

**REQUEST TO RENEW FIREARM
RESTRAINING ORDER PACKET**

Clerk stamps date here when form is filed.

1 Petitioner

a. Your Full Name: _____

I am: A family member of the Respondent
 A law enforcement officer employed by
(name of law enforcement agency): _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

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

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of Trinity
11 Court Street
PO Box 1258
Weaverville, CA 96093

Fill in case number:

Case Number: _____

2 Respondent

Full Name: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

3 Request to Renew Restraining Order

I ask the court to renew the *Firearms Restraining Order After Hearing* (Form GV-130) for an additional period of one year. A copy of the order is attached.

a. The order currently will end on (date): _____
(If the order has already expired, you must file a new petition.)

b. This is my first request to renew the order.
 The order has been renewed _____ times.

c. I ask the court to renew the order because (explain below):

Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 3c—Reasons to Renew Order" for a title. You may use Form MC-025, Attachment.

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

This is not a Court Order.

Clerk stamps date here when form is filed.

Petitioner completes items ① and ②.

① Petitioner

a. Your Full Name: _____

I am: A family member of the Respondent
 A law enforcement officer employed by
(name of law enforcement agency): _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

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

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

**Superior Court of California, County of
Trinity**
11 Court Street
PO Box 1258
Weaverville, CA 96093

Fill in case number:

Case Number:

② Respondent

Full Name: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

③ Court Hearing

The judge has set a court hearing date. Court will fill in box below.

The current restraining order stays in effect.		Name and address of court if different from above: _____ _____ _____
Hearing Date →	Date: _____ Time: _____ Dept.: _____ Room: _____	

This is a Court Order.



To the Petitioner:**④ Service on Respondent**

Someone age 18 or older—**not you**—must serve a copy of the following forms on the Respondent

- GV-700, *Request to Renew Firearms Restraining Order*;
- GV-710, *Notice of Hearing on Request to Renew Firearms Restraining Order* (this form);
- GV-720, *Response to Request to Renew Firearms Restraining Order* (blank copy);

- The forms must be personally served on the Respondent _____ days before the hearing.
- The forms may be served by mail on the Respondent or the Respondent's attorney _____ days before the hearing.

Date: _____

*Judicial Officer***To the Respondent:**

At the hearing, the judge can renew the current restraining order for another year. You *must* continue to obey the current restraining order. At the hearing, you can tell the judge if you do not want the order against you renewed. If the restraining order is renewed, you *must* continue to obey the order even if you do not attend the hearing.

If you wish to make a written response to the request to renew the restraining order, you may fill out Form GV-720, *Response to Request to Renew Firearms Restraining Order*. File the original with the court before the hearing and have someone age 18 or older—**not you**—mail a copy of it to the Petitioner at the address in ① at least _____ days before the hearing. Also file Form GV-250, *Proof of Service by Mail*, with the court before the hearing or bring it with you to the hearing.

**Request for Accommodations**

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least five days before the hearing. Contact the clerk's office or go to www.courts.ca.gov/forms for *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—**

Clerk's Certificate
[seal]

I certify that this *Notice of Hearing on Request to Renew Firearms 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.

What is "service"?

Service is the act of giving your legal papers to the other party. There are many kinds of service—in person, by mail, and others. This form is about personal or "in-person" service. The *Petition for Firearms Restraining Order* (Form GV-100), the *Notice of Court Hearing* (Form GV-109), and the *Temporary Firearms Restraining Order* (Form GV-110) must be served "in person." That means that someone must personally "serve" (give) a copy of the forms to the respondent (the person to be prohibited from having guns).

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

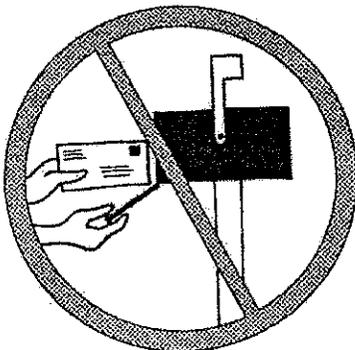
Service lets the respondent know:

- Why you are asking for a Firearms Restraining Order;
- The hearing date;
- How to respond.

Why do I have to get the orders served?

- The police cannot arrest anyone for violating an order unless that person knows about the order.
- No hearing can be held to extend the order for a year unless the respondent was served and knows about the hearing.

Don't serve it by mail!

**Who can serve?**

Any law enforcement officer may serve the respondent, even if the petition was filed by a law enforcement officer. **It is recommended that you ask a law enforcement officer to serve the forms because of the potential for gun violence.**

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

How to serve

Ask the server to:

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

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

- If the person won't take the papers, just leave them near him or her.
- It doesn't matter if the person tears them up. Service is still complete.



When do the orders have to be served?

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

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

③ Hearing

Hearing Date	Date: _____
	Dept.: _____

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

⑤ Service of Documents on Respondent

At least five _____ calendar days before the hearing.

Look at a calendar. Subtract the number of days in ⑤ from the hearing date. That is the final date to have the orders served. It is always OK to serve earlier than that date. If nothing is checked or written in ⑤, you must serve the orders at least five days before the hearing.

Who signs the *Proof of Personal Service*?

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

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

If someone other than a law enforcement officer serves the papers, you should:

- Make several copies.
- File the original with the court before your hearing.
- Bring a copy of the completed *Proof of Personal Service* to your hearing.
- Always keep an extra copy of the restraining orders with you for your safety.

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

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

Clerk stamps date here when form is filed.

1 Petitioner

Name: _____

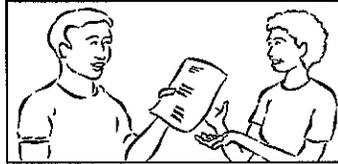
2 Respondent

Name: _____

3 Notice to Server

The server must:

- Be 18 years of age or older.
- Not be the Petitioner unless the Petitioner is a law enforcement officer.
- Give a copy of all documents checked in **4** to the Respondent. (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 Trinity
11 Court Street
PO Box 1258
Weaverville, CA 96093

Fill in case number:

Case Number:

PROOF OF PERSONAL SERVICE

4 I personally gave the Respondent a copy of the forms checked below:

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

5 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: _____

6 Server's Information

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____

(If you are a registered process server):

County of registration: _____ Registration number: _____

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

Date: _____

Type or print server's name *Server to sign here*

Clerk stamps date here when form is filed.

1 Petitioner

Full Name: _____

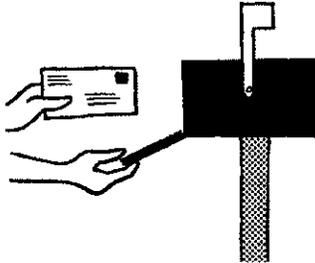
2 Respondent

Full Name: _____

3 Notice to Server

The server must:

- Be 18 years of age or older.
- Live or be employed in the county where the mailing took place.
- Not be a party to the case.
- Mail a copy of all documents checked in **4** to the person in **1**.
- Complete and sign this form and give it to the person in **2**.



Fill in court name and street address:

Superior Court of California, County of Trinity
 11 Court Street
 PO Box 1258
 Weaverville, CA 96093

Fill in case number:

Case Number:

4 PROOF OF SERVICE BY MAIL

I am 18 years of age or older and not a party to this case. I live or am employed in the county where the mailing took place. I mailed the Petitioner Respondent a copy of all documents checked below:

- a. Form GV-120, *Response to Petitioner for Firearms Restraining Orders*
- b. Other (*specify*): _____

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

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

6 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

Clerk stamps date here when form is filed.

Use this form to respond to the Request to Renew Firearms Restraining Order (Form GV-700).

- Fill out this form and then take it to the court clerk.
- Have someone age 18 or older—**not you**—mail a copy of this form and any attached pages to the Petitioner at the address in ① below. Then file Form GV-250, *Proof of Service by Mail* with the court.

① Petitioner (From Form GV-700, item ①)

Name: _____
 Address: _____
 City: _____ State: _____ Zip: _____

② Respondent

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

b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)
 Address: _____
 City: _____ State: _____ Zip: _____
 Telephone: _____ Fax: _____
 E-Mail Address: _____

Fill in court name and street address:

Superior Court of California, County of
 Trinity
 11 Court Street
 PO Box 1258
 Weaverville, CA 96093

Fill in case number:

Case Number:

③ Response

- a. I do not oppose renewal of the order.
- b. I oppose renewal of the order for the following reasons (specify below):
- Check here if there is not enough space for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 3b--Reasons Not to Renew" for a title. You may use Form MC-025, Attachment.

The court will consider your *Response* at the hearing. Write your hearing date, time, and place from Form GV-710 item ③ here.

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

You must continue to obey the current restraining order until the hearing. At the hearing, the court can extend the order against you for another year.

Case Number: _____

Date: _____

Lawyer's name, if you have one

▶ _____
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

To the Respondent:

Have someone age 18 or older—**not you**—mail a copy of this completed Form GV-720 to the Petitioner or to the Petitioner's lawyer, if any. This is called "service by mail." The person who serves the form by mail must fill out Form GV-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.

**Order on Request to Renew
Firearms Restraining Order**

Clerk stamps date here when form is filed.

Prevailing party completes items ① and ②. If the Order is granted, the Petitioner is the prevailing party. If the Order is denied, the Respondent is the prevailing party.

① Petitioner

a. Your Full Name: _____

- I am: A family member of the Respondent
 A law enforcement officer employed by
 (name of law enforcement agency): _____

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

Name: _____ State Bar No.: _____

Firm Name: _____

- b. Your Address (If you have a lawyer, give your lawyer's information. If you do not have a lawyer and want to keep your home address private, you may give a different mailing address instead. You do not have to give telephone, fax, or e-mail.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-Mail Address: _____

Fill in court name and street address:

**Superior Court of California, County of
Trinity**
 11 Court Street
 PO Box 1258
 Weaverville, CA 96093

Court fills in case number when form is filed.

Case Number:**② Respondent**

Full Name: _____

Address (if known): _____

City: _____ State: _____ Zip: _____

③ HearingThere was a hearing on (date): _____ at time: _____ a.m. p.m. Dept.: _____ Room: _____

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

These people were at the hearing:

- a. The Petitioner
 b. The Respondent
 c. The lawyer for the Petitioner (name): _____
 d. The lawyer for the Respondent (name): _____

This is a Court Order.

4 Order on Request for Renewal

The request to renew the attached *Firearms Restraining Order After Hearing* (Form GV-130), originally issued on (date): _____, is:

- DENIED.** The attached order expires as stated in item ③ of the order.
- GRANTED.** The attached order is renewed for one year and will now expire:

on (date): _____ at (time): _____ <input type="checkbox"/> a.m. <input type="checkbox"/> p.m. or <input type="checkbox"/> midnight
--

If no expiration date is written here, the order expires one year from the date of the hearing in item ③.

- a. The court finds by clear and convincing evidence that both of the following are true:
 - (1) Respondent continues to pose a significant danger of causing personal injury to himself, herself, or another person by having in his or her custody or control, owning, purchasing, possessing, or receiving a firearm or ammunition.
 - (2) A gun violence restraining order remains necessary to prevent personal injury to Respondent or to another person because less restrictive alternatives either have been tried and found to be ineffective, or have been determined to be inadequate or inappropriate for the current circumstances.
- b. The facts as stated in the *Request to Renew Firearms Restraining Order* (Form GV-700) and supporting documents, which are incorporated here by reference, establish sufficient grounds for the issuance of this Order.

and/or for the reasons set forth below.

See the attached Form MC-025, *Attachment*

- c. **To the Respondent: If this Order is renewed, it will last until the date and time noted above. If you have not done so already, you must surrender all firearms and ammunition that you own or possess in accordance with section 18120 of the Penal Code. You may not have in your custody or control, own, purchase, possess, or receive, or attempt to purchase or receive, a firearm or ammunition while this order is in effect. Pursuant to section 18185, you have the right to request one hearing to terminate this Order at any time during its effective period. You may seek the advice of an attorney as to any matter connected with the Order.**

This is a Court Order.



To the Prevailing Party:

5 Service of Order

Someone age 18 or older—**not you**—must serve a copy of this order on the other party.

- Order Granted**—The Respondent attended the hearing. **No further service is required.**
- Order Granted**—The Respondent did not attend the hearing. **Personal service is required.** The Respondent must be personally served with this Order. *(After the Respondent has been served, file Form GV-200, Proof of Personal Service with the court clerk. For help with service, read Form GV-200-INFO, What is "Proof of Personal Service"?)*
- Order Denied—Service by Mail**—If the Petitioner did not attend the hearing, the Petitioner may be served with this Order by mail. *(After the Petitioner has been served, the person doing the mailing should fill out Form POS-030, Proof of Service by First-Class Mail—Civil. File the form with the court clerk. For help with service by mail, read the Information Sheet on page 2 of Form POS-030.)*

Date: _____

Judicial Officer

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Order on Request to Renew Firearms 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.