

Protection Order Service Checklist

Proper service of protection orders is not only critical to hold respondents and offenders who violate them accountable but also an important step to enhance the safety of law enforcement officers, domestic violence survivors, and ultimately the entire community. The following checklist is intended to provide general guidance to those who serve protection orders. Additional assistance can be requested from the National Center on Protection Orders and Full Faith & Credit (NCPOFFC).

Receipt and Issuance of Order for Service

- Check the respondent/offender for outstanding warrants.
- Check the respondent/offender for firearm license(s) and ownership, and/or access to firearms.
- Check the respondent/offender's criminal history (e.g., domestic violence, child abuse, pet abuse, violent history, and violence against law enforcement).
- Check the agency's system for history with the respondent/offender.

Documentation

- Create a specific agency report number for each order received for service.
- Document all service attempts. Include the time, locations, and contacts made.
- Create detailed documentation of service being effected. Include the time, location, reaction of the respondent/ offender, and specify if the contents of the order were fully explained.
- Complete the service affidavit and promptly return it to the issuing court.

Service of Order

- Review the respondent/offender Information Sheet. If the Information Sheet is not available, contact the victim or issuing jurisdiction regarding violent history, access to weapons, and service locations.
- Serve all protection orders without delay including orders from other states, tribal jurisdictions, and U.S territories.
- Seek alternate locations (other than the home of the person seeking the protection order) to serve the respondent/offender (e.g., work, school, and relatives' houses).
- Use all legal authority to seize firearms, ammunition, and license(s) to carry (LTC).
- Advise the respondent/offender in person and orally, in detail of the terms and conditions of the order, as well as penalties for violation of the order including the illegal use and/or possession of firearms.

Strategies for Law Enforcement Departments

- Create policies, procedures, protocols, and memoranda of understanding that promote information sharing among agencies and across jurisdictions.
- Attach the respondent/offender Information Sheet for review before service.
- Cross-reference person(s) who have contact with law enforcement for outstanding protection orders in need of service (e.g., traffic stops and routing calls).
- Coordinate with parole/probation to locate and serve the respondent/offender.
- Determine if there is an active investigation and coordinate with the investigator prior to serving the protection order whenever possible.
- Include all documents provided by the issuing court when serving the protection order (e.g., notice of hearing, petition for protection order, or show cause order).
- Serve electronic and faxed copies of protection orders, if permitted by law.
- Use a minimum of two law enforcement officers when serving orders whenever possible.
- Use a qualified interpreter when communicating with a Limited English Proficient (LEP) individual, and a Deaf or hard of hearing individual during service.
- Document any behavior, statements, or non-verbal signs made by the respondent/offender that may indicate increased danger to the victim, law enforcement or the community, and provide the information to the appropriate personnel for further action that can enhance the victim's safety and security.
- Verify the respondent/offender information and update in the appropriate file or database (e.g., Social Security number, date of birth, address).
- Establish a safe and confidential process to immediately notify the petitioner when the respondent/offender has been served.
- Connect the victim at the scene to a local advocacy agency to obtain information on shelter, safety planning, pet safe haven shelters, legal advocacy, and representation.
- Encourage the petitioner to contact the police if there are any violations of the order. For referrals, connect the victim to the National Domestic Violence Hotline at 1-800-799-7233 or 1-800-787-3224 [TTY for Deaf/Hard of Hearing], Video Phone at 1-855-812-1001, or Live Chat at www.thehotline.org.
- Advise the respondent/offender that the order is entitled to enforcement in all fifty states, tribal jurisdictions, and U.S. territories under the Full Faith and Credit (FFC) provision of the Violence Against Women Act (VAWA).
- Inform the respondent/offender that he or she may be prohibited from purchasing or possessing firearms and/or ammunition under federal and/or state law and offer to accept any prohibited firearms and ammunition.
- For Technical Assistance on service, issuance and enforcement of protection orders and firearm removal, please contact NCPOFFC at 1-800-903-0111, prompt 2, or email us at ncffc@bwjrp.org.



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