-represented litigants, to understand? • Yes.</p> <p>3. Do you have any suggestions for improving their usability or readability? • No additional comments beyond our recommendations above.</p> <p>The advisory committee also seeks comments from courts on the following cost and implementation matters:</p> <p>4. 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? • Update procedure, update case management codes, training for clerical, supervisors, Judicial Assistants and Judicial Officers. Training estimate is 8 hours.</p> <p>5. Would three months from Judicial Council approval of this proposal until its effective</p>	<p>The committee appreciates the responses to the specific questions below.</p> <p>No response required.</p> <p>No response required.</p> <p>No response required.</p> <p>No response required.</p>
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Protective Orders – GVRO Form Revisions

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	Commenter	Position	Comment	Committee Responses
			date provide sufficient time for implementation? • Yes, this would be adequate.	No response required.
6.	Geri Lafferty Individual	NI	Thank you for considering my comments. I am concerned that Relinquishment of Firearm Rights will set off an explosion of people citing that this encroaches on their Second Amendment rights. How about: Consent to Gun Violence Restraining Order? It more realistically describes the order.	The committee appreciates this comment and agrees with your suggestion and has incorporated it with a minor change to make the title of GV-125 “Consent to Gun Violence Restraining Order and Surrender of Firearms” to convey the impact of the form.
7.	Los Angeles City Attorney’s Office By Amanda Wong, Deputy City Attorney	A	Generally agree with changes with a few comments: GV-110 Item 6(b)(1) - recommend changing proposed language "If a law enforcement officer orders you to surrender all of your firearms and ammunition, including magazines, to the officer, you must do so immediately" to "If a law enforcement officer orders you to surrender all your firearms and ammunition, including magazines, you must immediately surrender them to the officer." The current language is slightly ambiguous and open to interpretation as law enforcement officers may interpret the language as currently phrased to permit them to: (1) serve but do not request surrender of firearms; (2) serve and request surrender, but when subject refuses, they advise them to surrender to law enforcement or firearms dealer within 24 hours; or (3) serve but never request immediate surrender of firearms and inform the subject they may surrender firearms within 24 hours to law enforcement or firearms dealer.	The committee agrees with this suggestion and has modified its proposal.

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	Commenter	Position	Comment	Committee Responses
			GV-100 and GV-110 Items 8 and 5 - What is the legal authority for sheriff serving for free? Have had some feedback that sheriff can charge \$35 service fee.	Senate Bill 1200 (Stats. 2018, ch. 898), amended Government Code section 6103.2 to add GVRO's to the list types of orders that are served without a fee. This service is added to the types of service for which sheriffs are to be reimbursed by the court.
8.	Los Angeles County Counsel By Alyssa Skolnick Deputy County Counsel	AM	On behalf of the Los Angeles Department of Children and Family Services Our only suggestion would be to modify the term "Restrained Person" to "Person to be Restrained". It's thought that some of our clients who might be applying for GVRO might find the form to be confusing. If an individual is just starting the process of applying for a GVRO, they might get confused by the term "Restrained Person" as no one has been restrained yet. As such, changing the term "Restrained Person" to "Person to be Restrained" might make it easier for an applicant to understand the form.	"Person to be Restrained" is currently used on all forms that are prior to a restraining order. After an order is issued, then the forms refer to "Restrained Person."
9.	Orange County Bar Association By Scott B. Garner, President	A	* The commenter indicates agreement.	No response required.
10.	Orange County Superior Court Civil and Appellate Division Management and Analyst Team, Superior Court of California, County of Orange	AM	Does the proposal appropriately address the stated purpose? The proposal does appropriately address the stated purpose. It is clear that these forms are being used to comply with Assembly Bills 61 and 1493. However, there is a typo that states "effective September 1, 2010," when the forms state "2020." This should be addressed.	The committee appreciates the responses to the specific questions below. No response required.

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	Commenter	Position	Comment	Committee Responses
			<p>As for the proposal itself, the categorization of the new forms and what assembly bill the category is addressing makes the proposal very clear and organized.</p> <p>Are the forms easy for users, especially self-represented litigants, to understand? Yes, the forms are at an appropriate reading level.</p> <p>Do you have any suggestions for improving their usability or readability? Yes. Page 3 of the GV-100-INFO shows an image of the GV-109. The line coming down across the page makes it seem like it should be disregarded. I would instead circle or draw an arrow where the date is entered for clarity.</p> <p>Yes, for GV-120-INFO, the included questions would indeed help a litigant or party in understanding what a restraining order is. However, there should be an additional sheet detailing the case flow of the order. Both parties (the respondent and petitioner) should know the steps of the filed protective order, and the subsequent hearings that will potentially follow.</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?</p>	<p>The committee appreciates this feedback.</p> <p>The Protective Order Working Group is undertaking a redesign of the information sheets for the protective order series of forms. This comment will be incorporated into a future proposal.</p> <p>Same answer as above.</p>

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	Commenter	Position	Comment	Committee Responses
			<p>The implementation requirements for the court include training of courtroom clerks and case processing staff. Procedures would need to be revised to reflect the new titles. New filings would need to be added to the case management system and tested for validation prior to deployment. The approximate level of effort is estimated at 8 hours FTE by a Program Coordinator Specialist over approximately one month to test filing types, revise procedures, approve through workflow, train and implement.</p> <p>Implementation requirements of these new forms would be training for Legal Processing Specialists and Courtroom Clerks. Staff would need to be familiar with the new filing type (a new type would also need to be created in our case management system) and be informed of the revisions. Aside from the new filing type, courtroom staff would simply need to be notified of the minor changes regarding who are qualified petitioners/filers. Also, procedures would need to be changed reflecting the new file type and filing form names.</p> <p>Would two months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p>Because of the multiple forms being revised, multiple procedures would be affected. Moreover, reference sheets and informational packets to the public will need to be created. A minimum of 3 months would be needed for needed development and supervisor approval. More time would be preferable for implementation of this proposal, if that were possible.</p>	<p>The committee appreciates this useful information about implementation procedures.</p> <p>The committee appreciates the information about implementation. The timeframe from Judicial Council approval until the effective date will provide three months of time for implementation.</p>

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W20-133**Protective Orders – GVRO Form Revisions**

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	Commenter	Position	Comment	Committee Responses
			<p>How well would this proposal work in courts of different sizes?</p> <p>The revised protective order forms would have an equal impact for courts of all sizes.</p>	The committee appreciates the useful feedback.
11.	Superior Court of California, County of Los Angeles By Bryan Borys	AM	<p>EPO-002-include form number on bottom right corner.</p> <p>GV-020-In the hearing box, remove “one year” and replace with “up to five years.”</p> <p>GV020 INFO under “What if I don’t obey the emergency protective order?” Recommend “You can go to jail and/or pay a fine.”</p> <p>GV-020-INFO paragraph starting “The person who serves the form must fill out a Proof”</p> <p>GV-020-INFO page 2, first paragraph, remove “But.” Sentence should start “If possible, you...”</p> <p>GV-030-Since courts are leaning toward gender neutrality, should the M and F in the box be removed, or should we include a box for “non-binary.”</p> <p>GV-030 page 4, first paragraph, should read “firearm, ammunition, or magazine for a period of up to five years.”</p> <p>GV-100-page 1, #1a-Your full name...</p>	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>Other changes have been made to this section to add more information.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p> <p>See answer above regarding DOJ policy.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p>

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	Commenter	Position	Comment	Committee Responses
			Page 1, “I am... 4 and 5 boxes are asking for approval of the employer/school to file, what must be submitted showing “approval?”	Assembly Bill 61 (Stats. 2019, ch. 725) did not dictate what must be submitted to show “approval” for filing by an employer or a school.
			Page 1, #2, since the “gender” is on the GV-130, should be include an option for male, female and non-binary?	See answer above regarding DOJ policy.
			GV-100 INFO-page 1, 2 nd paragraph, we recommend changing language to “You can ask for one if you regularly have contact with the person you think is dangerous as:”	The committee does not recommend making this revision because it does not exactly track the statute.
			GV-100 INFO page 2, 2 nd paragraph, “...make an order that will last one to five years.”	The committee agrees with this suggestion and has modified its proposal.
			GV-100 INFO page 2, 8 th paragraph, remove “Then...” Paragraph should start You will also need to ...”	The committee agrees with this suggestion and has modified its proposal.
			GV-110-page 1, #2, either remove the gender options or add an option for “non-binary.”	See answer above regarding DOJ policy.
			GV-110 page 2, #4c, move “and/or for the...” should be moved up a line for continuous flow.	The committee agrees with this suggestion and has modified its proposal.
			GV-110, page 3, add a space between the 2 paragraphs at the bottom. Add in last paragraph “...firearm, ammunition, or magazine for a period up to five years.”	The committee agrees with this suggestion and has modified its proposal.
			GV-110, page 5 last paragraph, we recommend should read “The provisions in any other existing protective order(s) remain in effect.”	The committee agrees with this suggestion and has modified its proposal.

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	Commenter	Position	Comment	Committee Responses
			GV-120, page 1 in hearing box, we recommend changing sentence to “Be prepared to tell the court at the hearing why you don’t agree.”	The committee agrees with this suggestion and has modified its proposal. The same instructions appear on GV-020 and the committee has made the same revision on that form.
			GV-120-INFO, page 1 paragraph 1, remove “he or she” and replace with “they.”	This is already revised on the form.
			GV-120-INFO, we recommend changing language from What if I don’t oppose the Petition? To What if I don’t agree with the Petition?	The committee prefers the language that is on the form.
			GV-120-INFO, page 2, 3 rd paragraph, should read “for up to five years without...”	This language has been changed to be consistent with the statutory language.
			GV-120-INFO, page 2, first paragraph in 2 nd column, remove “him or her” and replace with “them.”	The committee agrees with this suggestion and has modified its proposal.
			GV-125 page 1, bullet 3, remove “to oppose a gun violence restraining order.” And replace with “to tell the court why.”	The committee agrees to add the suggested language to read, “If you do not agree to a gun violence restraining order, use <i>Response to Petition for Gun Violence Restraining Order</i> (form GV-120) to tell the court you oppose a gun violence restraining order.”
			GV-130, page 1, #2, remove options for gender or include “non-binary.”	See answer above regarding DOJ policy.
			GV-130, page 2, #5c, move “and/or for the reasons...” to follow this Order (line above)	The committee agrees with this suggestion and has modified its proposal.

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	Commenter	Position	Comment	Committee Responses
			GV-130, page 5, last paragraph, we recommend removing last line and replacing with “The provisions in any other existing protective order(s) remain in effect.”	The committee agrees with this suggestion and has modified its proposal.
			GV-610, page 2 last paragraph before Judicial Officer signature line, third sentence, “Take the completed proof of service form...”	The committee agrees with this suggestion and has modified its proposal.
			GV-630, page 1, because #4 is broken up on 2 pages, we recommend putting the entire “Findings” on one page. Having the last paragraph end with “and” and then continue on to the 2 nd page reads awkwardly.	The committee agrees with the commenter’s reasoning, but space constraints prevent making this edit.
			GV-710, page 2, for consistency, #4, last box, remove “attorney” and replace with “lawyer.”	The committee agrees with this suggestion and has modified its proposal.
			Request for Specific Comment In addition to comments on the proposal as a whole, the advisory committee is interested in comments on the following:	The committee appreciates the responses to the specific questions below.
			• Does the proposal appropriately address the stated purpose? Yes.	No response required.
			• Are the forms easy for users, especially self-represented litigants, to understand? Yes.	No response required.

Positions: A = Agree; AM = Agree if modified; N = Do not agree; NI = Not indicated

W20-133**Protective Orders – GVRO Form Revisions**

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	Commenter	Position	Comment	Committee Responses
			<p>• Do you have any suggestions for improving their usability or readability?</p> <p>No additional comments beyond our recommendations above.</p> <p>The advisory committee also seeks comments from <i>courts</i> on the following cost and implementation matters:</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?</p> <p>Update procedure, update case management codes, training for clerical, supervisors, Judicial Assistants and Judicial Officers. Training estimate is 8 hours.</p> <p>• Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation?</p> <p>Yes, this would be adequate.</p>	<p>No response required.</p> <p>No response required.</p> <p>No response required.</p>
12.	Superior Court of California, County of San Diego By Mike Roddy, Executive Officer	AM	<p>Does the proposal appropriately address the stated purpose?</p> <p>Yes.</p>	<p>The committee appreciates the comments to this proposal.</p> <p>No response required.</p>

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	Commenter	Position	Comment	Committee Responses
			<p>Are the forms easy for users, especially self-represented litigants, to understand? Yes.</p> <p>Do you have any suggestions for improving their usability or readability? See General Comments.</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? Updating internal procedures, training staff, and adding filing for new GV-125 form to case management system.</p> <p>Would three months from Judicial Council approval of this proposal until its effective date provide sufficient time for implementation? Yes, provided the final version of the forms are provided to the courts at least 30 days prior to the effective date. This will give courts sufficient time to update their procedures, configure local packets, order printed stock, and distribute revised EPO-002s, which are printed in triplicate, to local law enforcement agencies.</p> <p>How well would this proposal work in courts of different sizes? It appears that the proposal would work for courts of all sizes.</p>	<p>No response required.</p> <p>No response required.</p> <p>No response required.</p> <p>Thank you for the response. This is useful information for the Judicial Council to understand about implementation.</p> <p>No response required.</p>

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	Commenter	Position	Comment	Committee Responses
			<p>GENERAL COMMENTS:</p> <p>GV-130, page 5 Enforcing This Order: The third bullet should refer to item 8a. The form does not contain an item 9a.</p> <p>EPO-002: Request to make address of restrained party a mandatory field and require a mailing address if no physical address. Add additional line for the address of the law enforcement agency—this is to ensure a complete address is given so, the clerk can accurately complete service of hearing date.</p>	<p>The committee agrees with this suggestion and has modified its proposal.</p> <p>The committee agrees with this suggestion and has modified its proposal.</p>
13.	Mrs. Kath Tsakalakis	N	The proposal for GV-125 title should be changed to “Consent to Gun Violence Restraining Order.” It should not refer to “Relinquishment of Firearm Rights.” The person is only consenting to a restraining order that would apply for a limited time - they are not giving up their firearm rights, this makes it sound like a sweeping statement, in perpetuity. Thank you.	The committee appreciates your comment and agrees with your suggestion and has incorporated it with a minor change to make the title of GV-125 “Consent to Gun Violence Restraining Order and Surrender of Firearms” to convey the impact of the form.

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