



REQUEST TO MODIFY/ TERMINATE PRIVATE POSTSECONDARY SCHOOL VIOLENCE RESTRAINING ORDER (STEP 1)

OVERVIEW:

Any party either protected or restrained may request to modify or terminate an order after hearing.

REQUIRED FORMS:

SV-600 – Request to Modify/ Terminate Private Postsecondary School Violence Restraining Order

SV-610 – Notice of Hearing on Request to Modify/Terminate Private Postsecondary School Violence Restraining Order

SV-630 – Order on Request to Modify/Terminate Private Postsecondary School Violence Restraining Order (Complete Section 1 & 2 only)

COPIES:

One (1) original and one (1) copy of all documents are required at the time of filing.

FILING:

Present completed forms to the Civil Front Counter – Window 14 at the Gordon D. Schaber Sacramento County Courthouse, 720 9th Street, Room 102, Sacramento, CA 95814. The hours of operation are 8:30 a.m. to 4:00 p.m., Monday through Friday.

FILING FEE:

A filing fee of \$60.00 is required. The filing fee amount can be found at:
<http://saccourt.ca.gov/indexes/fees-forms.aspx>.

Acceptable payment types: Check, Cash, Cashier's Check, Money Order and Credit Card (*Visa and MasterCard*).

If you are unable to pay the filing fee, you may request a waiver of the fee by completing and filing the following forms:

FW-001 – Request to Waive Court Fees

FW-003 – Order on Court Fee Waiver (Superior Court)

Fee Waiver Packets are available upon request or you may access these forms online at <https://www.saccourt.ca.gov/fees/fee-waiver.aspx>.

**Request to Modify Terminate
Private Postsecondary School
Violence Restraining Order**

Clerk stamps date here when form is filed.

1 Party Seeking Modification/Termination

- a. Your Full Name: _____
- b. Petitioner Respondent
- c. Your Lawyer (if you have one for this case)
Name: _____ State Bar No.: _____
Firm Name: _____
- d. 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

Fill in case number:

Case Number:

2 Other Party

- a. Full Name: _____
- b. Address (if known): _____
City: _____ State: _____ Zip: _____

3 Current Order

- a. The current order is a/an:
 - Private Postsecondary School Violence Restraining Order After Hearing (form SV-130)
 - Order Renewing Private Postsecondary School Violence Restraining Order (form SV-730)
- b. The current order expires on (date): _____
- c. A copy of the current order is attached.

4 Request to Modify Restraining Order

- a. I ask the court to modify the current order as follows (specify requested changes referring to the item number in order that you want to change or delete):

 Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 4a —Requested Changes" for a title. You may use form MC-025, Attachment.



b. I ask the court to modify the order because *(explain below)*:

- Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 4b—Reasons for Requested Changes" for a title. You may use form MC-025, Attachment.

5 **Request to Terminate Restraining Order**

I ask the court to terminate the current order because *(give reasons below)*:

- Check here if there is not enough space for your answer. Attach a sheet of paper and write "Attachment 5—Reasons to Terminate Order" for a title. You may use form MC-025, Attachment.

Case Number:

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

Notice of Hearing on Request to
 Modify **Terminate Private**
Postsecondary School Violence
Restraining Order

Clerk stamps date here when form is filed.

Party seeking order completes items ① and ②.

① Party Seeking Modification/Termination

- a. Your Full Name: _____
- 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.)
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 Other Party

- a. Full Name: _____
- b. 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 unless terminated by the court.



Date: _____ Time: _____ Name and address of court if different from above:
Dept.: _____ Room: _____

④ Service on Other Party

Someone age 18 or older—**not you**—must serve a copy of the following forms on the other party or parties:

- SV-600, Request to Modify/Terminate Private Postsecondary School Violence Restraining Order;
- SV-610, Notice of Hearing on Request to Modify/Terminate Private Postsecondary School Violence Restraining Order (this form);
- SV-620, Response to Request to Modify/Terminate Private Postsecondary School Violence Restraining Order (blank copy).

The forms must be served on the other party _____ days before the hearing.



- b. **If you are the Respondent: You must have the protected person personally served with these forms. This requirement of personal service on the protected person is not a justification for you to violate the terms of the restraining order.** You must also serve the Petitioner educational institution officer or employee. Service on the Petitioner may be by mail.
- c. **If you are the Petitioner Education Institution Officer or Employee and you are requesting modification or termination other than at the request of the protected person: You must have the protected person personally served with these forms.** You must also serve the Respondent. Service on the Respondent may be by mail.
- d. **If you are the Protected Person:** The Respondent and Petitioner educational institution officer or employee may be served with these forms by mail.
- e. The person who serves the forms must fill out either form SV-200, *Proof of Personal Service*, or form SV-250, *Proof of Service of Response by Mail* (or both). Have the person who served sign the original. Take the signed original proof-of-service form back to the court clerk for filing or bring it with you to the hearing. For help with personal service, see form SV-200-INFO, *What Is "Proof of Personal Service"?*

Date: _____

Clerk, by , Deputy

To the Other Party:

If you wish to make a written response to this request to modify or terminate the current private postsecondary school violence restraining order, you may fill out form SV-620, *Response to Request to Modify/Terminate Private Postsecondary School Violence 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 other party at the address in ① at least _____ days before the hearing. Also file form SV-250, *Proof of Service of Response by Mail*, with the court before 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 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 Hearing on Request to Modify/Terminate Private Postsecondary School Violence Restraining Order* is a true and correct copy of the original on file in the court.

Clerk's Certificate
[seal]

Date: _____

Clerk, by , Deputy

Order on Request to
 Modify **Terminate**
Private Postsecondary School Violence
Restraining Order

Clerk stamps date here when form is filed.

Prevailing party completes items ① and ②.

① Party Seeking Modification/Termination

a. Full Name: _____

Lawyer (if any for this case):

Name: _____ State Bar No.: _____

Firm Name: _____

b. Address (If this party has a lawyer, give the lawyer's information. If the party does not have a lawyer and wants to keep home address private, give a different mailing address instead. Telephone, fax, or e-mail are not required.)

Address: _____

City: _____ State: _____ Zip: _____

Telephone: _____ Fax: _____

Fill in court name and street address:

Superior Court of California, County of

Fill in case number:

Case Number:

② Other Party

Full Name: _____

Address: _____

City: _____ State: _____ Zip: _____

E-Mail Address: _____

③ Hearing

There 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 party seeking modification termination

b. The party opposing modification termination

c. The lawyer for the party seeking modification termination (name): _____

d. The lawyer for the party opposing modification termination (name): _____

④ Order

The request to modify terminate the attached

Private Postsecondary School Violence Restraining Order After Hearing (form SV-130)

Order Renewing Private Postsecondary School Violence Restraining Order (form SV-730)

originally issued on (date): _____ is:

a. **DENIED.** The order and expiration date remain the same.

This is a Court Order.



- b. **DENIED** without prejudice because the other party was not served on time.
- c. **GRANTED**.
 - (1) The order is **TERMINATED** as of the date this Order is signed on page 3.
 - (2) The order is **MODIFIED** as stated: Below On Attachment 4c(2)

(Specify, referring to item numbers in the original order):

(3) The order now **EXPIRES** on *(date)*: _____ at *(time)*: _____

5 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 prevailing party or his or her 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 Agency	Address <i>(City, State, Zip)</i>
_____	_____
_____	_____

Additional law enforcement agencies are listed at the end of this Order on Attachment 5.

This is a Court Order.



To the Prevailing Party:

6 Service of Order

If service is required, someone age 18 or older—**not you**—must serve a copy of this order on the other party. If a party is represented by a lawyer, you must serve the lawyer instead of the party.

- The other party attended the hearing. **No further service is required.**
- Order Granted**—The other party did not attend the hearing. **Service is required.** This Order
 - must be personally served on the other party within _____ days of the date of this Order.
 - may be served by mail on the other party within 5 days of the date of this Order.
- Order Denied**—The other party did not attend the hearing. **Service by Mail:** The other party may be served with this Order by mail.

Date: _____

Judicial Officer

(Clerk will fill out this part.)

—Clerk's Certificate—

Clerk's Certificate
[seal]

I certify that this *Order on Request to Modify/Terminate Private Postsecondary School Violence 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.