



Judicial Council of California

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Subject Text

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File #: 19-088, Version: 1

Title

Rules and Forms | Restraining Orders: Senate Bill 1200 Hearing Requirement for Gun Violence Restraining Orders (Action Required)

Summary

The Civil and Small Claims Advisory Committee recommends adopting two mandatory and approving three optional gun violence restraining order (GVRO) forms and revising four current GVRO forms to facilitate courts and parties in complying with the new hearing requirement in Penal Code section 18148. The proposal also revises the current GVRO forms relating to a restrained party providing proof of the surrender or sale of firearms, ammunition, and magazines to more clearly reflect the statutory provisions.

Recommendation

The Civil and Small Claims Advisory Committee recommends that the Judicial Council, effective September 1, 2019:

1. Adopt the following mandatory forms to implement the new hearing requirement in Penal Code section 18148:
 - Form GV-020, *Response to Gun Violence Emergency Protective Order*;
 - Form GV-030, *Gun Violence Restraining Order After Hearing on EPO-002*;
2. Approve the following optional forms to implement the new hearing requirement:
 - Form GV-009, *Notice of Court Hearing*;
 - Form GV-020-INFO, *How Can I Respond to a Gun Violence Emergency Protective Order*;
 - Form GV-025, *Proof of Service by Mail*;
3. Revise the following forms to add complete instructions for persons turning in guns, ammunition, and magazines pursuant to a gun violence restraining order:
 - Form GV-800, *Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored*;
 - Form GV-800-INFO, *How Do I Turn In, Sell, or Store My Firearms, Ammunition, and Magazines?*; and
4. Revise form EPO-002, *Gun Violence Emergency Protective Order*, and form GV-200, *Proof of Personal Service*.