

# **WORKPLACE VIOLENCE**

## **Civil Law**

### **- Packet A -**

#### **Forms Instructions for Your First Workplace Violence Hearing**

What you will find in this packet:

- **Interpreter Request** (MC-300e&s)
- **How Do I Get an Order to Prohibit Workplace Violence?** (WV-100-INFO)
- **Instructions - After Your Application Has Been Signed You Must:** (WV-150a-INFO)

***You Can Get Court Forms FREE at: [www.cc-courts.org/forms](http://www.cc-courts.org/forms)***

## Superior Court of California, County of Contra Costa

<input type="checkbox"/> <b>MARTINEZ</b> Wakefield Taylor Courthouse 725 Court Street Martinez, CA 94553	<input type="checkbox"/> <b>MARTINEZ</b> Spinetta Family Law Bldg 751 Pine Street Martinez, CA 94553	<input type="checkbox"/> <b>MARTINEZ</b> A.F. Bray Building 1020 Ward Street Martinez, CA 94553	<input type="checkbox"/> <b>PITTSBURG</b> Arnason Justice Center 1000 Center Drive Pittsburg, CA 94565	<input type="checkbox"/> <b>RICHMOND</b> Carroll Courthouse 100 37 <sup>th</sup> Street Richmond, CA 94805	<input type="checkbox"/> <b>WALNUT CREEK</b> 640 Ygnacio Valley Road Walnut Creek, CA 94596
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### Interpreter Request

If you need an interpreter, please complete the form below and submit it to the Filing Window Clerk in the Martinez, Pittsburg, Richmond, or Walnut Creek courthouse.

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

#### Case Type:

- |   |  |
|---|--|
| <input type="checkbox"/> Criminal                                 | <input type="checkbox"/> Juvenile          |
| <input type="checkbox"/> Traffic                                  | <input type="checkbox"/> Family Law        |
| <input type="checkbox"/> Civil Harassment                         | <input type="checkbox"/> Unlawful Detainer |
| <input type="checkbox"/> Conservatorship                          | <input type="checkbox"/> Guardianship      |
| <input type="checkbox"/> Proceedings to terminate parental rights | <input type="checkbox"/> Elder Abuse       |
| <input type="checkbox"/> Dependent Adult Abuse                    |  |

Party Requesting Interpreter: \_\_\_\_\_

Phone Number(s) where party can be reached: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_ Time of Hearing: \_\_\_\_\_

Department: \_\_\_\_\_ Location: ☐ Martinez ☐ Pittsburg ☐ Richmond ☐ Walnut Creek

Language Needed: ☐ Spanish ☐ Mandarin ☐ Cantonese ☐ Vietnamese

☐ Other: \_\_\_\_\_

To avoid the risk that your hearing will have to be postponed, please submit this form a minimum of one week in advance.

Current information about this program is available at our website:

[www.cc-courts.org/interpreter](http://www.cc-courts.org/interpreter)

## Superior Court of California, County of Contra Costa

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### Formulario Para Pedir un Intérprete

Si necesita un intérprete, favor de rellenar el formulario siguiente y presentarlo en la ventanilla para archivar documentos en la corte de Martinez, Pittsburg, Richmond o Walnut Creek.

Número de Caso: \_\_\_\_\_

#### Tipo de Caso:

- |  |  |
|--|--|
| <input type="checkbox"/> Criminal                                      | <input type="checkbox"/> Juvenil                   |
| <input type="checkbox"/> Tráfico                                       | <input type="checkbox"/> Casos de Familia          |
| <input type="checkbox"/> Acoso Civil                                   | <input type="checkbox"/> Juicio de Desalojo        |
| <input type="checkbox"/> Conservador                                   | <input type="checkbox"/> Tutela                    |
| <input type="checkbox"/> Casos para Terminar Derechos de Madre o Padre | <input type="checkbox"/> Abuso de Personas Mayores |
| <input type="checkbox"/> Abuso de Adultos Incapacitados                |  |

Persona que Necesita Intérprete: \_\_\_\_\_

Número Telefónico: \_\_\_\_\_

Fecha de la Audiencia Judicial: \_\_\_\_\_ Hora de Comienza: \_\_\_\_\_

Departamento: \_\_\_\_\_ Ciudad: ☐ Martinez ☐ Pittsburg ☐ Richmond ☐ Walnut Creek

Idioma Solicitado: ☐ Español ☐ Mandarín ☐ Cantonés ☐ Vietnamita

☐ Otro Idioma: \_\_\_\_\_

Para evitar la posibilidad que su audiencia judicial sea aplazada, favor de presentar este formulario lo mínimo una semana antes de la fecha de su audiencia.

Información actual acerca de este servicio se encuentra en nuestra página web:

[www.cc-courts.org/interpreter](http://www.cc-courts.org/interpreter)

**These instructions cannot cover all of the questions that may arise in a particular case. If you do not know what to do to protect your rights, you should see a lawyer.**

### **What is a workplace violence protective order?**

Under California law (Code Civ. Proc., § 527.8), courts can make orders to protect an employee from suffering harassment, unlawful violence, or credible threats of violence at the workplace.

The court can order a person not to:

- Harass or threaten an employee;
- Contact or go near an employee; and
- Have any firearms (guns), firearm parts, ammunition, or body armor. This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531).

For more information about the items a restrained person cannot have, please see [selfhelp.courts.ca.gov/restraining-orders/prohibited-items](https://selfhelp.courts.ca.gov/restraining-orders/prohibited-items).

These orders will be enforced by law enforcement agencies.

### **Who can get a workplace violence protective order?**

**Employers** can obtain court orders prohibiting harassment, unlawful violence, or credible threats of violence against their employees. An employer is defined as:

- Every person engaged in any business or enterprise in this state that has one or more persons in service under any appointment, contract of hire, or apprenticeship, express or implied, oral or written, irrespective of whether such person is the owner of the business or is operating on a concessionaire or other basis. (Lab. Code, § 350(a).)
- A federal, state, or local public agency; a city, county, district, or public corporation. (Code Civ. Proc., § 527.8(b)(3).)

**Collective Bargaining Representatives** can also obtain orders prohibiting harassment, unlawful violence, or credible threats of violence against employees. In order to bring a petition for an order under this law, the collective bargaining representative must serve as a collective bargaining representative for that employee in employment or labor matters at the employee's workplace.

Before completing the forms needed to obtain court orders under this statute, make certain you meet the definitions of "employer" or "collective bargaining representative" as defined above.

The statute differs from other California laws that allow victims of harassment, unlawful violence, or credible threats of violence to ask the court for these orders **themselves**. If anyone other than the employer or the collective bargaining representative wishes to apply to the court for an order prohibiting harassment, see *Can a Civil Harassment Restraining Order Help Me?* (form [CH-100-INFO](#)).

### **Who can an employer or collective bargaining representative protect under this law?**

Under this statute, an employer or collective bargaining representative can obtain a court order that lasts up to three years on behalf of an employee. The order can also protect certain family or household members of the employee and other employees at the employee's workplace or at other workplaces of the employer.

**Note:** Before filing a petition, an employer or collective bargaining representative of an employee must provide the employee who has suffered harassment, unlawful violence, or a credible threat of violence from any individual, an opportunity to decline to be named in the restraining order. An employee's request to not be named in the order does not prohibit an employer or collective bargaining representative from seeking a restraining order on behalf of other employees at the workplace, and, if appropriate, other employees at other workplaces of the employer.

California law defines "employees" as:

- Every person, including aliens and minors, rendering actual service in any business for an employer, whether gratuitously or for wages or pay; whether the wages or pay are measured by the standard of time, piece, task, commission, or other method of calculation; and whether the service is rendered on a commission, concessionaire, or other basis. (Lab. Code, § 350(b).)
- Members of boards of directors and public officers.
- Volunteers or independent contractors who perform services for the employer at the employer's work site.

The “respondent” is the person against whom the employer or collective bargaining representative is requesting the protective order.

An employer may seek protection under this law if:

1. An employee has suffered harassment, unlawful violence, or a credible threat of violence from any individual;
2. The unlawful violence was carried out in the workplace, or the threat of violence can reasonably be construed to be carried out in the workplace;
3. The respondent’s conduct is not allowable as part of a legitimate labor dispute as permitted by Code of Civil Procedure section 527.3; and
4. The respondent is not engaged in constitutionally protected activity.

### What forms must be used to get the order?

1. *Petition for Orders Workplace Violence Restraining Orders (Petition)* (form [WV-100](#)). This form tells the judge the facts of the petitioner’s case and what orders the petitioner wants the court to make.
2. *Confidential Information for Law Enforcement* (form [CLETS-001](#)). This form will provide law enforcement agencies with the information needed to enforce any orders that are granted.
3. *Notice of Court Hearing* (form [WV-109](#)). This form tells the parties when the hearing on the petition will be held.
4. *Temporary Restraining Order (TRO)* (form [WV-110](#)). A TRO can be issued to provide protection to the employee until the hearing is held. It can be issued by the judge either with or without notice to the respondent.
5. *Workplace Violence Restraining Order After Hearing (Order)* (form [WV-130](#)). This is the form signed by the court following the hearing. The order can last for up to three years depending on what the judge rules.

These forms are all **mandatory**—that is, they must be used in the workplace violence prevention proceeding.

6. *Proof of Personal Service* (form [WV-200](#)). This form is used to show that the other party has been **served** with the petition and other forms as required by law.

### Where can I get these forms?

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

### Do I need a lawyer?

The employer or collective bargaining representative may be represented by a lawyer, but one is not required by law unless an employer that is a corporation is the petitioner. Because the employer’s or union’s lawyer will generally be representing the interests of the employee, the employee usually does not need his or her own lawyer. Whether or not the employer or collective bargaining representative has a lawyer, the respondent may have one.

### What steps are needed to get the court orders?

1. Fill in the **Petition** (form WV-100) completely and fill in items 1–3 of the *Notice of Court Hearing* (form WV-109). If you are seeking a **TRO**, also fill out form WV-110.
2. If you are seeking orders based on information from others and not based on what you have personally observed, you **must** have each of those persons complete a declaration to attach to the **Petition** (form WV-100). You may use form [MC-031](#), *Attached Declaration*.
3. Fill in *Confidential Information for Law Enforcement* (form CLETS-001) with as much information as you know. If the judge grants the order, the information on this form will be entered into a statewide protective-order database that will be available to law enforcement agencies if the order needs to be enforced.
4. If you are applying for a **TRO**, fill out form WV-110 completely. The petition and the declarations must give the details of the recent acts of harassment, violence, or credible threats of violence and the problems they have caused.

To obtain a **TRO**, you must notify the respondent of the request for the temporary order unless both of the following requirements are satisfied:

- a. It appears from facts shown on the petition that great or irreparable injury will result before the matter can be heard on notice; and



- b. You or your attorney certifies one of the following to the court under oath:
- (1) That within a reasonable time before presenting the petition to the court to ask for a TRO, you informed the respondent or the respondent's attorney when and where the request for a TRO would be made;
  - (2) That you in good faith attempted but were unable to inform the respondent and the respondent's attorney, specifying the efforts made to contact them; or
  - (3) That for reasons specified, you should not be required to inform the respondent or the respondent's attorney.
5. Take your original completed forms and copies to the clerk's office at the court. You will need multiple copies: one for you, one for each person to be protected, and one to serve on the respondent. Each protected person will need a copy of the **TRO** if it is necessary to call the police. The clerk will file the originals, assign a case number, and return the copies "file-stamped" to you. The clerk will write your hearing date on the *Notice of Court Hearing* (form WV-109).
6. If you are seeking a **TRO** (form WV-110), the clerk will tell you where and how to present your proposed order to a judge for consideration and signature. The court will decide within 24 hours whether or not to make the order. Sometimes the court decides right away. Ask the clerk if you should wait or come back later. If your request for a **TRO** is granted while you are still at the court, take the signed original back to the clerk to be filed.
7. If a **TRO** has been issued, ask the clerk whether you or your lawyer will need to deliver a file-stamped copy of the **TRO** to each law enforcement agency (police, marshal, or sheriff's office) that might be called on to enforce the order. If so, do so immediately.
8. If a person to be protected by the order does not speak English, when you file your papers, ask the clerk if a court interpreter is available. You can also use form [INT-300, Request for Interpreter \(Civil\)](#), or a local court form or website to request an interpreter. For more information about court interpreters, go to [selfhelp.courts.ca.gov/request-interpreter](https://selfhelp.courts.ca.gov/request-interpreter).
9. Have the respondent personally **served** with copies of the **Petition** (form WV-100), the *Notice of Court Hearing* (form WV-109), the **TRO** (form WV-110) (if issued), a blank **Response** (form [WV-120](#)), and a blank Proof of Service of Response by Mail (form [WV-250](#)). You **cannot** serve the respondent yourself. Service may be made by a licensed process server, the sheriff's department, or any person 18 years of age or older who is not involved in the case. For help with service, ask the court clerk for form [WV-200-INFO, What Is "Proof of Personal Service"?](#)
- Service is essential. It tells the respondent about the order and the hearing. Without it, there cannot be a court hearing, and your temporary orders will no longer be good unless they are extended by the court. The respondent should be personally served immediately after the orders are signed by the judge, unless the court specifies a different time for service.**
10. After the respondent has been personally **served**, the person who served the respondent must complete and sign the original *Proof of Personal Service* (form WV-200). Take the signed original and copies back to the court clerk. The clerk will file the original and return "file-stamped" copies to you. Ask the clerk whether you should take a file-stamped copy to each law enforcement agency that might be called on to enforce the order. If so, do so immediately.

**If the court issues a TRO, it will last until the hearing date.**



11. Go to court on the date shown at item 4 on the *Notice of Court Hearing* (form WV-109). You do not need to bring any witnesses, but it helps to have more proof of the violence or threats than just one person's word.

You can bring to the hearing:

- Witnesses
- Written statements from witnesses made under oath
- Photos
- Medical or police reports
- Damaged property
- Threatening letters, 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 form [MC-030](#), *Declaration*.)

The respondent has the right to attend the hearing, but he or she does not have the right to speak to the employee or to any other person seeking protection. If anyone is afraid, tell the court officer.

12. If the judge signs the **Order** (form WV-130), ask the clerk to provide you with a file-stamped copy for each person to be protected. Ask the clerk whether you or your attorney will need to deliver a file-stamped copy of the **Order** to each law enforcement agency that might be called on to enforce the order. If so, do so immediately.
13. If the respondent attended the hearing and heard the terms of the **Order** from the court, no additional proof of service is necessary. If the respondent did not attend the hearing, but the **Order** issued is the same as the TRO (except for the termination date), the **Order** may be served on the respondent by mail. File form [WV-260](#), *Proof of Service of Order After Hearing by Mail*. If the respondent did not attend the hearing and the **Order** differs from the TRO, arrange to have him or her personally **served** with a copy of the **Order**. File the completed *Proof of Personal Service* (form [WV-200](#)) with the court. Give a file-stamped copy of the **Order** and proof of service to your employee and to each other protected person. Keep at least one copy for yourself.
14. Once the order is issued, only the judge can change or cancel it. You or the respondent would have to file a request with the court to cancel the order.

WV-109 Notice of Court Hearing		Clerk stamps date here when form is filed.
<b>1 Petitioner (Employer or Collective Bargaining Representative)</b> a. Name: _____ Lawyer for Petitioner (if any for this case): Name: _____ State Bar No.: _____ Firm Name: _____ b. Address (If you have a lawyer, give your lawyer's information.): Address: _____ City: _____ State: _____ Zip: _____ Telephone: _____ Fax: _____ Email Address: _____		Fill in court name and street address: Superior Court of California, County of _____ Fill in case number: Case Number: _____
<b>2 Employee Who Petitioner Asserts Suffered Harassment, Violence, or Threat of Violence</b> Full Name: _____		
<b>3 Respondent (Person From Whom Protection Is Sought)</b> Full Name: _____ The court will complete the rest of this form.		
<b>4 Notice of Hearing</b> A court hearing is scheduled on the request for restraining orders against the respondent: Name and address of court if different from above: _____ Hearing Date: _____ Date: _____ Time: _____ Dept.: _____ Room: _____		
To the person in (3): • If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order. • If you do not attend the hearing, the judge may still grant the restraining order that could last up to five years. After you receive a copy of the order, you could be arrested if you violate the order.		
<small>Judicial Council of California, www.courtinfo.ca.gov            Rev. January 1, 2020, necessary form            Code of Civil Procedure, § 527.8            Approved by DOJ</small>		<b>Notice of Court Hearing</b> <b>(Workplace Violence Prevention)</b> WV-109, Page 1 of 3 →

15. If the respondent does not obey the order, call the police. The respondent can be arrested and charged with a crime.

### What if I have a disability?

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

**Information about the process is also available online.**

See [selfhelp.courts.ca.gov/WV-restraining-order](https://selfhelp.courts.ca.gov/WV-restraining-order)

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

[Local information may be inserted.]

# INSTRUCTIONS

## RESTRAINING ORDERS – WORKPLACE HARASSMENT

Department 57  
725 Court Street, Room 102, Martinez

To have your Workplace Harassment Restraining Order request considered, please take your **completed** paperwork to Department 57, Room 102, during the ex parte hours of **10:00am – 11:00am and return for pick-up at 1:30pm.**

Workplace Harassment Restraining Order requests **are only reviewed and signed during these specific hours.**

### COMPLETE THE FOLLOWING ATTACHED FORMS:

- Petition for Workplace Violence Restraining Orders (WV-100)
- Temporary Restraining Order (WV-110)
- Notice of Court Hearing (WV-109) **\*Top portion only\***

### AFTER YOUR APPLICATION HAS BEEN SIGNED YOU MUST:

1. Take your signed papers to the Clerk's Office, Room 103, to have the paperwork filed immediately.
2. You must now have the defendant served. Anyone over the age of 18, who is NOT a party to the action, may serve the defendant. The defendant must be personally served with a filed copy of the Petition (WV-100), Temporary Restraining Order (WV-110), Notice of Court Hearing (WV-109), a blank Response form (WV-120) with instructions (WV-120-INFO) and a blank Proof of Service of Response by Mail (WV-250) at least five (5) days before the hearing date, unless the court orders a shorter period.
3. You, or anyone else, must deliver the Temporary Restraining Order to the police agencies listed in the Order. Do not give the police a copy of the Petition, just the Temporary Restraining Order.
4. After the defendant has been served with the papers, the person who served the paper **MUST** complete the Proof of Personal Service (WV-200). Please pay particular attention to this form. If it is not correctly filled out, the court cannot proceed on the hearing date. Make sure the person who serves the defendant enters the date, prints his/her name AND signs his/her name at the bottom of the form.
5. The Proof of Personal Service **MUST** be filed prior to the court date (Clerk's office, Room 103). Do not mail it in. If you cannot file the Proof of Service before the court date, bring it with you to the hearing. The Court **CANNOT PROCEED WITHOUT THIS DOCUMENT.**
6. Between now and the hearing date, read all the instructions in the packet of forms. You are responsible for filling out the Order After Hearing that is included in the packet. That document is the final Order (what you have now is a temporary order which will expire on the date of the hearing). Complete the Order prior to the hearing so that it may be signed immediately.



*Superior Court of California, County of Contra Costa*

# **WORKPLACE VIOLENCE**

## **Civil Law**

### **- Packet B -**

#### **Forms for Your First Workplace Violence Hearing**

What you will find in this packet:

- **Petition for Workplace Violence Restraining Orders** (WV-100)
- **Temporary Restraining Order** (WV-110)
- **Confidential Information for Law Enforcement** (CLETS-001)
- **Notice of Court Hearing** (WV-109)

***You Can Get Court Forms FREE at: [www.cc-courts.org/forms](http://www.cc-courts.org/forms)***

## Petition for Workplace Violence Restraining Orders

Clerk stamps date here when form is filed.

Read *How Do I Get an Order to Prohibit Workplace Violence* (form [WV-100-INFO](#)) before completing this form. **NOTE: Petitioner must be an employer with standing to bring this action under Code of Civil Procedure section 527.8.** Also fill out *Confidential CLETS Information* (form [CLETS-001](#)) with as much information as you know.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

### 1 Petitioner (Employer or Collective Bargaining Representative)

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

is a ☐ Employer

☐ Collective Bargaining Representative

Specify union: \_\_\_\_\_

and is filing this suit on behalf of the employee identified in item ②.

b. Lawyer for Petitioner (if any for this case)

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

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

Petitioner's Address (If the petitioner has a lawyer, give the lawyer's information.)

c. Address: \_\_\_\_\_

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

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

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

### 2 Employee Who Suffered Harassment, Violence, or Threat of Violence

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

Gender: ☐ M ☐ F ☐ Nonbinary Age: \_\_\_\_\_

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

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

☐ This employee declines to be named in any restraining order issued as a result of this petition.

☐ Additional employees suffered harassment, violence, or a threat of violence. Those employees, and whether they decline to be named in any restraining order issued as a result of this petition, are listed in Attachment 2.

### 3 Respondent (Person From Whom Protection Is Sought)

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

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

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

### 4 Protected Persons Not Listed in ②

a. Are you asking for protection for any family or household members of the employee or for any other employees at the employee's workplace or at other workplaces of the petitioner?

☐ Yes ☐ No (If yes, list them):

Full Name	Gender	Age	Household Member?	Relationship to Employee
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____
_____	_____	_____	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____

☐ Additional protected persons are listed in Attachment 4a.

**This is not a Court Order.**



4 b. Why do these people need protection? *(Explain):*

☐ Response is stated in Attachment 4b.

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## 5 Relationship of Employee and Respondent

a. How does the employee know the respondent? *(Describe):* ☐ Response is stated in Attachment 5a.

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b. Respondent ☐ is ☐ is not a current employee of petitioner. *(Explain any decision to retain, terminate, or otherwise discipline the respondent):* ☐ Response is stated in Attachment 5b.

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## 6 Venue

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

a. ☐ The respondent lives in this county.

b. ☐ The respondent has caused physical or emotional injury to the petitioner's employee in this county.

c. ☐ Other *(specify):* \_\_\_\_\_

## 7 Other Court Cases

a. Has the employee or any of the persons named in 4 been involved in another court case with the respondent?

☐ No ☐ Yes *If yes, check each kind of case and indicate where and when each was filed:*

	Kind of Case	Filed in (County/State)	Year Filed	Case Number (if known)
(1)	<input type="checkbox"/> Workplace Violence	_____	_____	_____
(2)	<input type="checkbox"/> Civil Harassment	_____	_____	_____
(3)	<input type="checkbox"/> Domestic Violence	_____	_____	_____
(4)	<input type="checkbox"/> Divorce, Nullity, Legal Separation	_____	_____	_____
(5)	<input type="checkbox"/> Paternity, Parentage, Child Support	_____	_____	_____
(6)	<input type="checkbox"/> Eviction	_____	_____	_____
(7)	<input type="checkbox"/> Guardianship	_____	_____	_____
(8)	<input type="checkbox"/> Small Claims	_____	_____	_____
(9)	<input type="checkbox"/> Postsecondary School Violence	_____	_____	_____
(10)	<input type="checkbox"/> Criminal	_____	_____	_____
(11)	<input type="checkbox"/> Other <i>(specify):</i> _____	_____	_____	_____

b. Are any restraining orders or criminal protective orders now in effect relating to the employee or any of the persons in 4 and the respondent? ☐ No ☐ Yes *(If yes, attach a copy if you have one.)*

**This is not a Court Order.**



### 8 Description of Respondent's Conduct

- a. Respondent has *(check one or more)*:
- (1) ☐ Assaulted, battered, or stalked the employee.
- (2) ☐ Made a credible threat of violence against the employee by making knowing or willful statements or engaging in a course of conduct that would place a reasonable person in fear for his or her safety or the safety of his or her immediate family.
- (3) ☐ Engaged in a course of conduct that seriously alarmed, annoyed, or harassed the employee and caused the employee substantial emotional distress. *(A course of conduct is more than one act.)*
- b. One or more of these acts *(check either or both)*:
- (1) ☐ Took place at the employee's workplace.
- (2) ☐ Can reasonably be construed to be carried out in the future at the employee's workplace.

Address of workplace: \_\_\_\_\_

- c. Describe what happened. *(Provide details; include the dates of all incidents beginning with the most recent; tell who did what to whom; identify any witnesses):*  
☐ Response is stated in Attachment 8c.

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

- d. Was the employee harmed or injured? ☐ Yes ☐ No (If yes, describe harm or injuries):  
☐ Response is stated in Attachment 8d.

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- e. Did the respondent use or threaten to use a gun or any other weapon? ☐ Yes ☐ No (If yes, describe):  
☐ Response is stated in Attachment 8e.

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**This is not a Court Order.**

- 8 f. For any of the incidents described above, did the police come? ☐ Yes ☐ No ☐ I don't know

If yes, did the employee or the respondent receive an Emergency Protective Order?

☐ Yes ☐ No ☐ I don't know

If yes, the order protects (*check all that apply*):

☐ the employee ☐ the respondent ☐ one or more of the persons in 4.

(*Attach a copy of the order if you have one.*)

**Check the orders you want ☒**

9 ☐ **Personal Conduct Orders**

I ask the court to order the respondent **not** to do any of the following things to the employee or to any person to be protected listed in 4:

- a. ☐ Harass, intimidate, molest, attack, strike, stalk, threaten, assault (sexually or otherwise), hit, abuse, destroy personal property of, or disturb the peace of the person.
- b. ☐ Commit acts of unlawful violence on or make threats of violence to the person.
- c. ☐ Follow or stalk the person during work hours or to or from the place of work.
- d. ☐ Contact the person, either directly or indirectly, by **any** means, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by email, by text message, by fax, or by other electronic means.
- e. ☐ Enter the person's workplace.
- f. ☐ Other (*specify*):  
☐ As stated in Attachment 9f.

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*The respondent will be ordered not to take any action to get the addresses or locations of any protected person unless the court finds good cause not to make the order.*

10 ☐ **Stay-Away Orders**

- a. I ask the court to order the respondent to stay at least \_\_\_\_\_ yards away from (*check all that apply*):

- (1) ☐ The employee. (8) ☐ The employee's vehicle.
- (2) ☐ The other persons listed in 4. (9) ☐ Other (*specify*):
- (3) ☐ The employee's workplace.
- (4) ☐ The employee's home.
- (5) ☐ The employee's school.
- (6) ☐ The school of the employee's children.
- (7) ☐ The place of child care of the employee's children.

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**This is not a Court Order.**



- 10 b. If the court orders the respondent to stay away from all the places listed above, will he or she still be able to get to his or her home, school, or job? ☐ Yes ☐ No (If no, explain):  
☐ Response is stated on Attachment 10b.

11 **Firearm (Guns), Firearm Parts, and Ammunition**

Does the respondent own or possess any firearms (guns), firearm parts, or ammunition? This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531).

☐ Yes ☐ No ☐ I don't know

*If the judge grants a protective order, the respondent will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive firearms (guns), firearm parts, and ammunition while the protective order is in effect. The respondent will also be ordered to turn in to law enforcement, or sell to or store with a licensed gun dealer, any firearms (guns) and firearm parts within his or her immediate possession or control. If an order is granted, the respondent will also be prohibited from owning, possessing, or buying body armor and would have to relinquish any they have.*

12 ☐ **Temporary Restraining Order**

I request that a Temporary Restraining Order (TRO) be issued against the respondent to last until the hearing. I am presenting form WV-110, *Temporary Restraining Order*, for the court's signature together with this Petition.

Has the respondent been told that you were going to go to court to seek a TRO against him or her?

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

☐ Reasons are stated in Attachment 12.

13 ☐ **Request for Less Than Five Days' Notice of Hearing**

*You must have your papers personally served on the respondent at least five days before the hearing, unless the court orders a shorter time for service. (Form [WV-200-INFO](#) explains what is proof of personal service. Form [WV-200](#), Proof of Personal Service, may be used to show the court that the papers have been served.)*

If you want there to be fewer than five days between service and the hearing, explain why:

☐ Reasons are stated in Attachment 13.

**This is not a Court Order.**



**14** ☐ **No Fee for Filing**

I ask that there be no filing fee because the respondent has threatened violence against the employee, or stalked the employee, or acted or spoken in a manner that has placed the employee in reasonable fear of violence.

**15** ☐ **No Fee to Serve Orders**

I ask the court to order the sheriff or marshal to serve the respondent with the others for free because this request for orders is based on a credible threat of violence or stalking.

**16** ☐ **Court Costs**

I ask the court to order the respondent to pay my court costs.

**17** ☐ **Additional Orders Requested**

I ask the court to make the following additional orders (*specify*):

☐ Additional orders requested are stated in Attachment 17.

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

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

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

▶ \_\_\_\_\_  
*Lawyer's signature*

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

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

\_\_\_\_\_  
*Name of petitioner*

▶ \_\_\_\_\_  
*Signature*

\_\_\_\_\_  
*Title*

**This is not a Court Order.**



**1 Petitioner (Employer or Collective Bargaining Representative)**

- a. Name: \_\_\_\_\_  
Lawyer for Petitioner (if any, for this case):  
Name: \_\_\_\_\_ State Bar No.: \_\_\_\_\_  
Firm Name: \_\_\_\_\_
- b. Your Address (If you have a lawyer, give your lawyer's information.):  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_  
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 Protected Person or Persons**

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

☐ Additional protected persons are listed at the end of this Order on Attachment 2.

**3 Respondent (Restrained Person)**

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

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

**4 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.**

**To the Respondent:**

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

**5 Personal Conduct Orders**

☐ **Not Requested**    ☐ **Denied Until the Hearing**    ☐ **Granted as Follows:**

a. You are ordered **not** to do the following things to the protected person or persons listed in **(2)**

- (1) ☐ Harass, molest, strike, assault (sexually or otherwise), batter, abuse, destroy personal property of, or disturb the peace of the person.
- (2) ☐ Commit acts of violence or make threats of violence against the person.
- (3) ☐ Follow or stalk the person during work hours or to or from the place of work.
- (4) ☐ Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by email, by fax, or by other electronic means.
- (5) ☐ Enter the workplace of the person.
- (6) ☐ Take any action to obtain the person's address or locations. If this item is not checked, the court has found good cause not to make this order.
- (7) ☐ Other (*specify*):  
☐ Other personal conduct orders are attached at the end of this Order on Attachment 5a(7).

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b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order. However, you may have your papers served by mail on the petitioner.

**6 Stay-Away Order**

☐ **Not Requested**    ☐ **Denied Until the Hearing**    ☐ **Granted as Follows:**

a. You **must** stay at least \_\_\_\_\_ yards away from (*check all that apply*):

- (1) ☐ Each protected person listed in **(2)**      (3) ☐ Other (*specify*):
- (2) ☐ For each protected person listed in **(2)**
  - (a) ☐ The person's workplace
  - (b) ☐ The person's home
  - (c) ☐ The person's school
  - (d) ☐ The person's children's school
  - (e) ☐ The person's children's place of childcare
  - (f) ☐ The person's vehicle

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b. This stay-away order does not prevent you from going to or from your home or place of employment.

**This is a Court Order.**



**7 No Firearms (Guns), Firearm Parts, or Ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited items listed in b.
- b. **Prohibited items are:**
- (1) Firearms (guns);
  - (2) Firearm parts, meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and
  - (3) Ammunition.
- c. You must:
- (1) Sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns) and firearm parts in your immediate possession or control. This must be done within 24 hours of being served with this Order.
  - (2) File a receipt with the court within 48 hours of receiving this Order that proves that all your firearms (guns) and firearm parts have been turned in, sold, or stored. (You may use *Receipt for Firearms and Firearm Parts* (form [WV-800](#)) for the receipt.)
- d. ☐ The court has received information that you own or possess a firearm (gun), firearm parts, or ammunition.

**8 No Body Armor**

You cannot own, possess, or buy body armor (defined in Penal Code section 16288). You must relinquish any body armor you have in your possession.

**9 Other Orders**

☐ **Not Requested**    ☐ **Denied Until the Hearing**    ☐ **Granted as Follows (*specify*):**

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☐ Additional orders are attached at the end of this Order on Attachment 9.

**To the Petitioner:****10 Mandatory Entry of Order Into CARPOS Through CLETS**

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). (*Check one*):

- a. ☐ The clerk will enter this Order and its proof-of-service form into CARPOS.
- b. ☐ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.

**This is a Court Order.**

- 10 c. ☐ By the close of business on the date that this Order is made, the employer or the employer's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agencies listed below to enter into CARPOS:

Name of Law Enforcement Agency

Address (City, State, Zip)

\_\_\_\_\_

- ☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 10.

- 11 **No Fee to Serve (Notify) Restrained Person** ☐ **Ordered** ☐ **Not Ordered**

The sheriff or marshal will serve this Order without charge because:

- a. ☐ The Order is based on a credible threat of violence or stalking.  
b. ☐ The petitioner is entitled to a fee waiver.

- 12 Number of pages attached to this Order, if any: \_\_\_\_\_

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

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

### Warnings and Notices to the Restrained Person in 3

#### You Cannot Have Firearms (Guns), Firearm Parts, or Ammunition

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get any prohibited items listed in item 7b on page 3 while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns) and firearm parts that you have or control as stated in item 7 above. The court will require you to prove that you did so.

#### Notice Regarding Nonappearance at Hearing and Service of Order

If you have been personally served with this Temporary Restraining Order and form WV-109, *Notice of Court Hearing*, but you do not appear at the hearing either in person or by a lawyer, and a restraining order that is the same as this Temporary Restraining Order except for the expiration date is issued at the hearing, a copy of the order will be served on you by mail at the address in item 3.

If this address is not correct or you wish to verify that the Temporary Restraining Order was converted into a restraining order at the hearing without substantive change, or to find out the duration of the order, contact the clerk of the court.

**This is a Court Order.**



## After You Have Been Served With a Restraining Order

- Obey all the orders. Any intentional violation of this Order is a misdemeanor punishable by a fine or by imprisonment in a county jail, or by both fine and imprisonment. (Pen. Code, § 273.6.)
- Read form [WV-120-INFO](#), *How Can I Respond to a Petition for Orders to Stop Workplace Violence?*, to learn how to respond to this Order.
- If you want to respond, fill out form [WV-120](#), *Response to Petition for Workplace Violence Restraining Orders*, and file it with the court clerk. You do not have to pay any fee to file your response if the petition claims that you threatened violence against or stalked the employee, or placed the employee in reasonable fear of violence.
- You must have form WV-120 served on the petitioner or the petitioner's attorney by mail. You cannot do this yourself. The person who does the service should complete and sign form [WV-250](#), *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use form [MC-030](#), *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms). If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to three years. Tell the judge why you disagree with the orders requested.

## Instructions for Law Enforcement

### Enforcing the Restraining Order

This order is enforceable by any law enforcement agency that has received the order, is shown a copy of the order, or has verified its existence on the California Restraining and Protective Orders System (CARPOS). Agencies are encouraged to enter violation messages into CARPOS. If the law enforcement agency has not received proof of service on the restrained person, the agency must advise the restrained person of the terms of the order and then must enforce it. Violations of this order are subject to criminal penalties.

### Start Date and End Date of Orders

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item ④ on page 1.

### If a Protected Person Contacts the Restrained Person

Even if a protected person invites or consents to contact with the restrained person, this order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The order can be changed only by another court order. (Pen. Code, § 13710(b).)

**This is a Court Order.**



**Conflicting Orders—Priorities for Enforcement**

If more than one restraining order has been issued protecting a protected person from the restrained person, the orders must be enforced in the following priority (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *Emergency Protective Order (EPO)*: If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. *No-Contact Order*: If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item 6a(4) is an example of a no-contact order.
3. *Criminal Protective Order (CPO)*: If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2) and 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. *Civil Restraining Orders*: If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

(Clerk will fill out this part.)

**—Clerk's Certificate—**

Clerk's Certificate  
[seal]

I certify that this *Temporary Restraining Order* is a true and correct copy of the original on file in the court.

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

**This is a Court Order.**

# CLETS-001 Confidential Information for Law Enforcement

**Instructions:** If you are asking for a restraining order, you must complete this form and give it to the court clerk, along with the other court forms required in your case. If the judge grants the restraining order, information you give on this form will be entered into a database (called CLETS) to help law enforcement enforce the order. If information changes later, you may complete this form again and turn it in to the court.

**To Court Clerk: Do not file this form. The information on this form must be entered into the protective order registry in CLETS.**

*Court fills in case number when form is received.*

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

**Information that has a star (\*) next to it is required. All other information is helpful.**

Date received by court: \_\_\_\_\_

## 1 Person You Want a Restraining Order Against

\*Name: \_\_\_\_\_  
Other names used: \_\_\_\_\_  
Marks, scars, or tattoos: \_\_\_\_\_ SSN: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Driver's license (number and state): \_\_\_\_\_  
Vehicle type: \_\_\_\_\_ Model: \_\_\_\_\_ Year: \_\_\_\_\_ Plate number: \_\_\_\_\_  
Name of employer and address: \_\_\_\_\_

Does the person speak English? ☐ Yes ☐ I don't know ☐ No (list language): \_\_\_\_\_

Does the person have any firearms (guns), firearm parts, ammunition, or body armor?

☐ No ☐ I don't know

☐ Yes (Give any information you have below, like the type, amount, or location of any items, if known.)

\_\_\_\_\_  
\_\_\_\_\_

## 2 \*Your Name: \_\_\_\_\_

(Skip 3 and 4 if you are asking for a gun violence restraining order (form GV-100).)

## 3 Your Information

\*Age: \_\_\_\_\_ Date of Birth (month, day, year): \_\_\_\_\_ \*Gender: ☐ M ☐ F ☐ X (nonbinary)  
Race: \_\_\_\_\_ Telephone: \_\_\_\_\_  
Do you speak English? ☐ Yes ☐ No (list language): \_\_\_\_\_

## 4 Other People You Want Protected

*Name: _____	*Gender: _____	Race: _____	Date of Birth: _____
*Name: _____	*Gender: _____	Race: _____	Date of Birth: _____
*Name: _____	*Gender: _____	Race: _____	Date of Birth: _____
*Name: _____	*Gender: _____	Race: _____	Date of Birth: _____

☐ Check here if you have more people to list. Write them on a separate piece of paper, write "Item 4" at the top, and attach it to this form.

**This is not a Court Order—Do not place in court file.**



Clerk stamps date here when form is filed.

**1 Petitioner (Employer or Collective Bargaining Representative)**

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

Lawyer for Petitioner (if any for this case):

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

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

b. Address (If you have a lawyer, give your lawyer's information.):

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

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

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

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

Fill in court name and street address:

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

Fill in case number:

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

**2 Employee Who Petitioner Asserts Suffered Harassment, Violence, or Threat of Violence**

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

**3 Respondent (Person From Whom Protection Is Sought)**

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

*The court will complete the rest of this form.***4 Notice of Hearing****A court hearing is scheduled on the request for restraining orders against the respondent:****Hearing  
Date**

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

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

\_\_\_\_\_

**To the person in ③:**

- If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order.
- If you do not attend the hearing, the judge may still grant the restraining order that could last up to five years. After you receive a copy of the order, you could be arrested if you violate the order.

**5 Temporary Restraining Orders** *(Any orders granted are on form WV-110, served with this notice.)*

a. Temporary Restraining Orders for personal conduct and stay-away orders as requested in form WV-100, *Request for Workplace Violence Restraining Orders*, are *(check only one box below)*:

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

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

(3) ☐ Partly **GRANTED** and partly **DENIED** until the court hearing. *(Specify reasons for denial in b, below.)*

b. Reasons that Temporary Restraining Orders as requested in form WV-100, *Petition for Workplace Violence Restraining Orders*, for personal conduct or stay-away are denied are:

(1) ☐ The facts as stated in form WV-100 do not sufficiently show reasonable proof that the employee has suffered harassment, unlawful violence, or a credible threat of violence by the respondent, and that great or irreparable harm to the employee would result if a temporary restraining order is not issued.

(2) ☐ Other *(specify)*: ☐ As stated on Attachment 5b.

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**6 Service of Documents by the Petitioner**

At least ☐ five ☐ \_\_\_\_\_ days before the hearing, someone age 18 or older—not you or anyone to be protected—must personally give (serve) a court file-stamped copy of this form WV-109, *Notice of Court Hearing*, to the respondent along with a copy of all the forms indicated below:

a. WV-100, *Petition for Workplace Violence Restraining Orders* (file-stamped)

b. ☐ WV-110, *Temporary Restraining Order* (file-stamped) **IF GRANTED**

c. [WV-120](#), *Response to Petition for Workplace Violence Restraining Orders* (blank form)

d. [WV-120-INFO](#), *How Can I Respond to a Petition for Workplace Violence Restraining Orders?*

e. ☐ Other *(specify)*: \_\_\_\_\_

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

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



**To the Petitioner:**

- The court cannot make the restraining orders after the court hearing unless the respondent has been personally given (served) a copy of your request and any temporary orders. To show that the respondent has been served, the person who served the forms must fill out a proof of service form. Form [WV-200](#), *Proof of Personal Service*, may be used.
- You may ask to reschedule the hearing if you are unable to find the respondent and need more time to serve the documents, or for other good reasons. Read form [WV-115-INFO](#), *How to Ask for a New Hearing Date*.
- For information about service, read form [WV-200-INFO](#), *What Is "Proof of Personal Service"?*
- You must attend the hearing if you want the judge to make any of the orders you requested on form WV-100, *Petition for Workplace Violence Restraining Orders*. Bring any evidence or witnesses you have. For more information, read form WV-100-INFO, *How Do I Get an Order to Prohibit Workplace Violence?*

**To the Respondent:**

- If you want to respond to the request for orders in writing, file form [WV-120](#), *Response to Petition for Workplace Violence Restraining Orders*, and have someone age 18 or older—**not you or anyone to be protected**—mail it to the petitioner.
- The person who mailed the form must fill out a proof of service form. Form [WV-250](#), *Proof of Service of Response by Mail*, may be used. File the completed form with the court before the hearing and bring a copy with you to the court hearing.
- Whether or not you respond in writing, go to the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the orders requested.
- You may bring witnesses and other evidence.
- At the hearing, the judge may make restraining orders against you that could last up to three years and may order you to turn in to law enforcement, or sell to or store with a licensed gun dealer, any firearms (guns) and firearm parts that you own or possess. This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531). If an order is granted, you will also be prohibited from owning, possessing, or buying body armor and will have to relinquish any body armor you have.
- If you are unable to attend your court hearing or need more time to prepare your case, you may ask to reschedule your court date. Read form [WV-115-INFO](#), *How to Ask for a New Hearing Date*.

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms) for *Disability Accommodation Request* (form [MC-410](#)). (Civ. Code, § 54.8.)

*(Clerk will fill out this part.)*

**—Clerk's Certificate—**

I certify that this *Notice of Court Hearing* is a true and correct copy of the original on file in the court.

*Clerk's Certificate*  
[seal]

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

# **WORKPLACE VIOLENCE**

## **Civil Law**

### **- Packet C -**

#### **Instructions and Forms You May Need After Your First Hearing**

What you will find in this packet:

- **Request to Continue Court Hearing and to Reissue Temporary Restraining Order (WV-115)**
- **Notice of New Hearing Date and Order on Reissuance (WV-116)**
- **How Can I Respond to a Petition for Workplace Violence Restraining Orders? (WV-120-INFO)**
- **Response to Petition for Workplace Violence Restraining Orders (WV-120)**
- **Workplace Violence Restraining Order After Hearing (CLETS-WHO) (WV-130)**
- **What Is "Proof of Personal Service"? (WV-200-INFO)**
- **Proof of Personal Service (WV-200)**
- **Proof of Service of Response by Mail (WV-250)**
- **Request to Reschedule Hearing to Renew Restraining Order (WV-715)**
- **Order to Reschedule Hearing to Renew Restraining Order (WV-716)**
- **Proof of Firearms Turned In or Sold (WV-800)**
- **How Do I Turn In, Sell or Store My Firearms? (WV-800-INFO)**
- **Attached Declaration (MC-031)**

***You Can Get Court Forms FREE at: [www.cc-courts.org/forms](http://www.cc-courts.org/forms)***

Instructions: Use this form to ask the court to reschedule the court date listed on, *Notice of Court Hearing* (form [WV-109](#)). Read *How to Ask for a New Hearing Date* (form [WV-115-INFO](#)) for more information.

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 My Information

a. My name is: \_\_\_\_\_

b. I am the:

(1) ☐ **Petitioner** (employer or collective bargaining representative)  
(skip to **2**).

(2) ☐ **Respondent** (give your contact information below).

Address where I can receive mail:

This address will be used by the court and other party to notify you in this case. If you want to keep your home address private, you can use another address like a post office box or another person's address, if you have their permission. If you have a lawyer, give your lawyer's address and contact information.

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

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

My contact information (optional):

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

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

Lawyer's information (skip if you do not have one):

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

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

## 2 Information About My Case

a. The other party in this case is (full name): \_\_\_\_\_

b. I have a court hearing currently scheduled for (date): \_\_\_\_\_

**This is not a Court Order.**



**3 Is a Temporary Restraining Order in effect?**

- ☐ Yes. Date the order was made, if known: \_\_\_\_\_  
Please attach a copy of the order if you have one.
- ☐ No.
- ☐ I don't know.

**Notice:** If the court date is rescheduled, the *Temporary Restraining Order* (form [WV-110](#)) will remain in effect until the end of the new court date unless otherwise ordered by the court.

**4 Why does the court date need to be rescheduled?**

- a. ☐ I need more time to have the respondent personally served.
- b. ☐ I am the respondent, and this is my first request to reschedule the court date.
- c. ☐ Other reason:

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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*

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

\_\_\_\_\_  
*Lawyer's name, if you have one*



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

**This is not a Court Order.**

Complete items ① and ② only.

① **Petitioner (Employer or Collective Bargaining Representative)**

② **Respondent:** \_\_\_\_\_

—The court will complete the rest of this form—

③ **Next Court Date**

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

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

(1) Any *Temporary Restraining Order* (form [WV-110](#)) already granted stays in full force and effect until the next court date.

(2) Your court date is not rescheduled because:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

**New  
Court  
Date**

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

Name and address of court, if different from above:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:**

④ **Temporary Restraining Order**

a. ☐ There is no *Temporary Restraining Order* (TRO) in this case until the next court date because:

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

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

\_\_\_\_\_  
\_\_\_\_\_

b. ☐ A *Temporary Restraining Order* (TRO) is still in full force and effect.

(1) ☐ The court extends the TRO previously granted on (date) \_\_\_\_\_  
It now expires on (date): \_\_\_\_\_  
(If no date is listed, the TRO expires at the end of the court date listed in 3b.)

(2) ☐ The court changes the TRO previously granted and signs a new TRO  
(form WV-110).

c. ☐ Other (specify): \_\_\_\_\_

**Warning and Notice  
to the respondent:**

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

**This is a Court Order.**





**5 Reason Court Date Is Rescheduled**a. ☐ There is good cause to reschedule the court date (*check one*):(1) ☐ The petitioner has not served the respondent.(2) ☐ Other:b. ☐ This is the first time that the respondent has asked for more time to prepare.c. ☐ The court reschedules the court date on its own motion.**6 Serving (Giving) Order to Other Party**

The request to reschedule was made by the:

a. ☐ **Petitioner**b. ☐ **Respondent**c. ☐ **Court**(1) ☐ You do not have to serve the respondent because they or their lawyer were at the court date or agreed to reschedule the court date.(2) ☐ You must have the respondent personally served with a copy of all the forms listed on form [WV-109](#), item **6**, by  
(date): \_\_\_\_\_(3) ☐ You must serve the respondent with a copy of this order. This can be done by mail. You must serve by  
(date): \_\_\_\_\_(4) ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_(1) ☐ You do not have to serve the petitioner because they or their lawyer were at the court date or agreed to reschedule the court date.(2) ☐ You must have the petitioner personally served with a copy of this order by  
(date): \_\_\_\_\_(3) ☐ You must serve the petitioner with a copy of this order. This can be done by mail. You must serve by  
(date): \_\_\_\_\_(4) ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_(1) ☐ Further notice is not required.(2) ☐ The court will mail a copy of this order to all parties by  
(date): \_\_\_\_\_(3) ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_**This is a Court Order.**

**7 No Fee to Serve (Notify) Respondent** ☐ **Ordered** ☐ **Not Ordered**

The sheriff or marshal will serve this order for free because:

- a. ☐ The order is based on unlawful violence, a credible threat of violence, or stalking.
- b. ☐ The person in **1** is entitled to a fee waiver.

**8 ☐ Other Orders**

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

\_\_\_\_\_  
Judicial Officer**Request for Accommodations**

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

**Instructions to Clerk**

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

**—Clerk's Certificate—**

Clerk's Certificate  
[seal]

I certify that this *Order on Request to Continue Hearing (Temporary Restraining Order) (CLETS-TWH)* (form WV-116) is a true and correct copy of the original on file in the court.

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

**This is a Court Order.**

## What is a workplace violence restraining order?

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

## What does the order do?

The court can order you to:

- Not contact people who are protected by the order.
- Stay away from people protected by the order and their home, workplace, and other places.
- Not have any firearms (guns), firearm parts, ammunition, or body armor as long as the order is in effect. This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531).

For more information about the items you would not be allowed to have, please see [selfhelp.courts.ca.gov/restraining-orders/prohibited-items](http://selfhelp.courts.ca.gov/restraining-orders/prohibited-items).

## Who can ask for a workplace violence restraining order?

An employer or collective bargaining representative can ask for an order on behalf of an employee who has suffered harassment, violence, or a credible threat of violence at the workplace, or members of their household or other employees.

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

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

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

You still must obey the order until the hearing. If you disagree with the orders the person is asking for, fill out form [WV-120 Response to Petition for Workplace Violence Restraining Orders](#), before your hearing date and file it with the court. If you need to include attachments, you can use form [MC-025](#). You can get the forms from legal publishers or from the California Courts website at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms). You also may be able to find them at your local courthouse or county law library.

## What if I don't obey the order?

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

## Do I have to serve the other person with a copy of my response?

Yes. Have someone age 18 or older—**not you**—mail a copy of completed form WV-120 to the person named in item ① of the petition form WV-100 (or that person's lawyer). (This is called "service by mail.")

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

## Should I go to the court hearing?

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

WV-109 Notice of Court Hearing		Clerk stamps date here when form is filed.
<b>① Petitioner (Employer or Collective Bargaining Representative)</b> a. Name: _____ Lawyer for Petitioner (if any 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. Address (If you have a lawyer, give your lawyer's information.): Address: _____ City: _____ State: _____ Zip: _____ Telephone: _____ Fax: _____ Email Address: _____		
<b>② Employee Who Petitioner Asserts Suffered Harassment, Violence, or Threat of Violence</b> Full Name: _____		
<b>③ Respondent (Person From Whom Protection Is Sought)</b> Full Name: _____ <div style="text-align: right;"><i>The court will complete the rest of this form.</i></div>		
<b>④ Notice of Hearing</b> A court hearing is scheduled on the request for restraining orders against the respondent: <div style="border: 1px solid black; padding: 5px;">             Hearing Date → Date: _____ Time: _____              Dept.: _____ Room: _____           </div> Name and address of court if different from above: _____ _____ _____		
To the person in ③: • If you attend the hearing (in person, by phone, or by videoconference) and the judge grants a restraining order against you, the order will be effective immediately, and you could be arrested if you violate the order. • If you do not attend the hearing, the judge may still grant the restraining order that could last up to five years. After you receive a copy of the order, you could be arrested if you violate the order.		
<small>Judicial Council of California, <a href="http://www.courts.ca.gov">www.courts.ca.gov</a>            Rev. January 1, 2025, Mandatory Form            Code of Civil Procedure, § 527.8            Approved by DOJ</small>		<b>Notice of Court Hearing</b> <b>(Workplace Violence Prevention)</b> <small>WV-109, Page 1 of 3</small>



**How long does the order last?**

If the court issued a temporary restraining order before the hearing, it will last until your hearing date. At that time, the court will decide to continue or cancel the order. Any order issued at the hearing can last for up to three years.

**Do I need a lawyer?**

Having a lawyer is always a good idea, but it is not required, and you are not entitled to a free, court-appointed attorney. Ask the court clerk about free and low-cost legal services and self-help centers in your county.

**Will I see the people to be protected at the court hearing?**

Yes. Assume that the people to be protected will attend the hearing. Do not 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 form [MC-030](#) for this.

**Information about the process is also available online.**

See [selfhelp.courts.ca.gov/WV-restraining-order](https://selfhelp.courts.ca.gov/WV-restraining-order).

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

*[Local information may be inserted.]*

**What if I don't speak English?**

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

**What if I have a gun?**

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

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

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

**What if I have a disability?**

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

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

- Read *How Can I Respond to a Petition for Workplace Violence Restraining Orders?* (form [WV-120-INFO](#)) to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone age 18 or older—**not you**—serve the petitioner or the petitioner's lawyer by mail with a copy of this form and any attached pages. (Use form [WV-250](#), Proof of Service of Response by Mail.)

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

### 1 Petitioner (Employer or Collective Bargaining Representative)

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

### 2 Employee Who Petitioner Asserts Suffered Harassment, Violence, or Threat of Violence

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

### 3 Respondent (Person From Whom Protection Is Sought)

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

Your Lawyer (if you have one for this case)

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

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

b. Your Address (You may give a mailing address if you want to keep your street address private; skip this if you have a lawyer.)

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

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

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

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

The court will consider your response at the hearing. Write your hearing date, time, and place from form WV-109, item ④ here:

Hearing  
Date

→ Date: \_\_\_\_\_ Time: \_\_\_\_\_

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

**If you were served with a Temporary Restraining Order, you must obey it until the hearing.** At the hearing, the court may make orders against you that last for up to three years.

### 4 ☐ Personal Conduct Orders

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested.  
(Specify why you disagree in item ⑫ on page 4.)
- c. ☐ I agree to the following orders (specify below or in item ⑫ on page 4):

\_\_\_\_\_  
\_\_\_\_\_

### 5 ☐ Stay-Away Orders

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested. (Specify why you disagree in item ⑫ on page 4.)
- c. ☐ I agree to the following orders (specify below or in item ⑫ on page 4):

\_\_\_\_\_  
\_\_\_\_\_



**6** ☐ **Protected Persons Not Listed in 2**

- a. ☐ I agree that the persons listed in item 4 of the Petition may be protected by the order requested.
- b. ☐ I do not agree that the persons listed in item 4 of the Petition may be protected by the order requested.

**7** **Firearms (Guns), Firearm Parts, and Ammunition**

If you were served with form WV-110, *Temporary Restraining Order*, you cannot own or possess any firearms (guns), firearm parts, or ammunition. This includes firearm receivers and frames, and any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531). (See item 8 of form WV-110.) You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns) and firearm parts in your immediate possession or control within 24 hours of being served with form WV-110. You must file a receipt with the court. You may use *Receipt for Firearms and Firearm Parts* (form [WV-800](#)) for the receipt.

- a. ☐ I do not own or control any firearms (guns), firearm parts, or ammunition.
- b. ☐ I ask for an exemption from the firearms prohibition under Code of Civil Procedure section 527.9(f) because carrying a firearm is a condition of my employment, and my employer is unable to reassign me to another position where a firearm is unnecessary. (*Explain*):
- ☐ Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 7b—Firearms Surrender Exemption" as a title. You may use form [MC-025](#), Attachment.

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- c. ☐ I have turned in my firearms (guns) and firearm parts to the police or sold them to or stored them with a licensed gun dealer.
- A copy of the receipt ☐ is attached. ☐ has already been filed with the court.

**8** **No Body Armor**

If you were served with form WV-110, *Temporary Restraining Order*, you are prohibited from owning, possessing, or buying body armor. You must also relinquish any body armor you have in your possession.

(*Check all that apply*):

- a. ☐ I do not own or have any body armor.
- b. ☐ I have relinquished all body armor that I have in my possession.
- c. ☐ I was granted an exception, or will ask for an exception, to have body armor. Note: This exception is granted by a chief of police or sheriff. See Penal Code section 31360(c). (*Attach a copy of the letter granting permission, if you have one.*)



**9** ☐ **Other Orders**

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested. *(Specify why you disagree in item (12) on page 4.)*
- c. ☐ I agree to the following orders *(specify below or in item (12) on page 4):*

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**10** ☐ **Denial**

I did not do anything described in item (8) of form WV-100. *(Skip to (12) .)*

**11** ☐ **Justification or Excuse**

If I did some or all of the things that the petitioner has accused me of, my actions were justified or excused for the following reasons *(explain)*:

- ☐ *Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 11—Justification or Excuse" as a title. You may use form MC-025, Attachment.*

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Case Number:

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

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

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

▶ \_\_\_\_\_  
*Lawyer's signature*

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

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

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

▶ \_\_\_\_\_  
*Sign your name*

Clerk stamps date here when form is filed.

**1 Petitioner (Employer or Collective Bargaining Representative)**

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

Lawyer for Petitioner *(if any, for this case)*

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

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

b. Your Address *(If you have a lawyer, give your lawyer's information.)*

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

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

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

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

Fill in court name and street address:

**Superior Court of California, County of**
**2 Protected Person or Persons**

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

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

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

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

☐ Additional protected persons are listed at the end of this Order on Attachment 2.

Court fills in case number when form is filed.

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

\*Full Name: \_\_\_\_\_ \*Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

\*Race: \_\_\_\_\_ Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_

\*Gender: ☐ M ☐ F ☐ Nonbinary Home Address: \_\_\_\_\_

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

Relationship to Protected Person: \_\_\_\_\_

**4 Expiration Date**
*This Order, except for any award of lawyer's fees, expires at*

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

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

**This is a Court Order.**


**5 Hearing**

- a. There was a hearing on *(date)*: \_\_\_\_\_ at *(time)*: \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
*(Name of judicial officer)*: \_\_\_\_\_ made the orders at the hearing.
- b. These people were at the hearing:
- (1) ☐ The petitioner *(name)*: \_\_\_\_\_
- (2) ☐ The lawyer for the petitioner *(name)*: \_\_\_\_\_
- (3) ☐ The respondent (4) ☐ The lawyer for the respondent *(name)*: \_\_\_\_\_
- ☐ Additional persons present are listed at the end of this Order on Attachment 5b.
- c. ☐ The hearing is continued. The parties must return to court on *(date)*: \_\_\_\_\_ at *(time)*: \_\_\_\_\_.

**To the Respondent:**

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

**6 Personal Conduct Orders**

- a. You are ordered **not** to do the following things to the protected person or persons listed in **2**
- (1) ☐ Harass, molest, strike, assault (sexually or otherwise), batter, abuse, destroy personal property of, or disturb the peace of the person.
- (2) ☐ Commit acts of violence or make threats of violence against the person.
- (3) ☐ Follow or stalk the person during work hours or to or from the place of work.
- (4) ☐ Contact the person, either directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by email, by text message, by fax, or by other electronic means.
- (5) ☐ Enter the person's workplace.
- (6) ☐ Take any action to obtain the person's address or locations. If this item is not checked, the court has found good cause not to make this order.
- (7) ☐ Other *(specify)*:  
☐ Other personal conduct orders are attached at the end of this Order on Attachment 6a(7).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

**This is a Court Order.**

**7 Stay-Away Orders**

a. You **must** stay at least \_\_\_\_\_ yards away from *(check all that apply)*:

(1) ☐ Each protected person listed in ② (3) ☐ Other *(specify)*:

(2) ☐ For each protected person listed in ②

(a) ☐ The person's workplace

(b) ☐ The person's home

(c) ☐ The person's school

(d) ☐ The person's children's school

(e) ☐ The person's children's place of child care

(f) ☐ The person's vehicle

b. This stay-away order does not prevent you from going to or from your home or place of employment.

**8 No Firearms (Guns), Firearm Parts, or Ammunition**

a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get any prohibited items listed below in b.

b. **Prohibited items are:**

(1) Firearms (guns);

(2) Firearm parts, meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531); and

(3) Ammunition.

c. If you have not already done so, you must:

- Within 24 hours of being served with this Order, sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns) and firearm parts in your custody or control or that you possess or own.
- File a receipt with the court within 48 hours of receiving this Order that proves that your firearms (guns) and firearm parts have been turned in, sold, or stored. (You may use *Receipt for Firearms and Firearm Parts* (form [WV-800](#)) for the receipt.)

d. ☐ The court has received information that you own or possess a firearm (gun), firearm parts, or ammunition.

e. ☐ The court has made the necessary findings and applies the firearm relinquishment exemption under Code of Civil Procedure section 527.9(f). Under California law, the person in ③ is not required to relinquish this firearm *(specify make, model, and serial number of firearm(s))*:

The firearm must be in the physical possession of the person in ③ only during scheduled work hours and during travel to and from their place of employment. Even if exempt under California law, the person in ③ may be subject to federal prosecution for possessing or controlling a firearm.

**This is a Court Order.**



**9 No Body Armor**

You cannot own, possess, or buy body armor (defined in Penal Code section 16288). You must relinquish any body armor you have in your possession.

**10 ☐ Costs**

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

<u>Item</u>	<u>Amount</u>	<u>Item</u>	<u>Amount</u>
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____
_____	\$ _____	_____	\$ _____

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

**11 ☐ Other Orders *(specify)*:**

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

**To the Person in 1:****12 Mandatory Entry of Order Into CARPOS Through CLETS**

This Order must be entered into the California Restraining and Protective Order System (CARPOS) through the California Law Enforcement Telecommunications System (CLETS). *(Check one)*:

- a. ☐ The clerk will enter this Order and its proof-of-service form into CARPOS.
- b. ☐ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CARPOS.
- c. ☐ By the close of business on the date that this Order is made, the petitioner or the petitioner's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

Name of Law Enforcement Agency

Address (City, State, Zip)

\_\_\_\_\_  
 \_\_\_\_\_

☐ Additional law enforcement agencies are listed at the end of this Order on Attachment 12.

**This is a Court Order.**

**13 Service of Order on Respondent**

- a. ☐ The respondent personally attended the hearing, either physically or remotely (by telephone or videoconference). No other proof of service is needed.
- b. ☐ The respondent did not attend the hearing.
- (1) ☐ Proof of service of form WV-110, *Temporary Restraining Order*, was presented to the court. The judge's orders in this form are the same as in form WV-110 except for the expiration date. The respondent must be served with this Order. Service may be by mail.
- (2) ☐ The judge's orders in this form are different from the temporary restraining orders in form WV-110. Someone—but not the petitioner or anyone protected by this order—must personally serve a copy of this Order on the respondent.

**14 No Fee to Serve (Notify) Restrained Person** ☐ **Ordered** ☐ **Not Ordered**

The sheriff or marshal will serve this Order without charge because:

- a. ☐ The Order is based on a credible threat of violence or stalking.
- b. ☐ The petitioner is entitled to a fee waiver.

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

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

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

**Warning and Notice to the Respondent:****You Cannot Have Firearms (Guns), Firearm Parts, or Ammunition**

Unless item 8e is checked, you cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get any prohibited items listed in item 8b on page 3 while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any firearms (guns) and firearm parts that you have or control as stated in **8** above. The court will require you to prove that you did so.

**This is a Court Order.**

**Instructions for Law Enforcement****Enforcing the Restraining Order**

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). Agencies are encouraged to enter violation messages into CARPOS. If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing (see (13)), the agency must advise the restrained person of the terms of the Order and then must enforce it. Violations of this Order are subject to criminal penalties.

**Start Date and End Date of Orders**

This Order *starts* on the date next to the judge's signature on page 5 and *ends* on the expiration date in (5) on page 1.

**If a Protected Person Contacts the Restrained Person**

Even if a protected person invites or consents to contact with the restrained person, this Order remains in effect and must be enforced. The protected person cannot be arrested for inviting or consenting to contact with the restrained person. The orders can be changed only by another court order. (Pen. Code, § 13710(b).)

**Conflicting Orders—Priorities for Enforcement**

**If more than one restraining order has been issued protecting a protected person from the restrained person, the orders must be enforced in the following priority** (see Pen. Code, § 136.2 and Fam. Code, §§ 6383(h)(2), 6405(b)):

1. *Emergency Protective Order (EPO)*: If one of the orders is an *Emergency Protective Order* (form EPO-001), provisions (e.g., stay-away order) that are more restrictive than in the other restraining/protective orders must be enforced. Provisions of another order that do not conflict with the EPO must be enforced.
2. *No-Contact Order*: If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. Item 6a(4) is an example of a no-contact order.
3. *Criminal Protective Order (CPO)*: If none of the orders include an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2) and 6405(b).) Additionally, a CPO issued in a criminal case involving charges of domestic violence, Penal Code sections 261, 261.5, or former 262, or charges requiring sex offender registration must be enforced over any civil court order. (Pen. Code, § 136.2(e)(2).) All provisions in the civil court order that do not conflict with the CPO must be enforced.
4. *Civil Restraining Orders*: If there is more than one civil restraining order (e.g., domestic violence, juvenile, elder abuse, civil harassment), then the order that was issued last must be enforced. Provisions that do not conflict with the most recent civil restraining order must be enforced.

Clerk's Certificate  
[seal]

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

I certify that this *Workplace Violence Restraining Order After Hearing* is a true and correct copy of the original on file in the court.

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

**This is a Court Order.**



**What is “Service”?**

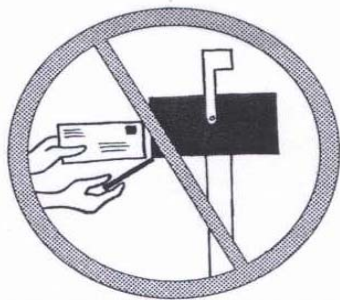
Service is the act of giving legal papers to the other party. There are many kinds of service—in person, by mail, and others. This form is about personal or “in-person” service. The *Petition for Orders to Stop Workplace Violence* (Form WV-100), the *Notice of Court Hearing* (Form WV-109), and the *Temporary Restraining Order* (Form WV-110) must be served in person. That means that someone must personally “serve” (give) a copy of the forms to the person to be restrained. These forms cannot be served by mail.

Service lets the other person know:

- What orders you are asking for
- The hearing date
- How to respond

**Why do I have to get the orders served?**

- The police cannot arrest anyone for violating an order unless that person knows about the order.
- The judge cannot make the orders permanent unless the restrained person was served.

**Who can serve?**

*Don't serve it by mail!*

Ask someone you know, a process server, or a law enforcement agency to personally serve (give) a copy of the forms to the person to be restrained. You **cannot** send the forms to that person by mail.

The server must:

- Be 18 years of age or older
- Not be you or anyone whom you are asking to be protected by the orders

The sheriff or marshal may be authorized to serve the court's orders **for free** if the orders are based on claims of stalking, unlawful violence, or a credible threat of violence.

A registered process server is a business you pay to deliver court forms. Look for “Process Serving” in the Yellow Pages or on the Internet.

(If a law enforcement agency or the process server uses a different proof-of-service form, make sure it lists the forms served.)

**How to serve**

Ask the server to:

- Walk up to the person to be served.
- Make sure it is the right person. Ask the person's name.
- Give the person copies of all papers checked on Form WV-200, *Proof of Personal Service*.
- Fill out and sign the *Proof of Personal Service*.
- Give the signed *Proof of Personal Service* to you.

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

- If the person will not take the papers, just leave them near him or her.
- It does not matter if the person tears them up. Service is still complete.

**When do the orders have to be served?**

It depends. To know the exact date, you have to look at two things on Form WV-109, *Notice of Court Hearing*.

First, look at the hearing date on page 1 of Form WV-109.

④ **Notice of Hearing**

**Hearing Date** → Date: \_\_\_\_\_  
Dept.: \_\_\_\_\_

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

⑥ **Service of Documents By the Person in ①**

At least ☐ five ☐ \_\_\_\_\_ days before the hearing.

Look at a calendar. Subtract the number of days in ⑥ from the hearing date. That is the final date to have the orders served. It is always OK to serve earlier than that date.

If nothing is checked or written in ⑥, you must serve the orders at least five days before the hearing.

**Who signs the *Proof of Personal Service*?**

Only the person who serves the forms can sign Form WV-200, *Proof of Personal Service*. You do not sign it; the restrained person does not need to sign it.

**What do I do with the completed *Proof of Personal Service*?**

If someone other than the sheriff serves the papers, you should:

- Make several copies.
- File the original with the court before your hearing.
- Ask the clerk to enter it into the California Law Enforcement Telecommunications System (CLETS), a special computer system that lets police all over the state find out about the orders protecting you.
- If the clerk tells you that the court cannot enter it into the computer, take a copy of the *Temporary Restraining Order* (Form WV-110) and *Proof of Personal Service* (Form WV-200) to your local police. They will put the information into the state computer system. That way, police all over the state will know that your restraining order has been served.
- Bring a copy of the completed *Proof of Personal Service* to your hearing.
- Always keep an extra copy of the restraining orders with you for your safety.

If the sheriff serves the papers, he or she will send the proof of service to the court and CLETS for you.

**What happens if I can't get the orders served before the hearing date?**

Before your hearing, fill out and file Form WV-115, *Request to Continue Court Hearing and to Reissue Temporary Restraining Order*. This form asks the court for a new hearing date and makes your orders last until then. Ask the clerk for the form. After the court has reissued the orders, attach a copy of Form WV-116, *Notice of New Hearing Date and Order on Reissuance*, to a copy of your original orders. Ask the clerk to enter Form WV-116 into CLETS or the clerk may ask you or your attorney to deliver a copy to the police. That way, the police will know your orders are still in effect.

**1 Petitioner (Employer or Collective Bargaining Representative)**

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

**2 Employee Who Suffered Harassment, Violence, or Threat of Violence**

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

**3 Respondent (Person From Whom Protection Is Sought)**

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

**4 Notice to Server**

The server must:

- Be 18 years of age or older.
- Not be listed in items **1**, **2**, or **4** of form WV-100.
- Give a copy of all documents checked in **5** below to the respondent. (You cannot send them by mail.) Then complete and sign this form and give or mail it to the petitioner.

**PROOF OF PERSONAL SERVICE****5** I gave the respondent a copy of the forms checked below:

- a. ☐ WV-109, *Notice of Court Hearing*
- b. ☐ WV-110, *Temporary Restraining Order*
- c. ☐ WV-100, *Petition for Workplace Violence Restraining Orders*
- d. ☐ WV-120, *Response to Petition for Workplace Violence Restraining Orders* (blank form)
- e. ☐ WV-120-INFO, *How Can I Respond to a Petition for Workplace Violence Restraining Orders?*
- f. ☐ WV-130, *Workplace Violence Restraining Order After Hearing*
- g. ☐ WV-250, *Proof of Service by Mail* (blank form)
- h. ☐ WV-800, *Receipt for Firearms and Firearm Parts* (blank form)
- i. ☐ Other (specify): \_\_\_\_\_

**6** I personally gave copies of the documents checked above to the respondenta. On (date): \_\_\_\_\_ b. At (time): \_\_\_\_\_ ☐ a.m. ☐ p.m.

c. At this address: \_\_\_\_\_

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

**7 Server's Information**

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

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

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

(If you are a registered process server):

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

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

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

Type or print server's name

Server to sign here

**1 Petitioner (Employer or Collective Bargaining Representative)**

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

**2 Employee Who Suffered Harassment, Violence, or Threat of Violence**

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

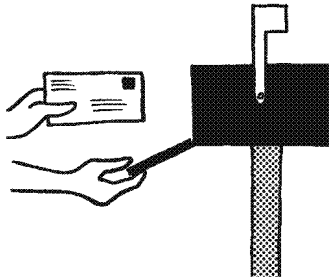
**3 Respondent (Person From Whom Protection Is Sought)**

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

**4 Notice to Server**

The server must:

- Be 18 years of age or older.
- Be a resident of or employed in the county where the mailing took place.
- Not be the respondent.
- Mail a copy of all documents checked in **5** below to the petitioner or the petitioner's lawyer.
- Complete and sign this form and give it to the respondent.



Fill in court name and street address:

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

Court fills in case number when form is filed.

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

**PROOF OF SERVICE BY MAIL**

**5** I am 18 years of age or older and not a party to this proceeding. I live or am employed in the county where the mailing took place. I mailed the petitioner or the petitioner's lawyer a copy of:

- a. Form WV-120, *Response to Petition for Workplace Violence Restraining Order* (completed)
- b. ☐ Other (specify): \_\_\_\_\_

**6** I placed copies of the documents listed above in a sealed envelope and mailed them as described below:

- a. Mailed to (name): \_\_\_\_\_
- b. To this address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_
- c. On (date): \_\_\_\_\_ Mailed from: City: \_\_\_\_\_ State: \_\_\_\_\_

**7 Server's Information**

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

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

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

(If you are a registered process server):

County of registration: \_\_\_\_\_ Registration number: \_\_\_\_\_

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

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

Type or print server's name

Server to sign here

**Request to Reschedule Hearing to  
Renew Restraining Order***Clerk stamps date here when form is filed.*

**Instructions:** Either party may use this form to ask the court to reschedule the hearing (court date) listed on form WV-710, *Notice of Hearing to Renew Restraining Order*. Note: If the hearing is rescheduled, the restraining order will be extended until the new court hearing.

**1 My Information**

a. My name is: \_\_\_\_\_

b. I am the (*check one*):

(1) ☐ **Petitioner** (employer or collective bargaining representative)  
(*skip to ②*).

(2) ☐ **Restrained Party** (*give your contact information below*).

**Address where I can receive mail:**

This address will be used by the court and by the other party to send you official court dates, orders, and papers. For privacy, you may use another address like a post office box, a Safe at Home address, or another person's address, if you have their permission. If you have a lawyer, give their information.

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

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

**Additional contact information** (*optional*)

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

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

**Lawyer's information** (*skip if you do not have one*)

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:****2 Information About Your Case**

a. The other party in this case is (*full name*): \_\_\_\_\_

b. The court date is currently scheduled for (*date*): \_\_\_\_\_

**This is not a Court Order.**

**3 Why does your court date need to be rescheduled?**

- a. ☐ I need more time to have the restrained party served.
- b. ☐ Other reason:


**4 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*

**5 Lawyer's signature (if you have one)**

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

\_\_\_\_\_  
*Lawyer's name*



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

**Your Next Steps**

- Complete form [WV-716](#), *Order to Reschedule Hearing to Renew Restraining Order* (only items ① and ②).
- File forms WV-715 and WV-716 with the court. A judge will review your forms and decide whether to reschedule your court date.
- If the judge grants your request to reschedule your court date, you must have someone serve a copy of all forms listed on form WV-716, item ⑤. Your server can be the sheriff or another adult who is not involved in the case. For more information on how to serve the restrained person, go to [selfhelp.courts.ca.gov/WV-restraining-order/renew/sheriff-serves](https://selfhelp.courts.ca.gov/WV-restraining-order/renew/sheriff-serves).
- If the judge denies your request to reschedule, you must go to your court hearing (listed on form WV-710).

**Order to Reschedule Hearing  
to Renew Restraining Order***Clerk stamps date here when form is filed.*

(Complete ① and ② only. The court will complete the rest of this form.)

① **Petitioner (Employer or Collective Bargaining Representative):**

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② **Restrained Party:** \_\_\_\_\_

③ **Next Court Date**

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

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

- (1) The *Workplace Violence Restraining Order After Hearing* (form WV-130) granted in this case stays in full force and effect until your court date.

- (2) Your court date is not rescheduled because:

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- b. ☐ **Granted:** The request to reschedule the court date is granted. Your court date is rescheduled for the day and time listed below. The current restraining order stays in effect until the hearing date below or the original expiration date, whichever is later. See ④–⑦ for more information.

**New  
Court  
Date**

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

Name and address of court, if different from above:

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*Fill in court name and street address:*

**Superior Court of California, County of**

*Fill in case number:*

**Case Number:**

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

You must obey the restraining order while it is in effect.

**This is a Court Order.**



**4 Reason Court Date Is Rescheduled**

- a. ☐ The petitioner has not served the restrained party.
- b. ☐ Other reason:

**5 Serving (Giving) Order to Other Party**

The request to reschedule was made by the:

a. ☐ **Petitioner**

- (1) ☐ You do not have to serve the restrained party because they or their lawyer were at the court date or agreed to reschedule the court date.
- (2) ☐ You must have the restrained party personally served with a copy of all the forms listed on form [WV-710](#), item **5**, by (date): \_\_\_\_\_
- (3) ☐ You must have the restrained party served with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_

(4) ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. ☐ **Restrained party**

- (1) ☐ You do not have to serve the petitioner because they or their lawyer were at the court date or agreed to reschedule the court date.
- (2) ☐ You must have the petitioner personally served with a copy of this order by (date): \_\_\_\_\_
- (3) ☐ You must have the petitioner served with a copy of this order. This can be done by mail. You must serve by (date): \_\_\_\_\_

(4) ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

c. ☐ **Court**

- (1) ☐ Further notice is not required.
- (2) ☐ The court will mail a copy of this order to all parties by (date): \_\_\_\_\_
- (3) ☐ Other: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**This is a Court Order.**



**6 No Fee to Serve (Notify) Restrained Person** ☐ **Ordered** ☐ **Not Ordered**

The sheriff or marshal will serve this order for free because:

- a. ☐ The order is based on unlawful violence, a credible threat of violence, or stalking.
- b. ☐ The person in **1** is entitled to a fee waiver.

**7** ☐ **Other Orders**

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

\_\_\_\_\_  
*Judicial Officer***Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to [www.courts.ca.gov/forms.htm](http://www.courts.ca.gov/forms.htm) for *Disability Accommodation Request* (form [MC-410](#)). (Civ. Code, § 54.8.)

**Instructions to Clerk**

If the court rescheduled the court date, the court must enter this order into CLETS or send this order to law enforcement to enter into CLETS. This must be done within one business day from the day the order is made.

**—Clerk's Certificate—**

Clerk's Certificate

[seal]

I certify that this *Order to Reschedule Hearing to Renew Restraining Order* (form WV-716) is a true and correct copy of the original on file in the court.

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

**This is a Court Order.**

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

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

- Firearms, including any handgun, rifle, shotgun, and assault weapon;
- Firearm parts, meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531). There may also be called “ghost guns.”

You also may not have or possess ammunition.

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

You must take them to:

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

OR

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

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

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

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

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

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

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

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

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

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

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

**Do not** bring firearms to court.

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

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

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

Yes. You are allowed to sell firearms to a licensed gun dealer. To do so, the gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the items that you are selling.

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

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

**Additional Questions?**

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

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

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

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

*[Local information may be inserted.]*

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

**1 Petitioner (Employer)**

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

**2 Employee in Need of Protection**

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

**3 Respondent (Person From Whom Protection Is Sought)**

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

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

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

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

Your Address (If you have a lawyer, give your lawyer's information.

If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or email.):

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

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

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

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

**4 To the Respondent:**

If a judge has ordered you to turn in, sell, or store your firearms (guns) and firearm parts—meaning receivers, frames, or any item that may be used as or easily turned into a receiver or frame (see Penal Code section 16531)—use this form to prove to the judge that you have obeyed their orders. Take this form to a law enforcement officer or a licensed gun dealer to complete item **5** or **6**. For more information on how to properly turn in your items, read form SV-800-INFO, *How Do I Turn In, Sell, or Store My Firearms and Firearm Parts?*

**5****To Law Enforcement**(Complete the section below. Keep a copy and give the original to the person in **3**.)

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

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

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

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

**Items Surrendered**

a. Firearms and firearm parts transferred on:

Date: \_\_\_\_\_ Time: \_\_\_\_\_ ☐ a.m. ☐ p.m.b. List of items (List all the items surrendered by the person in **3**. You may attach a separate form from your agency (e.g., a property report), use item **7**, or both. Check below if you have attached a separate form):☐ Separate form is attached. (If it does not include all surrendered items, list additional items in item **7**.)

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

Signature of law enforcement agent: \_\_\_\_\_

6

**To Licensed Gun Dealer***(Complete the section below. Keep a copy and give the original to the person in ③.)*

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

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

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

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

**Items Stored or Sold**

- a. Firearms and firearm parts transferred on:

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

- b. List of items
- (List all the items surrendered by the person in ③. You may attach a separate form (e.g., Department of Justice's Report of Firearms Acquisition) or you may use item ⑦. Check below if you have attached a separate form):*

☐ Separate form is attached. *(If it does not include all surrendered items, list additional items in item ⑦.)*

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



Signature of licensed gun dealer: \_\_\_\_\_

7

☐ **List of Items Surrendered**

Firearms and firearm parts

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

- ☐ Check here if there is not enough space above for your answer. Use a separate sheet of paper to list other items. Write "WV-800, item 7" at the top, and attach it to this form.

**8 To the Restrained Person:**

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

☐ No

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

a. ☐ I filed a *Receipt for Firearms and Firearm Parts* (form WV-800) or other proof for those items with the court on *(date)*: \_\_\_\_\_

b. ☐ I am filing the proof for those firearms (guns) or firearm parts along with this proof.

c. ☐ I have not yet filed the proof for the other firearms (guns) or firearm parts.  
*(Explain why not):*

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**Your signature**

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

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

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



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

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**Your Next Steps**

- After the form is complete, make two additional copies. Take the copies and original to the court clerk to file.
- Keep a copy for yourself.

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

PLAINTIFF/PETITIONER: DEFENDANT/RESPONDENT:	CASE NUMBER:
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**DECLARATION**

*(This form must be attached to another form or court paper before it can be filed in court.)*

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)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

☐ Attorney for    ☐ Plaintiff    ☐ Petitioner    ☐ Defendant  
☐ Respondent    ☐ Other (*Specify*):