

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 ☐ An employer

☐ A collective bargaining representative

Specify union: _____

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

_____ ☐ Yes ☐ No _____

_____ ☐ Yes ☐ 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.

5 **Relationship of Employee and Respondent**

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

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.

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

- Address of workplace:

☐ Response is stated in Attachment 8c.

[illegible]

-
-
-

-

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.

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) <input type="checkbox"/> The employee. | (8) <input type="checkbox"/> The employee's vehicle. |
| (2) <input type="checkbox"/> The other persons listed in 4 . | (9) <input type="checkbox"/> Other <i>(specify)</i> : |
| (3) <input type="checkbox"/> The employee's workplace. | _____ |
| (4) <input type="checkbox"/> The employee's home. | _____ |
| (5) <input type="checkbox"/> The employee's school. | _____ |
| (6) <input type="checkbox"/> The school of the employee's children. | _____ |
| (7) <input type="checkbox"/> The place of child care of the employee's children. | |

This is not a Court Order.

10 b. If the court orders the respondent to stay away from all the places listed above, will they still be able to get to their home, school, or job? ☐ Yes ☐ No (If no, explain):

☐ Response is stated on Attachment 10b.

11 Firearms (Guns), Firearm Parts, and Ammunition

Does the respondent have 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).)

- a. ☐ I don't know
b. ☐ No
c. ☐ Yes (If you have information, complete the section below.)

	Describe Firearms (Guns), Firearm Parts, or Ammunition	Number or Amount	Location, if known
(1)			
(2)			
(3)			
(4)			
(5)			
(6)			

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), firearm parts, and ammunition within their 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 them?

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

☐ Reasons are stated on Attachment 12.

This is not a Court Order.

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.

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 orders 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.

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

This is not a Court Order.

Case Number:

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, except as to those matters stated on information and belief, and as to those matters, I am informed and believe them to be true.

Date: _____

Name of petitioner

▶ _____
Signature

Title

This is not a Court Order.

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: _____

Dept.: _____ Room: _____

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 three 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.

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), firearm parts, and ammunition 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 courts.ca.gov/rules-forms/find-your-court-forms for *Disability Accommodation Request* (form MC-410). (Civ. Code, § 54.8.)

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

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

Date: _____ Clerk, by _____, Deputy

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: _____

Court fills in case number when form is filed.

Case Number: _____

☐ 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).

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

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), firearm parts, and ammunition 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), firearm parts, and ammunition have been turned in, sold, or stored. (You may use *Receipt for Firearms, Firearm Parts, and Ammunition* (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 ☐ Restrained Person Has Prohibited Items

The court finds that you have the following prohibited items:

a. Firearms and/or firearm parts

Description (<i>include serial number, if known</i>)	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 "WV-110, Restrained Person Has Prohibited Items" at the top, and attach it to this form.

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.

This is a Court Order.

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

In addition to the hearing listed on form WV-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 **7b**) 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:

11 Other Orders

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

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

To the Petitioner:**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 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 12.

This is a Court Order.

⑬ 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.

⑭ 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 ⑦ b 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), firearm parts, and ammunition 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 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 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 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;

Fam. Code, §§ 6383(h)(2), 6405(b); Code Civ. Proc., § 527.12(d)(2)):

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 also be enforced.
2. *No-Contact Order*: If a restraining/protective order includes a no-contact order, the no-contact order must be enforced. (5) a(4) is an example of a no-contact order.
3. *Criminal Protective Order (CPO)*: If none of the orders includes an EPO or a no-contact order, the most recent CPO must be enforced. (Fam. Code, §§ 6383(h)(2), 6405(b); Code Civ. Proc., § 527.12(d)(2).) 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 also 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 also 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.

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. For juvenile orders, list the primary protected person's information in (2) and (3).
- If the judge grants the restraining order, information you give on this form will be entered into a California 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:

Date received by court: _____

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

1 Person You Want a Restraining Order Against

*Name: _____

Other names used: _____

Marks, scars, or tattoos: _____

Driver's license (*number and state*): _____ SSN: _____

Vehicle type: _____ Model: _____ Year: _____ Plate number: _____

Telephone: _____

Name of employer and address: _____

Does the person speak English?

- ☐ Yes
- ☐ No (*list language*): _____
- ☐ I don't know

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.*)

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

Case Number: _____

2 ***Your Name:** _____

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

3 **Your information**

*Gender: ☐ ☐ F ☐ X (nonbinary) Race: _____

*Age: _____

Date of Birth (month, day, year): _____

(If the judge grants your restraining order, your information will be entered into California's law enforcement database. If you give your date of birth, it will also be entered into the federal law enforcement database. If your information is not in the federal law enforcement database, your restraining order may be more difficult to enforce outside of California.)

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 and 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)

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, Firearm Parts, and Ammunition* (blank form)
- i. ☐ Other (specify): _____

6 I personally gave copies of the documents checked above to the respondent

- a. 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