



Judicial Council of California

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January 19, 2024

Subject Text

Meeting materials
are available through

File #: 20-133, Version: 1

Title

Rules and Forms | Protective Orders: Duration and Categories of Petitioners for Gun Violence Restraining Orders; Relinquishment of Firearm Rights (Action Required)

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, 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, allows an employer, coworker, or school administrator or teacher of a person believed to be dangerous to file a petition requesting a GVRO; and Assembly Bill 1493, 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)*