ATTORNEY OR PARTY WITHOUT ATTORNEY *(Name, State Bar number, and address):*

TELEPHONE NO.: FAX NO. (*Optional):*

E-MAIL ADDRESS *(Optional):*

ATTORNEY FOR *(Name):*

To keep other people from seeing what you entered on your form, please press the Clear This Form button at the end of the form when finished.

SUPERIOR COURT OF CALIFORNIA, COUNTY OF

STREET ADDRESS:

MAILING ADDRESS:

CITY AND ZIP CODE:

BRANCH NAME:

PLAINTIFF:

DEFENDANT:

EMPLOYEE:

CASE NUMBER:

ORDER TO SHOW CAUSE

AND ☐ TEMPORARY RESTRAINING ORDER (CLETS)

THIS ORDER SHALL EXPIRE AT THE DATE AND THE TIME OF THE HEARING SHOWN IN THE BOX BELOW UNLESS EXTENDED BY THE COURT.

1. **TO DEFENDANT** *(name):*

2. **YOU ARE ORDERED** to appear in this court at the date, time, and place shown in the box below to give any legal reason why the order sought and the other relief requested in the petition should not be granted.

NOTICE OF HEARING

a. Date: Time: Dept.: Room:

b. The address of the court where the hearing will be held ☐ is shown above ☐ is *(specify):*

3. You have the right to attend the hearing to oppose the petition, with or without an attorney. If you do not attend the hearing, the court may grant the requested orders without any further notice to you. The court may make these orders enforceable for a period not to exceed three years, after which they may be renewed by the filing of a new petition. You should read the instructions on page 2 of this form. A complete instruction booklet (form WV-150) is available from the clerk's office located at the court shown above.

4. **IT IS FURTHER ORDERED** that
   a. Plaintiff shall serve this *Order to Show Cause,* the attached *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* (form WV-100), and any other supporting papers by *(specify manner of service):* no later than *(date):*
   b. Any opposition papers shall be filed and served on plaintiff by *(specify manner of service):* no later than *(date):*
   c. Any reply papers shall be filed and served by *(specify manner of service):* no later than *(date):*
   d. Proof of service of plaintiff's papers shall be delivered to the court hearing the *Order to Show Cause* no later than *(date):*

Date:

JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

Form Adopted for Mandatory Use
Judicial Council of California
Approved by DOJ
WV-120 [Rev. January 1, 2007]

Code of Civil Proc., §§ 527.8, 527.9; Penal Code, § 273.6(a)
www.courtinfo.ca.gov

PLAINTIFF *(Name)*: DEFENDANT *(Name)*: EMPLOYEE *(Name)*:	CASE NUMBER:

TEMPORARY RESTRAINING ORDER

THE COURT FINDS

5. a. The defendant is *(name)*:

Sex: ☐ M ☐ F Ht.:_____ Wt.:_____ Hair color:_____ Eye color:_____ Race:_____ Age:_____ Date of birth:_____

b. The protected employee is *(name)*:

Sex: ☐ M ☐ F Date of birth: _____

c. Protected family or household members who reside with employee are:

(1) *(Name)*:

Sex: ☐ M ☐ F Date of birth: _____

(2) *(Name)*:

Sex: ☐ M ☐ F Date of birth: _____

(3) *(Name)*:

Sex: ☐ M ☐ F Date of birth: _____

☐ Continued on Attachment 5c.

UNTIL THE TIME OF HEARING, IT IS ORDERED

6. ☐ **PERSONAL CONDUCT ORDERS**

Defendant is prohibited from further violence or threats of violence against the protected persons **and SPECIFICALLY THE COURT ORDERS THAT DEFENDANT**

a. ☐ shall not assault, batter, or stalk the employee and other protected persons
b. ☐ shall not follow or stalk the employee and other protected persons to or from the place of work
c. ☐ shall not follow the employee and other protected persons during hours of employment
d. ☐ shall not telephone or send correspondence to the employee and other protected persons by **any** means including, but not limited to, the use of the public or private mails, interoffice mail, fax, or computer e-mail
e. ☐ shall not take any action to obtain the address or location of the employee or any of the employee's family members or caretakers
f. ☐ shall not enter the workplace of the employee and other protected persons
g. ☐ other *(specify)*:

7. ☐ **STAY-AWAY ORDERS**

Defendant is ordered to stay at least *(specify)*: **yards** away from the following persons and places *(the addresses of the places are optional and may be kept confidential)*:

a. ☐ Employee and other protected persons named in item 5.
b. ☐ Residence of employee and other protected persons *(address optional)*:
c. ☐ Place of work of employee and other protected persons *(address optional)*:
d. ☐ School or place of child care of children of employee and other protected persons *(address optional)*:
e. ☐ The employee's and other protected persons' vehicles
f. ☐ Other *(specify)*:
(address optional):

PLAINTIFF *(Name)*: DEFENDANT *(Name)*: EMPLOYEE *(Name)*:	CASE NUMBER:

8. ☐ Contacts relating to pickup and delivery of children under a court order or a court-approved stipulation of the parties arrived at during mediation shall be permitted, unless a criminal protective or other restraining order prohibits such contacts.

9. **MANDATORY FIREARM RELINQUISHMENT ORDER**
The restrained person must surrender to local law enforcement or sell to a licensed gun dealer any firearms in, or subject to, his or her immediate possession or control within 24 hours of being served with this order.

If the restrained person owns, possesses, or controls any firearms, he or she **must** file a receipt with the court showing compliance with this order within 48 hours of receiving this order. *(Form WV-145 is available for this purpose.)*

10. ☐ **OTHER ORDERS** *(specify):*

☐ Continued on Attachment 10.

11. **SERVICE ON DEFENDANT**
The documents listed below must be personally served on the defendant:
a. *Order to Show Cause and Temporary Restraining Order (CLETS)* (form WV-120)
b. *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* (form WV-100)
c. Blank *Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* (form WV-110)
d. Blank *Proof of Service by Mail of Completed Response* (form WV-131)
e. Blank *Proof of Sale or Turning In of Firearms* (form WV-145*)*
f. Other *(specify):*

12. ☐ **ORDER SHORTENING TIME**
Application for an order shortening time is granted and the documents listed in item 11 shall be personally served on the defendant by the date specified in item 4a.

13. **DELIVERY TO LAW ENFORCEMENT**
By the close of business on the date of this order, a copy of this order and any proof of service shall be given to the law enforcement agencies listed below as follows:
a. ☐ Plaintiff shall deliver.
b. ☐ Plaintiff's attorney shall deliver.

Law enforcement agency | Address

Date:

JUDICIAL OFFICER

☐ SIGNATURE FOLLOWS LAST ATTACHMENT

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). Violations of this restraining order are subject to criminal penalties.

NOTICE REGARDING FIREARMS

Any person subject to a restraining order is prohibited from owning, possessing, purchasing or attempting to purchase, receiving or attempting to receive, or otherwise obtaining a firearm. Such conduct is subject to a $1,000 fine and imprisonment. The person must surrender to local law enforcement or sell to a licensed gun dealer any firearm in or subject to his or her immediate possession or control in accordance with item 9 above.

PLAINTIFF *(Name)*: DEFENDANT *(Name)*: EMPLOYEE *(Name)*:	CASE NUMBER:

INSTRUCTIONS FOR THE DEFENDANT

1. If you are served with an *Order to Show Cause* **[OSC]** (form WV-120) and a *Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* **[Petition]** (form WV-100), you should promptly seek legal advice. If you have no attorney, the attorney's reference service of your local bar association may be of assistance.

2. Read the papers served on you very carefully. The **OSC** tells you when to appear in court and may contain a temporary restraining order forbidding you from doing certain things. **If you disobey the court's orders, criminal charges may be filed against you.**

3. If you wish to oppose the **Petition,** or make your own request for court orders, you should file a *Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee* **[Response]** (form WV-110).

   In addition to the **Response,** you may file and serve declarations signed by persons who have personal knowledge of the facts. A declaration form (form MC-031) is available from the clerk's office of the court shown on page 1 of this form. If you do not know how to prepare a declaration, you should see an attorney. After you have filed the **Response** with the clerk of the court, a copy must be delivered personally or by mail to the plaintiff or the plaintiff's attorney.

   You cannot serve the plaintiff yourself. The person who serves the plaintiff should complete and sign a *Proof of Service by Mail of Completed Response* (form WV-131). You should take the completed form back to the court clerk or bring it with you to the hearing.

4. If you wish to oppose the petition, in addition to filing a **Response** you should be present at the hearing. If you have any witnesses, they must also be present.

5. An instruction booklet entitled *Instructions for Petitions to Prohibit Workplace Violence* (form WV-150) is available from the clerk's office at the court shown on page one of this form.

Requests for Accommodations

Assistive listening systems, computer-assisted real-time captioning, or sign language interpreter services are available if you ask at least 5 days before the hearing. Contact the clerk's office or go to *www.courtinfo.ca.gov/forms* for *Request for Accommodations by Persons With Disabilities and Order* (form MC-410). (Civil Code, § 54.8.)

Print This Form

For your protection and privacy, please press the Clear This Form button after you have printed the form.

Clear This Form