

## **RESOURCES**

### **1. U.S. Department of Homeland Security**

DHS offers free courses, materials, and workshops to better prepare you to deal with an active shooter situation and to raise awareness of behaviors that represent pre-incident indicators and characteristics of active shooters. The website below contains links to a variety of different resources, including information about active shooters.

<http://www.dhs.gov/active-shooter-preparedness>

### **2. U.S. Department of Homeland Security, Emergency Management Institute (EMI)**

EMI offers an interactive web-based course that provides guidance to individuals, including managers and employees, so that they can prepare to respond to an active shooter situation. The course is aimed at non-law enforcement employees.

<http://training.fema.gov/EMIWeb/IS/courseOverview.aspx?code=is-907>

### **3. U.S Department of Labor, Occupational Safety & Health Administration (OSHA)**

The website below lists training and other resources for workplace violence, including an online violence prevention program that provides methods to recognize and respond to risk factors related to workplace violence.

<https://www.osha.gov/SLTC/workplaceviolence/otherresources.html>

### **4. California Department of Human Resources**

The California Department of Human Resources has developed a model workplace violence and bullying prevention program for state agencies. The website also has a presentation provided by CHP Officer Richard Fuentes.

<http://www.calhr.ca.gov/state-hr-professionals/Pages/model-workplace-violence-and-bullying-prevention-program.aspx>

### **5. National Domestic Violence Hotline**

Agency employers may want to share this resource with an employee who is experiencing domestic violence. The National Domestic Violence Hotline is available 24 hours a day, 7 days a week.

<http://www.thehotline.org/>

1-800-799-7233

TDD: 1-800-787-3224

June 23, 2010

**\*\*\*Via Personal Delivery & First Class Mail\*\*\***

[Addressed to Aggressor/Respondent]

Subject: *Your Harassing and Threatening Conduct at \_\_\_\_\_ City Hall on  
June 3, 2010*

## **CEASE AND DESIST**

Dear [name]:

As a result of your abusive and belligerent conduct exhibited at the public service counter on the fourth floor in \_\_\_\_\_ City Hall on June 3, 2010 you are hereby directed to cease any such similar conduct. The City Attorney's Office as well as the \_\_\_\_\_ Police Department immediately initiated an investigation and we have determined that you engaged in the following highly inappropriate conduct:

- Using profanity and other abusive language in a hostile manner towards a female employee who was assisting you in obtaining a monthly bus pass;
- Threatening an employee by asking her when her shift was over and making note of her name after overhearing her on a telephone call;
- Urinating virtually everywhere in the men's restroom on the 4<sup>th</sup> floor, except the toilet;
- Smearing soap on a vanity mirror in the men's restroom; and
- Strewing toilet paper throughout the men's restroom.

The abuse of City employees and damage to public property will not be tolerated. If you cannot conduct your business at City Hall in a calm and courtesy manner, then we will have no alternative but to seek a restraining order which prohibits you from harassing City employees, and which further imposes strict conditions upon you if and when you visit \_\_\_\_\_ City Hall.

June 23, 2010

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This is the first and only warning you will receive in this regard. Any further complaints about your conduct will result in swift and decisive legal action. We trust that you will conform your conduct accordingly during your future visits to City Hall.

Very truly yours,

[name]  
Deputy City Attorney

XXX/xx

c:

**CH-140****Restraining Order After Hearing  
to Stop Harassment**

- ① Your name (*person asking for protection*):

Your address (*skip this if you have a lawyer*): (*If you want your address to be private, give a mailing address instead*):

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

Your telephone (*optional*): ( \_\_\_\_\_ ) \_\_\_\_\_

Your lawyer (*if you have one*): (*Name, address, telephone number, and State Bar number*):

3900 Main Street, Riverside, CA 92522

- ② Name of person to be restrained:

Clerk stamps date here when form is filed.

**FILED**  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF RIVERSIDE

MAR 27 2006

Fill in court name and street address:

Superior Court of California, County of  
Riverside  
4100 Main Street  
Riverside, CA 92501

Fill in case number:

Case Number:

Description:

Sex: ☒ M ☐ F Height: 5'7" Weight: 220 Race: White

Hair Color: White Eye Color: Green Age: 51 Date of Birth: \_\_\_\_\_

- ③ **Hearing**

There was a hearing:

on (date): March 22, 2006 at (time): 8:30 ☒ a.m. ☐ p.m. Dept.: 45 Rm: \_\_\_\_\_

The Honorable James Webster  
(Name of judicial officer) made the orders at the hearing.

These people were at the hearing:

- a. ☐ Plaintiff (*the person in ①*) c. ☒ Plaintiff's lawyer (name): \_\_\_\_\_  
b. ☒ Defendant (*the person in ②*) d. ☐ Defendant's lawyer (name): \_\_\_\_\_

- ④ **This Is a Court Order**

You must obey all the orders indicated below. If you do not obey this Order, you can be arrested and charged with a crime. And you may have to go to jail, pay a fine of up to \$1,000, or both.

- ⑤ **Expiration Date**

This Order, except for an award of lawyer's fees, expires at:

(time): \_\_\_\_\_ ☐ a.m. ☐ p.m. or ☒ midnight on (date): 3/22/09

If no date is present, this Order expires three years from the date of issuance.

**This is a Court Order.**

Case Number:

443954

Your name: \_\_\_\_\_

**6 ☒ Personal Conduct Orders**

You must **not** do the following things to the people listed in ① and ⑪:

- a. ☒ Harass, attack, strike, threaten, assault (sexually or otherwise), hit, follow, stalk, destroy personal property, keep under surveillance, or block movements.
- b. ☒ Contact (directly or indirectly), telephone, send messages, mail or e-mail.

Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case does not violate these orders.

**7 ☐ Stay-Away Order**

You must stay at least (*specify*): 100 yards away from:

- a. ☒ The person listed in ①
- b. ☐ The people listed in ⑪
- c. ☒ The home of the persons in ① and ⑪
- d. ☒ Jobs or workplaces of the persons in ① and ⑪
- e. ☒ Vehicle of person in ①
- f. ☐ The protected children's school or child care
- g. ☒ Other (*specify*): d. refers to personal places of business other than City Hall.

This stay away order does not prevent the person in ② from going to or from that person's home or place of work.

**8 ☐ No Guns or Other Firearms**

You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get a gun or firearm.

**9 ☐ Turn In or Sell Guns or Firearms**

You must:

- Sell to a licensed gun dealer or turn in to police any guns or firearms that you possess or control  
This must be done within 48 hours of receiving this order. But if you were at a hearing on this order, it must be done within 24 hours of the hearing.
- Bring a receipt to the court within 72 hours of receiving this order, to prove that guns have been turned in or sold. (*You may use CH-145 for this.*)

**10 ☒ Other Orders (*specify*):**

To conduct legitimate City business at City Hall, defendant shall: 1. Contact the security desk at City Hall by telephone at \_\_\_\_\_ to make an appointment; 2. Upon arrival in lobby, submit to a pat-down search of his person by any law enforcement personnel, including any backpacks or personal possessions; 3. Defendant is prohibited from possessing any weapons, including those identified in Penal Code sec. 171b, at City Hall; 4. Once his legitimate City business is over, immediately depart.

**11 ☐ Other Protected Persons**

List of the full names of all family and household members protected by these orders:

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

**This is a Court Order.**

Case Number:

443954

Your name: \_\_\_\_\_

## Instructions for the Protected Person

To the person in <sup>#</sup>① (Write the name of the person in ①): \_\_\_\_\_

**12** ☒ **Delivery to Law Enforcement**

If the court issues restraining orders, by the close of business on the date this Order is made, you or your attorney must deliver a copy of this Order and any proof of service forms to each law enforcement agency listed below:

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

Address (City, State, Zip) \_\_\_\_\_

**13** ☐ **No Fee for Service of Order by Law Enforcement**

The sheriff or marshal will serve this Order without charge because the Order is based on stalking or a credible threat of violence resulting from a threat of sexual assault or stalking.

Date: 3/27/06

► **JAMES A. EDWARDS**  
Judicial Officer

## Warnings and Notices to the Restrained Person in ②

### You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get a gun while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to police any guns or firearms that you have or control in accordance with item ⑨ above. The court will ask you for proof that you did so. If you do not obey this Order, you can be charged with a crime.

## Instructions for Law Enforcement

This Order is effective when made. It is enforceable anywhere in all 50 states, the District of Columbia, all tribal lands, and all U.S. territories and shall be enforced as if it were an Order of that jurisdiction 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 Law Enforcement Telecommunications System (CLETS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, the agency shall advise the restrained person of the terms of the Order and then shall enforce it. Violations of this restraining order are subject to criminal penalties.

(Clerk will fill out this part)

### Clerk's Certificate

Clerk's Certificate  
[seal]

I certify that this *Restraining Order After Hearing to Stop Harassment (CLETS)* is a true and correct copy of the original on file in the court.

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

**This is a Court Order.**

California Law Enforcement Telecommunications System (CLETS)  
Information Form

- ☐ This form is submitted with the initial filing (date): \_\_\_\_\_
- ☐ This is an amended form (date): \_\_\_\_\_

**Important: This form MUST NOT become part of the public court file. It is confidential and private.**

Fill out as much of this form as you can and give it to the court clerk. If the court issues a restraining order, this form will provide law enforcement with information that will help them enforce it. If any of this information changes, fill out a new (amended) form.

Case Number (if you know it): \_\_\_\_\_

**1 Person to Be Protected (Name):** \_\_\_\_\_

Sex: ☐ M ☐ F Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Race: \_\_\_\_\_  
 Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Mailing Address (listed on restraining order): \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone (optional): \_\_\_\_\_  
 Vehicle (Type, Model, Year): \_\_\_\_\_ (License Number and State): \_\_\_\_\_

**2 Person to Be Restrained (Name):** \_\_\_\_\_

Sex: ☐ M ☐ F Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Race: \_\_\_\_\_  
 Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Residence Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Business Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_  
 Employer: \_\_\_\_\_  
 Occupation/Title: \_\_\_\_\_ Work Hours: \_\_\_\_\_  
 Driver's License Number and State: \_\_\_\_\_ Social Security Number: \_\_\_\_\_  
 Vehicle (Type, Model, Year): \_\_\_\_\_ (License Number and State): \_\_\_\_\_  
 Describe any marks, scars, or tattoos: \_\_\_\_\_  
 Other names used by the restrained person: \_\_\_\_\_

**3 Guns or Firearms** Describe any guns or firearms that you believe the person in ② owns or has access to (Number, types, and locations): \_\_\_\_\_

**4 Other People to Be Protected**

Name	Date of Birth	Sex	Race	Relation to Person in ①
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

- ☐ Additional persons to be protected are listed on Attachment 4.

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

# **Petition for Workplace Violence Restraining Orders**

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.

Clerk stamps date here when form is filed.

## **1 Petitioner (Employer)**

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

is a ☐ corporation ☐ sole proprietorship

☐ other (specify): \_\_\_\_\_

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

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

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

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

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

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

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

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

E-Mail 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 Employee in Need of Protection**

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

Sex ☐ M ☐ F Age: \_\_\_\_\_

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

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

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

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

## **4 Additional Protected Persons**

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

☐ Additional protected persons are listed in Attachment 4a.

**This is not a Court Order.**



Case Number:

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 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:*

	<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"/> 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 there now any restraining orders or criminal protective orders in effect relating to the employee or any of the persons in ④ and the respondent? ☐ No ☐ Yes *If yes, attach a copy if you have one.*

**This is not a Court Order.**



**8 Description of Respondent's Conduct**a. Respondent has (*check one or more*):

- (1) ☐ Assaulted, battered, or stalked the employee
- (2) ☐ Made a credible threat of violence against the employee by making knowing or willful statements or engaging in a course of conduct that would place a reasonable person in fear for his or her safety or the safety of his or her immediate family

b. One or more of these acts (*check either or both*):

- (1) ☐ Took place at the employee's workplace
- (2) ☐ Can reasonably be construed to be carried out in the future at the employee's workplace

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

c. Describe what happened. (*Provide details; include the dates of all incidents beginning with the most recent; tell who did what to whom; identify any witnesses*):☐ Response is stated in Attachment 8c.d. Was the employee harmed or injured? ☐ Yes ☐ No *If yes, describe harm or injuries:*☐ Response is stated in Attachment 8d.e. Did the respondent use or threaten to use a gun or any other weapon? ☐ Yes ☐ No *If yes, describe:*☐ Response is stated in Attachment 8e.**This is not a Court Order.**

Case Number:

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):

(1) ☐ The employee (2) ☐ The respondent (3) ☐ 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, directly or indirectly, in **any** way, including, but not limited to, in person, by telephone, in writing, by public or private mail, by interoffice mail, by e-mail, 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) ☐ The employee
- (2) ☐ The other persons listed in (4)
- (3) ☐ The employee's workplace
- (4) ☐ The employee's home
- (5) ☐ The employee's school
- (6) ☐ The school of the employee's children
- (7) ☐ The place of child care of the employee's children
- (8) ☐ The employee's vehicle
- (9) ☐ Other (specify): \_\_\_\_\_

**This is not a Court Order.**

Case Number:

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

**11 Guns or Other Firearms and Ammunition**

Does the respondent own or possess any guns or other firearms? ☐ Yes ☐ No ☐ I don't know

*If the judge grants a protective order, the respondent will be prohibited from owning, possessing, purchasing, receiving, or attempting to purchase or receive a gun, other firearm, and ammunition while the protective order is in effect. The respondent will also be ordered to turn in to law enforcement or sell to a gun dealer any guns or firearms within his or her immediate possession or control.*

**12 Request for Immediate Orders Without Notice**

Do you want the court to make any of these orders now that will last until the hearing without notice to the respondent? ☐ Yes ☐ No *(If you answered yes, explain why):*

☐ Response is stated in Attachment 12.

**13 ☐ Request for Less Than Five-Days' Notice**

*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:

☐ Response is stated in Attachment 13.

**14 ☐ No Fee for Filing**

I ask that there be no filing fee because the respondent has inflicted or 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.

**This is not a Court Order.**



Case Number:

**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 unlawful violence, a credible threat of violence, or stalking.

**16** ☐ **Court Costs**

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

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

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

☐ Additional orders requested are stated in Attachment 17.

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

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

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

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

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

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

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

\_\_\_\_\_  
*Signature*

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

**This is not a Court Order.**

Clerk stamps date here when form is filed.

**1 Petitioner (Employer)**

- 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: \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:****2 Employee in Need of Protection**

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:**

<div style="border: 1px solid black; border-radius: 50%; padding: 5px; text-align: center;"> <b>Hearing Date</b> </div>	→ Date: _____	Time: _____	Name and address of court if different from above: _____ _____ _____
	Dept.: _____	Room: _____	
	_____		

**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.)

Case Number:

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 unlawful violence or a credible threat of violence by the respondent, and that great or irreparable harm to the employee would result if a temporary restraining order is not issued.
- (2) ☐ Other (specify): ☐ As stated on Attachment 5b.

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**6 Service of Documents by the Petitioner**

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

- a. WV-100, *Petition for Workplace Violence Restraining Orders* (file-stamped)
- b. ☐ WV-110, *Temporary Restraining Order* (file-stamped) **IF GRANTED**
- c. WV-120, *Response to Petition for Workplace Violence Restraining Orders* (blank form)
- d. WV-120-INFO, *How Can I Respond to a Petition for Workplace Violence Restraining Orders?*
- e. WV-250, *Proof of Service of Response by Mail* (blank form)
- f. ☐ 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.
- For information about service, read Form WV-200-INFO, *What Is "Proof of Personal Service"?*
- If you are unable to serve the respondent in time, you may ask for more time to serve the documents. Use Form WV-115, *Request to Continue Court Hearing and to Reissue Temporary Restraining Order*.

Case Number:

## To the Respondent

- If you want to respond to the request for orders in writing, file Form WV-120, *Response to Request 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 sell or turn in any firearms that you own or possess.**



### Request for Accommodations

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

(Clerk will fill out this part.)

### —Clerk's Certificate—

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

*Clerk's Certificate*  
[seal]

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

Clerk, by \_\_\_\_\_, Deputy



Clerk stamps date here when form is filed.

**1 Petitioner (Employer)**

- 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: \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**
**2 Employee (Protected Person)**

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

Court fills in case number when form is filed.

**Case Number:**
**3 Respondent (Restrained Person)**

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

Description:

Sex: ☐ M ☐ F Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Race: \_\_\_\_\_  
 Home Address (if known): \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Relationship to Employee: \_\_\_\_\_

**4 ☐ Additional Protected Persons**

In addition to the employee, the following family or household members or other employees are protected by the temporary orders indicated below:

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

☐ Additional protected persons are listed at the end of this Order on Attachment 4.

**5 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.

### 6 Personal Conduct Orders

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

a. You are ordered **not** to do the following things to the employee

☐ and to the other protected persons listed in (4):

- (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, 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 text message, by e-mail, by fax, or by other electronic means.
- (5) ☐ Enter the workplace of the person.
- (6) ☐ Take any action to obtain the person's addresses or locations. If this item 6 is not checked, the court has found good cause not to make this order.
- (7) ☐ Other (*specify*):

☐ Other personal conduct orders are attached at the end of this Order on Attachment 6a(7).

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

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

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.

Case Number:

**8 No Guns or Other Firearms and Ammunition**

- a. You cannot own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.
- b. You must:
- (1) Sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms 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 your guns or firearms have been turned in or sold. *(You may use Form WV-800, Proof of Firearms Turned In or Sold, for the receipt.)*
- c. ☐ The court has received information that you own or possess a firearm.

**9 Other Orders**

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

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

To the Petitioner:

**10 Mandatory Entry of Order Into CARPOS Through CLETS**

This Order must be entered into the California Restraining and Protective Orders 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 CLETS.
- b. ☐ The clerk will transmit this Order and its proof-of-service form to a law enforcement agency to be entered into CLETS.
- 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 CLETS:

Name of Law Enforcement Agency

Address (City, State, Zip)

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

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

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

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

This is a Court Order.

Case Number:

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

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

Judicial Officer

### Warnings and Notice to the Respondent:

#### You Cannot Have Guns or Firearms

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item 8 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, and to find out the duration of the order, contact the clerk of the court.

#### After You Have Been Served With a Restraining Order

- Obey all the orders.
- 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 inflicted or threatened violence against or stalked the employee, or placed the employee in reasonable fear of violence.
- You must have Form WV-120 served on the petitioner or the petitioner's attorney by mail. You cannot do this yourself. The person who does the service should complete and sign Form WV-250, *Proof of Service of Response by Mail*. File the completed proof of service with the court clerk before the hearing date or bring it with you to the hearing.
- In addition to the response, you may file and have declarations served, signed by you and other persons who have personal knowledge of the facts. You may use Form MC-030, *Declaration*, for this purpose. It is available from the clerk's office at the court shown on page 1 of this form or at [www.courts.ca.gov/forms](http://www.courts.ca.gov/forms). If you do not know how to prepare a declaration, you should see a lawyer.
- Whether or not you file a response, you should attend the hearing. If you have any witnesses, they must also go to the hearing.
- At the hearing, the judge can make restraining orders against you that last for up to three years. Tell the judge why you disagree with the orders requested.

This is a Court Order.

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

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

**Start Date and End Date of Orders**

This order *starts* on the date next to the judge's signature on page 4. The order *ends* on the expiration date in item 5 on page 1.

**Arrest Required if Order Is Violated**

If an officer has probable cause to believe that the restrained person had notice of the order and has disobeyed the order, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

**Notice/Proof of Service**

The law enforcement agency must first determine if the restrained person had notice of the order. Consider the restrained person "served" (noticed) if (Pen. Code, § 836(c)(2).):

- The officer sees a copy of the Proof of Service or confirms that the Proof of Service is on file; or
- The restrained person was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified, the agency must advise the restrained person of the terms of the order and then enforce it.

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

Even if the 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).)

**Conflicting Orders**

A protective order issued in a criminal case on Form CR-161 takes precedence in enforcement over any conflicting civil court order. (Pen. Code, § 136.2(e)(2).) Any nonconflicting terms of the civil restraining order remain in full force. An *Emergency Protective Order* (Form EPO-001) that is in effect between the same parties and is more restrictive than other restraining orders takes precedence over all other restraining orders. (Pen. Code, § 136.2.)

**This is a Court Order.**

Case Number:

(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.

## How Can I Respond to a Petition for Workplace Violence Restraining Orders?

### What is a workplace violence restraining order?

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

### What does the order do?

The court can order you to:

- Not contact the employee who is protected by the order
- Stay away from the employee and the employee's home, workplace, and other places
- Not have any guns as long as the order is in effect

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

An employer can ask for an order on behalf of an employee who has suffered violence or a credible threat of violence at the workplace.

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

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

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

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

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

You still must obey the order until the hearing.

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

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

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

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

### Should I go to the court hearing?

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

WV-109 Notice of Court Hearing							
<p>① <b>Petitioner (Employer)</b></p> <p>a. Name: _____</p> <p>Lawyer for Petitioner (if any for this case): _____</p> <p>Name: _____ State Bar No.: _____</p> <p>Firm Name: _____</p> <p>b. Address (If you have a lawyer, give your lawyer's information):</p> <p>Address: _____</p> <p>City: _____ State: _____ Zip: _____</p> <p>Telephone: _____ Fax: _____</p> <p>E-Mail Address: _____</p>							
<p>② <b>Employee in Need of Protection</b></p> <p>Full Name: _____</p>							
<p>③ <b>Respondent (Person From Whom Protection Is Sought)</b></p> <p>Full Name: _____</p>							
<p>The court will complete the rest of this form.</p> <p>④ <b>Notice of Hearing</b></p> <p>A court hearing is scheduled on the request for restraining orders against the respondent:</p> <table border="1"> <tr> <td rowspan="2">Hearing Date</td> <td>Date: _____</td> <td>Time: _____</td> <td rowspan="2">Name and address of court if different from above:</td> </tr> <tr> <td>Dept.: _____</td> <td>Room: _____</td> </tr> </table>		Hearing Date	Date: _____	Time: _____	Name and address of court if different from above:	Dept.: _____	Room: _____
Hearing Date	Date: _____		Time: _____	Name and address of court if different from above:			
	Dept.: _____	Room: _____					
<p>⑤ <b>Temporary Restraining Orders (Any orders granted are on Form WV-110, served with this notice.)</b></p> <p>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):</p> <p>(1) <input type="checkbox"/> All GRANTED until the court hearing.</p> <p>(2) <input type="checkbox"/> All DENIED until the court hearing. (Specify reasons for denial in b, below.)</p> <p>(3) <input type="checkbox"/> Partly GRANTED and partly DENIED until the court hearing. (Specify reasons for denial in b, below.)</p>							
<p>Judicial Council of California, www.courts.ca.gov Revised January 1, 2012, Optional Form Code of Civil Procedure, §§ 527.8 and 527.9 Approved by CJS</p> <p>Notice of Court Hearing (Workplace Violence Prevention)</p> <p>WV-109, Page 1 of 3</p>							



**How long does the order last?**

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

**Do I need a lawyer?**

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

**Will I see the employee at the court hearing?**

Yes. Assume that the employee will attend the hearing. Do not talk to him or her unless the judge or the employee's lawyer says you can.

**Can I bring a witness to the court hearing?**

Yes. You can bring witnesses or documents that support your case to the hearing. But if possible, you should also bring the witnesses' written statements of what they saw or heard. Their statements must be made under penalty of perjury. You can use Form MC-030 for this.

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

*[Local information may be inserted.]*

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

When you file your papers, ask the clerk if a court interpreter is available. You may have to pay a fee for the interpreter. If an interpreter is not available for your court date, bring someone to interpret for you. You should ask someone age 18 or older to interpret for you.

**What if I have a gun?**

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

**Can I agree with the employee to cancel the order?**

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

**What if I am deaf or hard of hearing?**

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



*Clerk stamps date here when form is filed.*
**Use this form to respond to the *Petition* (Form WV-100)**

- Read *How Can I Respond to a Petition for Workplace Violence Restraining Orders?* (Form WV-120-INFO) to protect your rights.
- Fill out this form and take it to the court clerk.
- Have someone—**age 18 or older**—serve the petitioner or the petitioner's lawyer by mail with a copy of this form and any attached pages. (Use Form WV-250, Proof of Service of Response by Mail.)

*Fill in court name and street address:*
**Superior Court of California, County of**
*Fill in case number.*
**Case Number:**
**1 Petitioner (Employer)**

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

**2 Employee Seeking Protection**

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

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

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

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

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

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

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

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

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

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

E-Mail Address: \_\_\_\_\_

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

**Hearing  
Date**

→ Date: \_\_\_\_\_ Time: \_\_\_\_\_

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

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

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested.
- c. ☐ I agree to the following orders (specify): \_\_\_\_\_

**5 ☐ Stay-Away Orders**

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested.
- c. ☐ I agree to the following orders (specify): \_\_\_\_\_



**6** ☐ **Additional Protected Persons**

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

**7** ☐ **Firearms Prohibition and Relinquishment**

If you were served with Form WV-110, *Temporary Restraining Order*, you cannot own or possess any guns, other firearms, or ammunition. You must turn in any guns or firearms in your immediate possession or control and file a receipt with the court from a law enforcement agency or a licensed gun dealer within 48 hours after you received Form WV-110. (See item **(8)** of Form WV-110.) You may use Form WV-800, *Proof of Firearms Turned In or Sold*, for the receipt.

- a. ☐ I do not own or control any guns or other firearms.
- b. ☐ I have turned in my guns and firearms to the police or to a licensed gun dealer.  
A copy of the receipt ☐ is attached. ☐ has already been filed with the court.

**8** ☐ **Other Orders**

- a. ☐ I agree to the orders requested.
- b. ☐ I do not agree to the orders requested.
- c. ☐ I agree to the following orders (*specify*): \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

**9** ☐ **Denial**

I did not do anything described in item **(8)** of Form WV-100. (*Skip to **(11)**.*)

**10** ☐ **Justification or Excuse**

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

- ☐ Check here if there is not enough space below for your answer. Put your complete answer on an attached sheet of paper and write "WV-120, item 10—Justification or Excuse" for a title.
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

Case Number:

**11** ☐ **No Fee for Filing**

- a. ☐ I ask the court to waive the filing fee because the petitioner claims in Form WV-100 item **14** to be entitled to free filing.
- b. ☐ I request that I not be required to pay the filing fee because I am eligible for a fee waiver. (*Form FW-001, Request to Waive Court Fees, must be filed separately.*)

**12** ☐ **Costs**

- a. ☐ I ask the court to order the petitioner to pay my court costs.

The amounts requested are:

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

- ☐ Check here if there are more items. Put the items and amounts on the attached sheet of paper or Form MC-025 and write "Attachment 12—Costs" for a title.
- b. ☐ I ask the court to deny the request of the person asking for protection that I pay his or her lawyer's fees and costs.

**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 is true and correct.

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

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

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

**Workplace Violence Restraining  
Order After Hearing**

Clerk stamps date here when form is filed.

**1 Petitioner (Employer)**

- 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: \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

Fill in court name and street address:

**Superior Court of California, County of**
**2 Employee (Protected Person)**

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

Fill in case number:

**Case Number:**
**3 Respondent (Restrained Person)**

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

Description:

Sex: ☐ M ☐ F Height: \_\_\_\_\_ Weight: \_\_\_\_\_ Date of Birth: \_\_\_\_\_  
 Hair Color: \_\_\_\_\_ Eye Color: \_\_\_\_\_ Age: \_\_\_\_\_ Race: \_\_\_\_\_  
 Home Address (if known): \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Relationship to Employee: \_\_\_\_\_

**4 ☐ Additional Protected Persons**

In addition to the employee, the following family or household members or other employees are protected by the orders indicated below:

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

☐ Additional protected persons are listed at the end of this Order on Attachment 4.

**5 Expiration Date**

This Order expires at:

 Time: \_\_\_\_\_ ☐ a.m. ☐ p.m. or ☐ midnight on (date): \_\_\_\_\_

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

**This is a Court Order.**


**6 Hearing**

- a. There was a hearing on *(date)*: \_\_\_\_\_ at *(time)*: \_\_\_\_\_ in Dept.: \_\_\_\_\_ Room: \_\_\_\_\_  
*(Name of judicial officer)*: \_\_\_\_\_ made the orders at the hearing.
- b. These people were at the hearing:
- (1) ☐ The petitioner/employer representative *(name)*: \_\_\_\_\_
- (2) ☐ The lawyer for the petitioner/employer *(name)*: \_\_\_\_\_
- (3) ☐ The employee (4) ☐ The lawyer for the employee *(name)*: \_\_\_\_\_
- (5) ☐ The respondent (6) ☐ The lawyer for the respondent *(name)*: \_\_\_\_\_
- ☐ Additional persons present are listed at the end of this Order on Attachment 6.
- c. ☐ The hearing is continued. The parties must return to court on *(date)*: \_\_\_\_\_ at *(time)*: \_\_\_\_\_

**To the Respondent:**

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

**7 ☐ Personal Conduct Orders**

- a. You are ordered **not** to do the following things to the employee  
☐ and to the other protected persons in **(4)**:
- (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 while going to or from the place of work.
- (4) ☐ Contact the person, directly or indirectly, by **any** means, including but not limited to, in person, by telephone, in writing, by public or private mail, interoffice mail, by e-mail, by text message, by fax, or by other electronic means.
- (5) ☐ Enter the person's workplace.
- (6) ☐ Take any action to obtain the person's addresses 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 7a(7).

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- b. Peaceful written contact through a lawyer or a process server or other person for service of legal papers related to a court case is allowed and does not violate this order.

**This is a Court Order.**

**8** ☐ **Stay-Away Order**a. You **must** stay at least \_\_\_\_\_ yards away from *(Check all that apply)*:

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

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

**9** ☐ **No Guns or Other Firearms and Ammunition**a. You **cannot** own, possess, have, buy or try to buy, receive or try to receive, or in any other way get guns, other firearms, or ammunition.

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

- (1) Sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms 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 guns have been turned in or sold. *(You may use Form WV-800, Proof of Firearms Turned In or Sold, for the receipt.)*

c. ☐ The court has received information that you own or possess a firearm.**10** ☐ **Costs**

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

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

☐ Additional items and amounts are attached at the end of this Order on Attachment 10.**11** ☐ **Other Orders** *(specify)*:

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☐ Additional orders are attached at the end of this Order on Attachment 11.**This is a Court Order.**

**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 petitioner or the petitioner's lawyer should deliver a copy of the Order and its proof-of-service form to the law enforcement agency listed below to enter into CARPOS:

Name of Law Enforcement AgencyAddress (City, State, Zip)

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

**13 Service of Order on Respondent**

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

**14 ☐ No Fee to Serve Respondent**

The sheriff or marshal will serve this Order without charge because the Order is based on unlawful violence, a credible threat of violence, or stalking.

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

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

\_\_\_\_\_  
*Judicial Officer***This is a Court Order.**

**Warning and Notice to the Respondent****You Cannot Have Guns or Firearms**

You cannot own, have, possess, buy or try to buy, receive or try to receive, or otherwise get guns, other firearms, or ammunition while this Order is in effect. If you do, you can go to jail and pay a \$1,000 fine. You must sell to a licensed gun dealer or turn in to a law enforcement agency any guns or other firearms that you have or control as stated in item ⑨. The court will require you to prove that you did so.

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

This Order is enforceable by any law enforcement agency that has received the Order, is shown a copy of the Order, or has verified its existence on the California Restraining and Protective Order System (CARPOS). If the law enforcement agency has not received proof of service on the restrained person, and the restrained person was not present at the court hearing, 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 and *ends* on the expiration date in item ⑤ on page 1.

**Arrest Required If Order Is Violated**

If an officer has probable cause to believe that the restrained person had notice of this order and has disobeyed it, the officer must arrest the restrained person. (Pen. Code, §§ 836(c)(1), 13701(b).) A violation of the order may be a violation of Penal Code section 166 or 273.6. Agencies are encouraged to enter violation messages into CARPOS.

**Notice/Proof of Service**

The law enforcement agency must first determine if the restrained person had notice of the orders. Consider the restrained person served (given notice) if (Pen. Code, § 836(c)(2)):

- The officer sees a copy of the *Proof of Service* or confirms that the *Proof of Service* is on file; or
- The restrained person was at the restraining order hearing or was informed of the order by an officer.

An officer can obtain information about the contents of the order and proof of service in CARPOS. If proof of service on the restrained person cannot be verified and the restrained person was not present at the court hearing, the agency must advise the restrained person of the terms of the order and then enforce it.

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

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

**This is a Court Order.**



Case Number:

### Conflicting Orders

A protective order issued in a criminal case on Form CR-161 takes precedence in enforcement over any conflicting civil court order. (Pen. Code, § 136.2(e)(2).) Any nonconflicting terms of the civil restraining order remain in full force. An *Emergency Protective Order* (Form EPO-001) that is in effect between the same parties and is more restrictive than other restraining orders takes precedence over all other restraining orders. (Pen. Code, § 136.2.)

(Clerk will fill out this part.)

Clerk's Certificate  
[seal]

#### —Clerk's Certificate—

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

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

This is a Court Order.

Clerk stamps date here when form is filed.

**1 Petitioner (Employer)**

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

**2 Employee in Need of Protection**

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.

Fill in court name and street address:

**Superior Court of California, County of**

Fill in case number:

**Case Number:****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-800, *Proof of Firearms Turned In or Sold* (blank form)
- h. ☐ Other (specify): \_\_\_\_\_

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

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

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

**7 Server's Information**

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

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

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

(If you are a registered process server):

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

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

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

Type or print server's name

Server to sign here