

1. ☐ The following party or ☐ the attorney for:
- a. ☐ plaintiff (*name*):
 - b. ☐ defendant (*name*):
 - c. ☐ petitioner (*name*):
 - d. ☐ respondent (*name*):
 - e. ☐ other (*describe*):

2. The electronic service address of the person identified in item 1 is (specify):

Date:

(SIGNATURE OF PARTY OR ATTORNEY)

| | |
|------------|--------------|
| CASE NAME: | CASE NUMBER: |
|------------|--------------|

(Note: *If you serve Consent to Electronic Service and Notice of Electronic Service Address by mail, you should use form POS-030, Proof of Service by First-Class Mail–Civil, instead of using this page.*)

PROOF OF ELECTRONIC SERVICE

CONSENT TO ELECTRONIC SERVICE AND NOTICE OF ELECTRONIC SERVICE ADDRESS

1. I am at least 18 years old.
 - a. My residence or business address is (*specify*):

 - b. My electronic service address is (*specify*):

2. I electronically served a copy of the *Consent to Electronic Service and Notice of Electronic Service Address* as follows:
 - a. Name of person served:

 - b. Electronic service address of person served:

On behalf of (*name or names of parties represented, if person served is an attorney*):

 - c. On (*date*):

 - d. At (*time*):

☐ Electronic service of the *Consent to Electronic Service and Notice of Electronic Service Address* on additional persons is described in an attachment.

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

Date:

(TYPE OR PRINT NAME OF DECLARANT)



(SIGNATURE OF DECLARANT)

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

What is a gun violence restraining order?

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

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

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

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

Can I get a gun violence restraining order against someone?

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

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

Immediate family members include:

- Your spouse or domestic partner;
- You or your spouse’s parents, children, siblings, grandparents, and grandchildren and their spouses, including any stepparents or stepgrandparents; and
- You or your spouse’s aunts, uncles, nieces, nephews, first and second cousins, great-grandparents, and great-grandchildren if you have had substantial and regular interactions for at least a year.

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

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

No.

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

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

What forms do I need to get the order?

You must fill out the following forms:

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

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

Where can I get these forms?

You can get the forms from legal publishers or the internet at courts.ca.gov/forms. You also may be able to find them at your local courthouse or county law library.



What do I need to do to get the order?

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

How soon can I get the order?

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

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

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



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

Do I need a lawyer?

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

What do I have to prove to get the order?

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

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

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

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

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



Do I have to attend a court hearing?

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

GV-109 Notice of Court Hearing

Petitioner must complete items (1) and (2) only.

1 Petitioner

Your Full Name or Name of Law Enforcement Agency: _____

I am: ☐ A family member of the respondent.
☐ An officer of a law enforcement agency.
☐ An employer of the respondent.
☐ A coworker of the respondent.
☐ An employee or teacher of a secondary or postsecondary school that the respondent has attended in the last 6 months.
☐ A roommate of the respondent.
☐ A person who has a dating relationship with the respondent.
☐ A person who has a child in common with the respondent.

2 Respondent

Full Name: _____

The court will complete the rest of this form.

3 Hearing

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

Name and address of court if different from above: _____

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

To the person in (2):

- 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.

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

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

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

Approved by Clerk of Superior Court: _____ Date: _____
 Printed Name: _____ Title: _____
 Approved by Clerk: _____

Notice of Court Hearing (Gun Violence Prevention) GV-109, Page 1 of 2

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

Can someone attend the hearing with me?

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

Do I need to bring a witness to the hearing?

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

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

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

Will I see the restrained person at the court hearing?

If the person attends the hearing, yes. If you are afraid, tell the court.

How long does the order last?

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

What if the restrained person does not obey the order?

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

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

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



What if I need help to understand English?

When you file your papers, ask 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.

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/GV-restraining-order.

For help in your area, contact:

[Local information may be inserted.]

**Petition for Gun Violence
Restraining Order**

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

Clerk stamps date here when form is filed.

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

1 Petitioner

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

I am:

- ☐ A family member of the respondent.
- ☐ An officer of a law enforcement agency (*A petition may be filed in the name of the law enforcement agency in which the officer is employed. If you wrote your full name above, write the name of the law enforcement agency that employs you*):

- ☐ An employer of the respondent (*your position and name of company*):

- ☐ A coworker of the respondent. I have had substantial and regular interactions with the respondent for at least one year and I have obtained the approval of my employer to file this petition (*name of company*):

- ☐ An employee or teacher of a secondary or postsecondary school that the respondent has attended in the last 6 months. I have obtained the approval of a school administrator to file this petition (*name of the school*):

- ☐ A roommate of the respondent. I currently live with the respondent or lived with the respondent within the past six months and have had substantial and regular interactions with the respondent for at least one year.

- ☐ A person who has a dating relationship with the respondent.

- ☐ A person who has a child in common with the respondent. I have had substantial and regular interactions with the respondent for at least one year.

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

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

Address: _____ Telephone: _____

City: _____ State: _____ Zip: _____ Fax: _____

Email Address: _____

2 Respondent

Full Name: _____ Age: _____

Address (*if known*): _____

City: _____ State: _____ Zip: _____

This is not a Court Order.



3 Venue

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

- a. ☐ The respondent lives in this county.
 b. ☐ Other *(specify)*: _____

4 Other Court Cases

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

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

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

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

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

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

Answer 5a or check 5b if you have reason to believe that the respondent is in possession of firearms (guns), firearm parts, ammunition, or magazines. 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).

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

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

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

This is not a Court Order.



6 Reasons a Gun Violence Restraining Order is Needed

Explain why a gun violence restraining order is needed. This explanation should include: (1) how the respondent poses a danger to themselves or others by having a firearm (gun), a firearm part (any receiver, frame, or unfinished receiver or frame as defined in Penal Code section 16531), ammunition, or a magazine; and (2) whether other less restrictive alternatives to a gun violence restraining order have been tried and found to be ineffective, or why other less restrictive alternatives have been determined to be inadequate or inappropriate for the current circumstances. If any of the following have occurred, you should include information about them:

- Threats or acts of violence or physical force by the respondent.
- Violation of a protective order by the respondent.
- The respondent being convicted of illegally possessing a firearm (gun).
- The respondent being arrested for a felony offense.
- The unlawful and reckless use, display, or brandishing of a firearm (gun) by the respondent.
- Recent criminal offenses by the respondent that involve illegal drugs or alcohol.
- Recent acquisition of firearms (guns), ammunition, other deadly weapons, or body armor by the respondent.
- Any other evidence of an increased risk for violence by the respondent.

The facts supporting the above statements are set forth:

☐ Below ☐ On Attached Declaration (form [MC-031](#)).

7 Request for Gun Violence Restraining Order

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

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

8 No Body Armor

If an order is granted, the respondent will be prohibited from owning, possessing, or buying body armor and would have to relinquish any they have.

This is not a Court Order.

9 No Fee to Serve (Notify) Restrained Person

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

10 Request for Hearing

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

11 ☐ Temporary Gun Violence Restraining Order

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

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

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

☐ Reasons stated in Attachment 11.

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

You must have your papers personally served on the respondent at least five calendar days before the hearing, unless the court orders a shorter time for service. (See What Is "Proof of Personal Service"? (form [GV-200-INFO](#)). Proof of Personal Service (form [GV-200](#)) may be used to show the court that the papers have been served.)

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

☐ Reasons stated in Attachment 12.

13 Number of pages attached to this form, if any: _____

Date: _____

Lawyer's name (if any)



Lawyer's signature

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

Date: _____

Type or print your name



Sign your name

This is not a Court Order.

Clerk stamps date here when form is filed.

Petitioner must complete items ① and ② only.

① Petitioner

Your Full Name or Name of Law Enforcement Agency:

- I am: ☐ A family member of the respondent.
☐ An officer of a law enforcement agency.
☐ An employer of the respondent.
☐ A coworker of the respondent.
☐ An employee or teacher of a secondary or postsecondary school that the respondent has attended in the last 6 months.
☐ A roommate of the respondent.
☐ A person who has a dating relationship with the respondent.
☐ A person who has a child in common with 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:

② Respondent

Full Name: _____

*The court will complete the rest of this form.***③ Hearing**Hearing
DateDate: _____ Time: _____
Dept.: _____ Room: _____

Name and address of court if different from above:

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

To the person in ②:

- 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.

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

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

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



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

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

Respondent poses a significant danger of causing personal injury to themselves or another person by having custody or control of, owning, purchasing, possessing, or receiving firearms, firearm parts, ammunition, or magazines. 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).

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

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

5 Service of Documents on Respondent

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

- a. GV-100, *Petition for Gun Violence Restraining Order* (file-stamped)
- b. ☐ GV-110, *Temporary Gun Violence Restraining Order* (file-stamped) **IF GRANTED**
- c. [GV-120](#), *Response to Petition for Gun Violence Restraining Order* (blank form)
- d. [GV-120-INFO](#), *How Can I Respond to a Petition for a Gun Violence Restraining Order?*
- e. [GV-125](#), *Consent to Gun Violence Restraining Order and Surrender of Firearms* (blank form)
- f. ☐ Other (specify): _____

Date: _____

Judicial Officer



To the Petitioner in 1:

- The court cannot make an order at the court hearing unless the respondent has been personally given (served) a copy of the Petition and a temporary order if issued. To show that the respondent has been served, the person who served the forms must fill out a proof of service form. *Proof of Personal Service* (form [GV-200](#)) may be used.
- For information about service, read *What Is "Proof of Personal Service"?* (form [GV-200-INFO](#)).
- You may ask to reschedule the hearing if you are unable to find the respondent and need more time to serve, or for other good reasons. Use *Request to Continue Court Hearing for Gun Violence Restraining Order* (form [GV-115](#)).
- You must attend the hearing if you want the judge to make any of the orders you requested on form GV-100, *Petition for Gun Violence Restraining Order*. Bring any evidence or witnesses you have. For more information, read form [GV-100-INFO](#), *Can a Gun Violence Restraining Order Help Me?*

To the Respondent:

- If you want to oppose the *Petition for Gun Violence Restraining Order* (form GV-100) in writing, file *Response to Petition for Gun Violence Restraining Order* (form [GV-120](#)) and have someone age 18 or older—**not you**—mail it to the Petitioner.
- The person who mailed the form must fill out a proof of service form. *Proof of Service by Mail* (form [GV-250](#)) may be used. File the completed form with the court before the hearing and bring a copy with you to the court hearing.
- Whether or not you respond in writing, attend the hearing if you want the judge to hear from you before making an order. You may tell the judge why you agree or disagree with the order requested.
- You may bring witnesses and other evidence.
- At the hearing, the judge may order you to turn in to law enforcement, or sell to or store with, a licensed gun dealer, any firearms (guns), firearm parts, ammunition, or magazines 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 issued, the order will last for one year. 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 do not oppose the petition and are willing to give up your firearm rights, complete and file a *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form [GV-125](#)).
- 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. Use *Request to Continue Court Hearing for Gun Violence Restraining Order* (form GV-115).

**Request for Accommodations**

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

(Clerk will fill out this part.)

—Clerk's Certificate—

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

Clerk's Certificate

[seal]

Date: _____

Clerk, by _____, Deputy

**Temporary Gun Violence
Restraining Order**

Petitioner must complete ① and ② only.

Clerk stamps date here when form is filed.

① Petitioner

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

I am:

- ☐ A family member of the respondent
- ☐ An officer of a law enforcement agency
- ☐ An employer of the respondent
- ☐ A coworker of the respondent
- ☐ An employee or teacher of a secondary or postsecondary school that the respondent has attended in the last 6 months
- ☐ A roommate of the respondent.
- ☐ A person who has a dating relationship with the respondent.
- ☐ A person who has a child in common with the respondent.

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

Name: _____ State Bar No.: _____

Firm Name: _____

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

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

② Respondent

(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: <input type="checkbox"/> M <input type="checkbox"/> F <input type="checkbox"/> Nonbinary | Home Address: _____ | |
| City: _____ State: _____ Zip: _____ | | |
| Relationship to Protected Person: _____ | | |

The court will complete the rest of this form.

③ Expiration Date

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

Date: _____ Time: _____ ☐ a.m. ☐ p.m.

This is a Court Order.



4

- ☐ Having examined ☐ petitioner ☐ and other witnesses under oath,
☐ Having considered the declarations of ☐ petitioner ☐ and other witnesses under penalty of perjury,

a. The court finds that there is a substantial likelihood that both of the following are true:

- (1) Respondent poses a significant danger in the near future of causing personal injury to himself or another person by having in their custody or control, owning, purchasing, possessing, or receiving firearms, firearm parts, ammunition, or magazines. 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).
- (2) A temporary gun violence restraining order is necessary to prevent personal injury to the respondent or to another person because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the current circumstances.

b. ☐ The facts as stated in the Petition and supporting evidence, which are incorporated here by reference, and for the reasons set forth below, establish sufficient grounds for the issuance of this order.

[illegible]

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

5

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

This is a Court Order.

- 6
- No Firearms (Guns), Firearm Parts, Ammunition, and Magazines
- a.

You cannot have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, any prohibited items listed below in b.
- b.

Prohibited items are:

(1)

Firearms (guns);

(2)

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

(3)

Ammunition; and

(4)

Magazines (ammunition feeding devices).
- c.

You must surrender (turn in, sell, or store) all prohibited items in your custody or control or that you possess or own. If a law enforcement officer asks you to turn over your prohibited items, you must do so immediately. If no request is made by a law enforcement officer, you must surrender all prohibited items within 24 hours of being served with this order. You may surrender these items by turning them in to law enforcement, selling them to a licensed gun dealer, or storing them with a licensed gun dealer for as long as this order or any more permanent order granted at the hearing in 3 is in effect.
- d.

Within 48 hours of receiving this order, you must file a receipt with the court that proves that all your prohibited items have been turned in, sold, or stored. (You may use *Receipt for Firearms, Firearm Parts, Ammunition, and Magazines* (form [GV-800](#)) for the receipt.) You must also file a copy of the receipt with the law enforcement agency that served you with this order. **FAILURE TO FILE THIS RECEIPT IS A VIOLATION OF THIS ORDER.**

7

☐ Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. Firearms, firearm parts, and/or magazines

| Description (include serial number, if known) | Location, if known | Proof of compliance received by the court |
|---|--------------------|---|
| (1) _____ | _____ | <input type="checkbox"/> (date): _____ |
| (2) _____ | _____ | <input type="checkbox"/> (date): _____ |
| (3) _____ | _____ | <input type="checkbox"/> (date): _____ |
| (4) _____ | _____ | <input type="checkbox"/> (date): _____ |

b. Ammunition

| Description | Amount, if known | Location, if known | Proof of compliance received by the court |
|-------------|------------------|--------------------|---|
| (1) _____ | _____ | _____ | <input type="checkbox"/> (date): _____ |
| (2) _____ | _____ | _____ | <input type="checkbox"/> (date): _____ |
| (3) _____ | _____ | _____ | <input type="checkbox"/> (date): _____ |
| (4) _____ | _____ | _____ | <input type="checkbox"/> (date): _____ |

☐ Check here to list additional items. List them on a separate piece of paper, write “GV-110, Restrained Person Has Prohibited Items” at the top, and attach it to this form.

This is a Court Order.

8 ☐ **Court Hearing to Review Firearms (Guns), Firearm Parts, Ammunition, and Magazine Compliance**

In addition to the hearing listed on form GV-109, you must attend the court hearing listed below to prove that you have properly turned in, sold, or stored all prohibited items (described in **(6)b**) you still have or own, including any items listed in **(7)**. If you do not attend the court hearing listed below, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.



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

Name and address of court, if different than court address listed on page 1: _____

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 Number of pages attached to this order, if any: _____

Date: _____

Judicial Officer

Warnings and Notices to the Respondent

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

This is a Court Order.

Warnings and Notices to the Respondent*(Continued)*

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

After You Have Been Served With a Temporary Order

- Obey the order by turning in all firearms (guns), firearm parts, ammunition, and magazines to a law enforcement agency or selling them to or storing them with a licensed gun dealer.
- Read *How Can I Respond to a Petition for Gun Violence Restraining Order?* (form [GV-120-INFO](#)) to learn how to respond to this order.
- If you do not oppose the petition, fill out *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form [GV-125](#)) and file it with the court clerk.
- If you disagree with the petition, fill out *Response to Petition for Gun Violence Restraining Order* (form [GV-120](#)) and file it with the court clerk.
- You must have form GV-120 served by mail on the Petitioner or the Petitioner's attorney. You cannot do this yourself. The person who does the mailing should complete and sign *Proof of Service by Mail* (form [GV-250](#)). File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use *Declaration* (form [MC-030](#)) for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at courts.ca.gov/rules-forms/find-your-court-forms. If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also attend the hearing. You and your witnesses may attend the hearing remotely (check with your court for instructions).
- At the hearing, the judge can make a gun violence restraining order against you that lasts between one to five years. Tell the judge why you disagree with the order requested.

Instructions for Law Enforcement**Duties of Officer Serving This Order**

The officer who serves this order on the restrained person must do the following:

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

This is a Court Order.

Instructions for Law Enforcement*(Continued)***Duties of Agency on Surrender of Firearms, Firearm Parts, Ammunition, or Magazines**

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

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

Enforcing This Order

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

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

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

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

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

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

Date: _____ Clerk, by _____, Deputy

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.

**Gun Violence Restraining Order
After Hearing or Consent to
Gun Violence Restraining Order**

Clerk stamps date here when form is filed.

Petitioner must complete ① and ② only.

① Petitioner

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

I am:

- ☐ A family member of the respondent.
- ☐ An officer of a law enforcement agency (*A petition may be filed in the name of the law enforcement agency in which the officer is employed*).
- ☐ An employer of the respondent.
- ☐ A coworker of the respondent.
- ☐ An employee or teacher of a secondary or postsecondary school that the respondent has attended in the last 6 months.
- ☐ A roommate of the respondent.
- ☐ A person who has a dating relationship with the respondent.
- ☐ A person who has a child in common with the respondent.

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

Name: _____ State Bar No.: _____

Firm Name: _____

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

Address: _____

City: _____ State: _____ Zip: _____ Telephone: _____

Email Address: _____ Fax: _____

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:**② Respondent***(Give all the information you know. Information with a star (*) is required to add this order to the California police database. If age is unknown, give an estimate.)*

*Full Name: _____ *Age: _____ Date of Birth: _____

*Race: _____ Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

*Gender: ☐ M ☐ F ☐ Nonbinary Home Address: _____

City: _____ State: _____ Zip: _____

Relationship to Protected Person: _____

*The court will complete the rest of this form.***③ Expiration Date*****This order expires at:***(Time): _____ ☐ a.m. ☐ p.m. ☐ midnight on (date): _____

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

This is a Court Order.

4

- (Name of judicial officer): _____ made the orders at the hearing.

5

- (1) Respondent poses a significant danger of causing personal injury to themselves or another person by having in their custody or control, owning, purchasing, possessing, or receiving firearms, firearm parts, ammunition, or magazines. 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).

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

-
- 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.

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

This is a Court Order.

- 5 d. ☐ The respondent filed *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125). The court finds that the respondent agreed not to have in the respondent's custody or control, own, purchase, possess, or receive a firearm, firearm part, ammunition, or magazine or attempt to purchase or receive those items until: (*expiration date*) _____.

6 **No Fee to Serve**

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

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

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

8 ☐ **Restrained Person Has Prohibited Items**

The court finds that you have the following prohibited items:

a. **Firearms, firearm parts, and/or magazines**

| Description (<i>include serial number, if known</i>) | Location, if known | Proof of compliance received by the court |
|--|--------------------|---|
| (1) _____ | _____ | <input type="checkbox"/> (<i>date</i>): _____ |
| (2) _____ | _____ | <input type="checkbox"/> (<i>date</i>): _____ |
| (3) _____ | _____ | <input type="checkbox"/> (<i>date</i>): _____ |
| (4) _____ | _____ | <input type="checkbox"/> (<i>date</i>): _____ |

This is a Court Order.



8 b. Ammunition

| Description | Amount, if known | Location, if known | Proof of compliance received by the court |
|-------------|---------------------|--------------------|--|
| (1) _____ | _____ | _____ | <input type="checkbox"/> (date): _____ |
| (2) _____ | _____ | _____ | <input type="checkbox"/> (date): _____ |
| (3) _____ | _____ | _____ | <input type="checkbox"/> (date): _____ |
| (4) _____ | _____ | _____ | <input type="checkbox"/> (date): _____ |

- ☐ Check here to list additional items. List them on a separate piece of paper, write “GV-130, Restrained Person Has Prohibited Items” at the top, and attach it to this form.

9 ☐ Restrained Person Has Not Complied With Surrendering Prohibited Items

- a. The court finds that you have not fully complied with the orders previously granted on (date): _____
The court has not received a receipt or proof of compliance for all the items listed in **(8)**.
- b. **Notify Law Enforcement**
The court will immediately notify the following law enforcement agency of this violation (*law enforcement agency or agencies*): _____
- c. **Notify Prosecutor**
The court will immediately notify the following prosecuting agency of this violation (*prosecuting agency*): _____

10 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.

11 ☐ Court Hearing to Review Firearms (Guns), Firearm Parts, Ammunition, and Magazine Compliance

You must attend the court hearing listed below to prove that you have properly turned in, sold, or stored all prohibited items (described in **(7) b**) you still have or own, including any items listed in **(8)**. If you do not attend the court hearing listed below, a judge may find that you have violated the restraining order and notify law enforcement and a prosecuting attorney of the violation.



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

Name and address of court, if different than court address listed on page 1: _____

This is a Court Order.

12 Service of Order on Respondent

- a. ☐ The respondent was present in court, either physically or remotely (by telephone or videoconference), at the time the order was issued. No other proof of service is needed. The clerk has provided the respondent with a blank copy of *Request to Terminate Gun Violence Restraining Order* (form GV-600).
- b. ☐ The respondent was not present in court at the time the order was issued. The respondent must be personally served with a court file-stamped copy of this order and a blank copy of *Request to Terminate Gun Violence Restraining Order* (form [GV-600](#)) by a law enforcement officer or someone age 18 or older, **and not a party to the action.**
- c. ☐ This is an order based on the respondent's filing of a *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125). The court will provide notice to all parties.
- d. ☐ The respondent was not present in court at the time the order was issued, and the court has scheduled a firearms (guns), firearm parts, ammunition, and magazine compliance hearing. The petitioner must have a copy of this order served on the respondent by:
- ☐ Personal service by (date): _____
- ☐ Mail at the respondent's last known address by (date): _____

13 Number of pages attached to this order, if any: _____

Date: _____

*Judicial Officer***Warnings and Notices to the Respondent**

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

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

This is a Court Order.

Instructions for Law Enforcement

Duties of Officer Serving This Order

The officer who serves this order on the restrained person must do the following:

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

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

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

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

Enforcing This Order

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

- The officer sees a copy of the proof of service or confirms that the proof of service is on file; or
- The respondent was informed of the order by an officer.
- (12)a or (12)c is checked.

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

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

This is a Court Order.



Instructions to Clerk

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

Clerk's Certificate
[seal]

(Clerk will fill out this part.)

—Clerk's Certificate—

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

Date: _____ Clerk, by _____, Deputy

This is a Court Order.

What is “service”?

Service is the act of giving your 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 Gun Violence Restraining Order* (Form GV-100), the *Notice of Court Hearing* (Form GV-109), and the *Temporary Gun Violence Restraining Order* (Form GV-110) must be served “in person.” That means that someone must personally “serve” (give) a copy of the forms to the respondent (the person to be prohibited from having guns).

These forms cannot be served by mail; they must be given to the respondent personally.

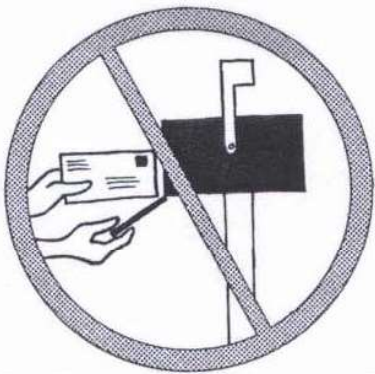
Service lets the respondent know:

- Why you are asking for a Gun Violence Restraining Order;
- 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.
- No hearing can be held to extend the order for a year unless the respondent was served and knows about the hearing.

Don't serve it by mail!

**Who can serve?**

Any law enforcement officer may serve the respondent, even if the petition was filed by a law enforcement officer. **It is recommended that you ask a law enforcement officer to serve the forms because of the potential for gun violence. A sheriff or marshal will serve the order at no cost to you.**

However, service may also be by any person who is at least 18 years old and not a party to the action. That means that if the petitioner is a family member rather than a law enforcement officer, that person may not serve the forms on the respondent. You may use a process server. A “registered process server” is a business that you pay to deliver court forms. Look for “Process Serving” in the Yellow Pages or on the Internet.

How to serve

Ask the server to:

- Make personal contact with 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 GV-200, *Proof of Personal Service*.
- Fill out and sign the *Proof of Personal Service* form.
- 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 won’t take the papers, just leave them near him or her.
- It doesn’t 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 GV-109, *Notice of Court Hearing*:

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

③ Hearing

Hearing Date → Date: _____
Dept.: _____

Next, look at the number of days in item ⑤ on page 2 of Form GV-109.

⑤ Service of Documents on Respondent

At least ☐ five ☐ _____ calendar days before the hearing.

Look at a calendar. Subtract the number of days in ⑤ 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 ⑤, 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 GV-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 a law enforcement officer serves the papers, you should:

- Make several copies.
- File the original with the court before your hearing.
- 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.

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

You will need to ask the court to “continue” (postpone and reschedule) the hearing until after you are able to have the respondent served. Fill out and file Form GV-115, *Request to Continue Court Hearing for Gun Violence Restraining Order*. If the court grants you a continuance, the *Temporary Gun Violence Restraining Order* (Form GV-110) will remain in effect until the new hearing date.

1 Petitioner/Requesting Agency

Name: _____

2 Respondent/Restrained Person

Name: _____

3 Notice to Server

The server must:

- Be 18 years of age or older.
- Not be the Petitioner unless the Petitioner is a law enforcement officer.
- Give a copy of all documents checked in **4** to the Respondent / Restrained Person. (You cannot send them by mail.) Then complete and sign this form and give or mail it to the Petitioner.



Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:**PROOF OF PERSONAL SERVICE****4** I personally gave the Respondent a copy of the forms checked below:

- a. ☐ GV-030, *Gun Violence Restraining Order After Hearing on EPO-002*
- b. ☐ GV-100, *Petition for Gun Violence Restraining Order*
- c. ☐ GV-109, *Notice of Court Hearing*
- d. ☐ GV-110, *Temporary Gun Violence Restraining Order*
- e. ☐ GV-116, *Order for Continuance and Notice of New Hearing Date*
- f. ☐ GV-120, *Response to Petition for Gun Violence Restraining Order* (blank form)
- g. ☐ GV-120-INFO, *How Can I Respond to a Petition for a Gun Violence Restraining Order?*
- h. ☐ GV-130, *Gun Violence Restraining Order After Hearing*
- i. ☐ GV-600, *Request to Terminate Gun Violence Restraining Order* (blank form)
- j. ☐ GV-800, *Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored* (blank form)
- k. ☐ Other (specify): _____

5 I personally gave copies of the documents checked above to the Respondent/Restrained Party:

- a. On (date): _____ b. At (time): _____ ☐ a.m. ☐ p.m.
- c. At this address: _____
City: _____ State: _____ Zip: _____

6 Server's Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

(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