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SUPERIOR COURT OF CALIFORNIA
COUNTY OF SAN DIEGO

GUN VIOLENCE EMERGENCY PROTECTIVE ORDER
RESPONDENT PACKET

FORMS INCLUDED IN THIS PACKET	
How Can I Respond to a Gun Violence Emergency Protective Order?	Judicial Council Form #GV-020-INFO
Response to Gun Violence Emergency Protective Order	Judicial Council Form #GV-020
Proof of Service by Mail	Judicial Council Form #GV-025
Consent to Gun Violence Restraining Order and Surrender of Firearms	Judicial Council Form #GV-125
How Do I Turn In, Sell, or Store My Firearms, Ammunition, and Magazines?	Judicial Council Form #GV-800-INFO
Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored	Judicial Council Form #CH-800

GV-020-INFO How Can I Respond to a Gun Violence Emergency Protective Order?

What is a *Gun Violence Emergency Protective Order* (form EPO-002)?

It is a court order requested by law enforcement that prohibits someone from having any guns, ammunition, or magazines (any ammunition feeding device). The person must surrender all guns, ammunition, and magazines that they currently own.

Who can ask for a Gun Violence Emergency Protective Order?

The Gun Violence Emergency Protective Order must have been requested by a law enforcement officer and was issued by a judicial officer based on the statements made under penalty of perjury in the protective order.

I've been served with a *Gun Violence Emergency Protective Order* (form EPO-002) and a *Notice of Court Hearing*. What do I do now?

Read the papers served on you very carefully. The *Notice of Court Hearing* or form EPO-002 tells you when to appear in court and where the court is located. Follow the *Gun Violence Emergency Protective Order* (form EPO-002) prohibiting you from having any guns, ammunition, or magazines and requiring you to surrender, sell, or store any guns, ammunition, or magazines that you currently own or possess. You must obey the order until the expiration date on the form.

What if I don't obey the emergency protective order?

The police can arrest you. You can go to jail and pay a fine. You may also be prohibited for a longer period of time from having access to firearms and ammunition.

What if I don't want the order to be extended?

If you disagree with the order that has been issued and do not want the court to extend it for a longer time, fill out *Response to Gun Violence Emergency Protective Order* (form GV-020), before your hearing date. File the form with the court and serve it on the requesting law enforcement agency. You can get the form from legal publishers or on the Internet at *www.courts.ca.gov.* You also may be able to find it at your local courthouse or county law library.

Will I have to pay a filing fee?

No.

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 the completed *Response to Gun Violence Emergency Protective Order* (form GV-020) to the law enforcement agency that issued the *Gun Violence Emergency Protective Order* (form EPO-002). (This is called "service by mail.")

The person who serves the form by mail must fill out *Proof of Service by Mail* (form GV-025). Have the person who did the mailing sign the original form GV-025. 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 the *Notice of Court Hearing* or the Gun Violence Emergency Protective Order (form EPO-002). If you do not go to the hearing, the judge can extend the order against you for a period of time between 1 -5 years without hearing from you.

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 *Declaration* (form MC-030), for this purpose.)

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.

How long does the order last?

The *Gun Violence Emergency Protective Order* (form EPO-002) will last until the expiration date listed on the front of the form in item 3. The court will decide at the hearing whether to issue a gun violence restraining order that can last for a period of time between 1 -5 years.

Will I see the person who asked for the court order at the court hearing?

It's possible the law enforcement officer may appear at the court hearing.

What if I need help to understand English?

When you file your papers, ask your court's clerk or self-help center if your court will provide an interpreter. To request an interpreter, you may use form INT-300. You should also check your local court's website via Find My Court for additional information on how to request an interpreter for a civil matter. If an interpreter is not available for your court date, you should ask someone who is over age 18 to interpret for you.

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* for *Request for Accommodations by Persons with Disabilities and Response* (form MC-410). (Civ. Code, § 54.8.)

For help in your area, contact:

[Local information may be inserted.]

GV-020 Response to Gun Violence Emergency Protective Order

Clerk stamps date here when form is filed.

Use this form if you do not want the court to extend the *Gun Violence Emergency Protective Order* for a period of time between 1 - 5 years.

1. Read *How Can I Respond to a Gun Violence Emergency Protective Order?* (form GV-020-INFO) to protect your rights.
2. Fill out this form and take it to the filing window at the court.
3. Have someone age 18 or older—**not you**—mail a copy of this form and any attached pages to the law enforcement agency that applied for the *Gun Violence Emergency Protective Order* (form EPO-002). *(Use,* Proof of Service by Mail *form GV-025)*.

Fill in court name and street address:

Superior Court of California, County of San Diego

☐ CENTRAL DIVISION, HALL OF JUSTICE
330 W. BROADWAY, SAN DIEGO CA
☐ 92101 EAST COUNTY DIVISION
250 E. MAIN ST., EL CAJON, CA 92020
☐ NORTH COUNTY DIVISION
325 S. MELROSE DR., VISTA, CA 92081
☐ SOUTH COUNTY DIVISION
500 3RD AVE., CHULA VISTA, CA 91910

1 Requesting Agency or Officer

(A petition may be filed in the name of the law enforcement agency in which the officer is employed.)

_____

See Notice of Hearing for case number and fill in:

Case Number:

2 Restrained Person

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. You do not have to give telephone, fax, or email address.)*

Address: _____

City: _____ State: ____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

Be prepared to tell the court at the hearing why you don't agree. Write your hearing date, time, and place from the Notice of Hearing or *Gun Violence Emergency Protective Order* (form EPO-002) here:

Hearing Date → Date: _____ Time: _____

Dept.: _____ Room: _____

You must obey the *Gun Violence Emergency Protective Order* until the expiration date. At the hearing, the court may make an order against you for a period of time between 1 – 5 years.

3 Gun Violence Restraining Order

☐ I do not agree that a gun violence restraining order should be extended for 1 – 5 years *(explain)*:

_____

_____

_____

_____

_____

_____

_____

☐ *Check here if there is not enough space above for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 3—Reasons I Disagree" as a title. You may use form MC-025,* Attachment.

Case Number:

4 ☐ Denial, Justification, or Excuse

☐ I did not do anything described in item 7 of form EPO-002.

☐ If I did some of the things stated in the Gun Violence Emergency Protective Order, my actions were justified or excused for the following reasons *(explain):*

_____

_____

_____

_____

_____

_____

_____

_____

_____

☐ *Check here if there is not enough space above for your answer. Put your complete answer on an attached sheet of paper and write "Attachment 4–Denial, Justification, or Excuse" as a title. Use form MC-025,* Attachment.

5 Surrender of Guns, Ammunition, and Magazines

A *Gun Violence Emergency Protective Order* (form EPO-002) was issued against you. You cannot own or possess any guns, other firearms, ammunition, or magazines. You must surrender any of these items in your possession to law enforcement when they ask you to do so. If not asked, you must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any other guns, other firearms, ammunition, or magazines in your immediate possession or control within 24 hours of being served with form EPO-002. You must file a receipt with the court and the law enforcement agency. You may use *Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored* (form GV-800) for the receipt.

a. ☐ I do not own or control any guns, other firearms, ammunition, or magazines.

b. ☐ I have turned in my guns, other firearms, ammunition, and magazines to a law enforcement officer or agency, or sold them to or stored them with a licensed gun dealer. A copy of the receipt

☐ is attached ☐ has already been filed with the court and the law enforcement agency.

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

Date: _____

_____ ▶ _____

Lawyer's name (if any) *Lawyer's signature*

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

Date: _____

_____ ▶ _____

Type or print your name *Sign your name*

GV-025 Proof of Service by Mail

(Use this form for serving form GV-020, Response to Gun Violence Emergency Protective Order*)*

Clerk stamps date here when form is filed.

1 Requesting Agency

Full Name: _____

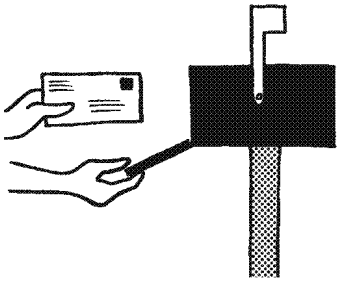
2 Restrained Person

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 agency 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 San Diego

- ☐ CENTRAL DIVISION, HALL OF JUSTICE
  330 W. BROADWAY, SAN DIEGO CA 92101
- ☐ EAST COUNTY DIVISION
  250 E. MAIN ST., EL CAJON, CA 92020
- ☐ NORTH COUNTY DIVISION
  325 S. MELROSE DR., VISTA, CA 92081
- ☐ SOUTH COUNTY DIVISION
  500 3RD AVE., CHULA VISTA, CA 91910

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 Requesting Agency a copy of all documents checked below:

a. Form GV-020, *Response to Gun Violence Emergency Protective Order*

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)*: _____
   Law enforcement agency: _____

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

GV-125 Consent to Gun Violence Restraining Order and Surrender of Firearms

Clerk stamps date here when form is filed.

Use this form if you have been served with a Petition for Gun Violence Restraining Order *(form GV-100) and you want to agree to voluntarily give up your firearm rights without a court hearing.*

- Fill out this form and 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 or to their lawyer. *(Use* Proof of Service by Mail (form GV-250)*.)*
- If you do not agree to a gun violence restraining order, use *Response to Petition for Gun Violence Restraining Order* (form GV-120) to tell the court you oppose a gun violence restraining order.

Fill in court name and street address:

Superior Court of California, County of San Diego

☐ CENTRAL DIVISION, HALL OF JUSTICE
330 W. BROADWAY, SAN DIEGO CA 92101
☐ EAST COUNTY DIVISION
250 E. MAIN ST., EL CAJON, CA 92020
☐ NORTH COUNTY DIVISION
325 S. MELROSE DR., VISTA, CA 92081
☐ SOUTH COUNTY DIVISION
500 3RD AVE., CHULA VISTA, CA 91910

See Petition for case number and fill in:

Case Number:

1 Petitioner

Name of person or law enforcement agency seeking order *(see form GV-100, item 1):*

_____

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 email.)*

Address: _____

City: _____ State: ____ Zip: _____

Telephone: _____ Fax: _____

Email Address: _____

3 Gun Violence Restraining Order

☐
- By checking this box and signing this form, I agree to give up my right to own, possess, or purchase guns, magazines, and ammunition for the time requested in the petition (between one to five years) or, if no time is specified, then for one year.
- I am not contesting the petition.
- I understand that the petitioner can request to renew this order for one to five years.
- I understand that I can only request to terminate this order once per year while it is in effect.

Case Number:

4 Surrender of Guns, Ammunition, and Magazines

- **After you file this form, the court will issue a *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-130) and send it to you and the petitioner in the mail.**
- **This form will be listed in the statewide California Restraining and Protective Order System, where it will be accessible to all law enforcement.**
- **You cannot own or possess any guns, other firearms, ammunition, or magazines. You must sell to or store with a licensed gun dealer, or turn in to a law enforcement agency, any guns, other firearms, ammunition, or magazines in your immediate possession or control within 48 hours of filing this form. You must file a receipt with the court. You may use *Proof of Firearms, Ammunition, and Magazines Turned In, Sold, or Stored* (form GV-800) for the receipt.**

a. ☐ I do not own or control any guns, other firearms, ammunition, or magazines.

b. ☐ I have turned in my guns, other firearms, ammunition, and magazines to a law enforcement officer or agency, or sold them to or stored them with a licensed gun dealer. A copy of the receipt
☐ is attached. ☐ has already been filed with the court.

Instructions to Clerk

- On the filing *Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-125), the clerk must submit the proposed order, *Gun Violence Restraining Order After Hearing or Consent to Gun Violence Restraining Order and Surrender of Firearms* (form GV-130) to the judicial officer, because the court must issue the order at least five court days before the scheduled hearing, or if this form is filed within five court days before the scheduled hearing, the court must issue, without any hearing, the gun violence restraining order, as soon as possible.
- Within one business day of issuance of the order, submit this form directly into the California Restraining and Protective Order System (CARPOS) or to law enforcement to enter into CARPOS within one business day of receipt from the court.

Date: _____

_____ ▶ _____
Lawyer's name (if any) *Lawyer's signature*

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

Date: _____

_____ ▶ _____
Type or print your name *Sign your name*

CH-800-INFO How Do I Turn In, Sell, or Store My Firearms?

1 What is a firearm?

A firearm is a:

- Handgun
- Rifle
- Shotgun
- Assault weapon

2 If you own or have a firearm you must:

- Turn it in to local law enforcement
- Sell it to a licensed firearms dealer, or
- Store it with a licensed firearms dealer

3 How do I sell or store my firearm?

Find a California licensed firearms dealer in your area.
Look under "Firearms Dealers" in your local Yellow Pages or on the Internet. Make sure the dealer is licensed.

4 How do I take my firearm to law enforcement?

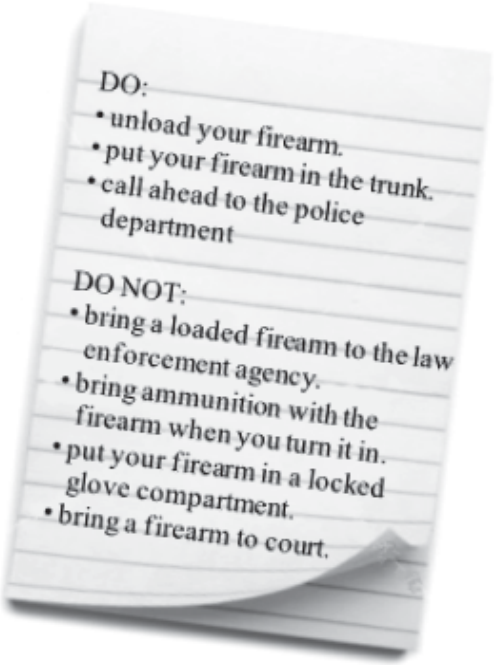
Call your local law enforcement agency to ask about their procedures. Take a copy of the restraining order with you. Go directly to the law enforcement agency. Do not go anywhere else with firearms in your vehicle!

5 If I turn my firearm in to law enforcement, how long will they keep it?

Ask the law enforcement agency.

6 After I give my firearm to law enforcement, can I change my mind?

Yes. You are allowed to make one sale through a licensed gun dealer. To do this, a licensed gun dealer must present a bill of sale to your local law enforcement agency. The law enforcement agency will give the licensed gun dealer the firearm you are selling.



7 Do I have to pay the law enforcement agency to keep my firearm?

You may have to pay the agency for keeping your firearm. Contact your local law enforcement agency and ask if a fee is charged. The agency will tell you how much you need to pay.

8 Questions?

Call your local law enforcement agency:
(Insert local information here.)

CH-800 Proof of Firearms Turned In, Sold, or Stored

Clerk stamps date here when form is filed.

1 Protected Person

Name: _____

2 Restrained Person

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 San Diego

- ☐ CENTRAL DIVISION, HALL OF JUSTICE
  330 W. BROADWAY, SAN DIEGO CA 92101
- ☐ EAST COUNTY DIVISION
  250 E. MAIN ST., EL CAJON, CA 92020
- ☐ NORTH COUNTY DIVISION
  325 S. MELROSE DR., VISTA, CA 92081
- ☐ SOUTH COUNTY DIVISION
  500 3RD AVE., CHULA VISTA, CA 91910

Court fills in case number when form is filed.

Case Number:

3 To the Restrained Person:

If the court has ordered you to turn in, sell, or store your firearms, you may use this form to prove to the court that you have obeyed its orders. When you deliver your unloaded weapons, ask the law enforcement officer or the licensed gun dealer to complete item 4 or 5 and item 6. After the form is signed, file it with the court clerk. Keep a copy for yourself. For help, read Form CH-800-INFO, *How Do I Turn in, Sell, or Store My Firearms?*

4 To Law Enforcement

Fill out items 4 and 6 of this form. Keep a copy and give the original to the person who turned in the firearms.

The firearms listed in 6 were turned in on:

Date: _____ at: _____ ☐ a.m. ☐ p.m.

To: _____

Name and title of law enforcement agent

_____

Name of law enforcement agency

_____

_____

Address

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

▶ _____

Signature of law enforcement agent

5 To Licensed Gun Dealer

Fill out items 5 and 6 of this form. Keep a copy and give the original to the person who sold you the firearms or stored them with you.

The firearms listed in 6 were

☐ sold to me ☐ transferred to me for storage on:

Date: _____ at: _____ ☐ a.m. ☐ p.m.

To: _____

Name of licensed gun dealer

_____ _____

License number *Telephone*

_____

_____

Address

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

▶ _____

Signature of gun dealer

Case Number:

6 Firearms

	Make	Model	Serial Number
a.			
b.			
c.			
d.			
e.			

☐ *Check here if you turned in, sold, or stored more firearms. Attach a sheet of paper and write "CH-800, Item 6—Firearms Turned In, Sold, or Stored" for a title. Include make, model, and serial number of each firearm. You may use Form MC-025,* Attachment.

7 Do you have, own, possess, or control any other firearms besides the firearms listed in 6? ☐ Yes ☐ No

If you answered yes, have you turned in, sold, or stored those other firearms? ☐ Yes ☐ No

If yes, check one of the boxes below:

a. ☐ I filed a *Proof of Firearms Turned In, Sold, or Stored* for those firearms with the court on (*date):*

b. ☐ I am filing the proof for those firearms along with this proof.

c. ☐ I have not yet filed the proof for the other firearms. *(Explain why not):*

☐ *Check here if there is not enough space below for your answer. Put your complete answer on the attached sheet of paper or Form MC-025 and write "Attachment 7c" for a title.*

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

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