



WORKPLACE VIOLENCE RESTRAINING ORDER

Court Document required	A packet containing the following: WV-100 Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee. WV-120 Order to Show Cause and Temporary Restraining Order. WV-110 Blank Response to Petition of Employer for Injunction Prohibiting Violence or Threats of Violence Against Employee. WV-145 Proof of Sale or Turning In of Firearms. Any other documents required by the court.
Purpose of Process	Notifies the restrained person of a hearing concerning various issues and may restrain certain activities and conduct of the restrained person until the hearing.
Sheriff's Instructions	Use General Service Process Instruction Form
Time for Service	The time for service is determined by the judge who signs and issues the orders.
Manner of Service	Personal Service
Fee	There is a \$30.00 per person fee for service of the Temporary Restraining Order. If you cannot afford to pay the fee, ask the court clerk how to apply for a fee waiver. If the fee waiver is granted, the Sheriff will serve the order for free.
Proof of Service	If service is made, the original proof of service is sent to court and a copy is sent to the employer who should file it with the police agency listed in the order. If service is not made, a not found/no service return is done. The original is mailed to the court and a copy is mailed to the employer along with the documents for service stating the reason for non-service.

Information Guide

Under California Law an employer can obtain court orders prohibiting unlawful violence or credible threats of violence against their employees. This law differs from other California Laws that allow victims of unlawful violence or credible threats of violence to ask the court for these orders themselves. To get an order under this law, the plaintiff must be an employer. The employer would need to file a petition in Superior Court on behalf of his or her employee against the other person. There will be a court hearing within 15 days of the filing.

The Temporary Restraining Order notifies the restrained person of certain activities and conduct they are restrained from doing until the court hearing. The order must be personally served on the restrained person by someone 18 years of age or older and not protected by the orders or a Sheriff's Deputy.

The Sheriff's Office accords a very high priority to restraining orders. After the restrained person is served, the Sheriff's Civil Division will mail a copy of the proof of service to the employer and mail the original proof of service to the court the order was issued from. If service has not been made, the order will be returned to the employer together with a copy of the certificate of not found/no service detailing the reasons for non-service and the original certificate will be sent to the court. If the restrained person appears to be evading service by the Sheriff's Office, the protected person may wish to consider using a friend or relative 18 years of age or older or hiring a registered process server to try to serve the restraining order. You **cannot** serve the order on the restrained person yourself.