

Clerk stamps date here when form is filed.

Read How Do I Get an Order to Prohibit Private Postsecondary School Violence? (Form SV-100-INFO) before completing this form. Also fill out Form SV-102, **Confidential** CLETS Information, with as much information as you know.

DRAFT 1 BG
January 14, 2011

**Not Approved by the
Judicial Council**

Fill in court name and street address:

Superior Court of California, County of

Court fills in case number when form is filed.

Case Number:

1 Petitioner (Educational Institution Officer or Employee)

Name: _____

is the chief administrative officer
 an officer or employee designated by the chief administrative officer to maintain order on the campus or facility

of (name of private postsecondary educational institution): _____

and is filing this petition on behalf of the student in **2**.

Address (skip this if you have a lawyer): _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-mail Address (optional): _____

Lawyer for Petitioner (if any): _____

Name: _____ State Bar No.: _____

Firm Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

E-mail Address: _____

2 Student in Need of Protection (Protected Person)

Full Name: _____

Sex: M F Age: _____**3 Respondent (Person From Whom Protection Is Sought)**

Full Name: _____ Age: _____

Home Address (if known): _____

City _____ State: _____ Zip: _____

This is not a Court Order.



Case Number:

4 Additional Protected Persons

a. Are you asking for protection for any family or household members or any other students at the campus or facility who are similarly in need of protection?

Yes No If yes, list those persons below:

Table with columns: Full Name, Sex, Age, Household Member?, Relationship to Student. Includes checkboxes for Yes/No for Household Member.

Additional protected persons are listed in Attachment 4a.

b. Why do these people need protection? (Explain): Response is stated in Attachment 4b.

5 Relationship of Student and Respondent

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

b. Respondent is is not a current student of petitioner (explain any decision to retain, expel, or otherwise discipline the respondent): Response is stated in Attachment 5b.

6 Venue

Why are you filing in this county? (Check all that apply):

- a. The respondent lives in this county.
b. The respondent has caused physical or emotional injury to the student in this county.
c. Other (specify):

7 Other Court Cases

a. Has the student or any of the persons named in 4 been involved in another court case with the respondent?

Yes No If yes, check each kind of case and indicate where and when each was filed:

Table with columns: Kind of Case, County Where Filed, Year Filed, Case Number (if known). Lists cases like Postsecondary School Violence, Civil Harassment, etc.

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Case Number: _____

	<u>County Where Filed</u>	<u>Year Filed</u>	<u>Case Number (if known)</u>
(7) <input type="checkbox"/> Eviction	_____	_____	_____
(8) <input type="checkbox"/> Guardianship	_____	_____	_____
(9) <input type="checkbox"/> Workplace 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 student or any of the persons in ④ and the respondent? Yes No *If yes, attach a copy if you have one.*

8 Description of Respondent's Conduct

a. Respondent has (*check one or more*):

- (1) assaulted, battered, or stalked the student.
- (2) made a credible threat of violence against the student by making knowing or willful statements, or engaging in a course of conduct, that served no legitimate purpose and 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 were made off the school campus or facility and can reasonably be understood (*check either or both*):

- (1) to have been carried out at the school campus or facility.
- (2) to be carried out in the future at the school campus or facility.

Address of campus or facility: _____

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 student 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.

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f. For any of the incidents described above, did the police come? Yes No I don't know

If yes, did the student 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 student (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 me or to anyone 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. Make threats of violence to the person.
- c. Follow or stalk the person during school hours or to or from the school campus or facility.
- d. 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 e-mail, by text messaging, by fax, or by other electronic means.
- e. Enter the person's school campus or facility.
- f. Take any action to obtain the person's address or location.
- g. Other *specify*): _____

10 Stay-Away Orders

a. I ask the court to order the respondent to stay at least _____ yards away from me and from each person listed in (3) , and (*specify*):

- (1) Those persons' homes
- (2) Those persons' jobs or workplaces
- (3) Those persons' vehicles
- (4) Those persons' schools or places of child care
- (5) Other *specify*): _____

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.

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11 Firearms Prohibition and Relinquishment

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, or 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.

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

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 SV-200-INFO explains what is proof of personal service. Form SV-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 or Service

- a. There should be no filing fee because the respondent has threatened to use violence against me, has stalked me, or has acted or spoken in some other way that makes me reasonably fear violence.
- b. The sheriff or marshal should serve (notify) the respondent about the orders for free because my request for orders is based on a credible threat of violence or stalking.
- c. There should be no filing fee and the sheriff or marshal should serve the respondent for free because I am entitled to a fee waiver. (You must complete and file Form FW-001, Application for Waiver of Court Fees and Costs.)

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15 **Court Costs**

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

16 **Additional Orders Requested**

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

Additional orders requested are stated in Attachment 16.

17 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 and title of person signing for petitioner

Signature

I consent to the filing of this petition.

Date: _____

Name of student

Signature

This is not a Court Order.