

# Domestic Violence Implementation Lab

## Interjurisdictional Service in Minnesota

A Resource from the  
Pandemic Rapid Response Team

August 2022



	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	Minnesota Statutes <a href="#">518B.01</a>	
Terminology	Ex Order for Protection	Order for Protection
Length of Order	Up to 2 years, if the respondent is served within 14 days of issuance (or request for publication)	Up to 2 years, unless otherwise ordered by the court
Available Relief	<ul style="list-style-type: none"> <li>• Restrains abuser from committing acts of domestic abuse;</li> <li>• Excludes a party from the joint or other party’s residence as well as from a specified area around the petitioner’s residence;</li> <li>• Excludes abuser from the petitioner’s place of employment;</li> <li>• Orders abuser to have no contact with the petitioner (e.g., in person, telephone, mail, e-mail, electronic devices, a third party, etc.);</li> <li>• Continues all currently available insurance coverage;</li> <li>• Awards temporary custody/visitation arrangements/financial support of minor children;</li> <li>• Awards temporary use and possession of property;</li> <li>• Awards victim restitution;</li> <li>• Requires abuser to participate in counseling/treatment</li> <li>• Directs the care, possession, or control of a pet or companion animal owned, possessed, or kept by a party or a child of a party;</li> <li>• Restrains abuser from physically abusing or injuring any pet or companion animal, without legal justification, known to be owned, possessed, kept, or held by either party or a minor child;</li> <li>• Prohibits the abuser from possessing firearms; and</li> <li>• Other relief as ordered by the court.</li> </ul>	

Protected Parties	<ul style="list-style-type: none"> <li>• Spouses/former spouses</li> <li>• Parents and children</li> <li>• Persons related by blood</li> <li>• Persons resided together (currently or previously)</li> <li>• Persons with children in common</li> <li>• A man and woman, when the woman is pregnant and the man is alleged to be the father</li> <li>• Persons in a significant romantic or sexual relationship</li> </ul>
Requirements for Service	<ul style="list-style-type: none"> <li>• Service is made: <ul style="list-style-type: none"> <li>○ Personally, within 14 days of issuance</li> <li>○ Via law enforcement officer, within 14 days of issuance</li> <li>○ Alternate service (as ordered by the court) <ul style="list-style-type: none"> <li>▪ Mail, within 14 days after mailing</li> <li>▪ Publication, within 14 days after publication</li> </ul> </li> </ul> </li> <li>• Orders are also added to the state order for protection database</li> </ul>
Registration Required for Enforcement	<ul style="list-style-type: none"> <li>• Not required</li> <li>• However, registration with the local court administrator makes the order accessible to law enforcement statewide via the state order for protection database</li> </ul>
<a href="#">Military Jurisdictions</a>	<ul style="list-style-type: none"> <li>• Not applicable/none.</li> <li>• City/County law enforcement have jurisdiction for purposes of serving orders or investigating crimes.</li> </ul>
<a href="#">Tribal Jurisdictions</a>	<p>Federally Recognized Tribes:</p> <ul style="list-style-type: none"> <li>• Minnesota Chippewa Communities include the following reservations: <ul style="list-style-type: none"> <li>○ Bois Forte Band of Chippewa</li> <li>○ Fond du Lac Band of Lake Superior Chippewa</li> <li>○ Grand Portage Band of Lake Superior Chippewa</li> <li>○ Leech Lake Band of Ojibwe</li> <li>○ Mille Lacs Band of Ojibwe</li> <li>○ Red Lake Band of Chippewa Indians</li> <li>○ White Earth Band of Chippewa</li> </ul> </li> <li>• Minnesota Sioux Communities include the following reservations: <ul style="list-style-type: none"> <li>○ Lower Sioux Indian Community</li> <li>○ Prairie Island Indian Community</li> <li>○ Shakopee Mdewakanton Sioux Community</li> <li>○ Upper Sioux Community</li> </ul> </li> </ul> <p>State Recognized Tribes: Same as above</p> <p>Processes on Tribal Jurisdictions: Tribal law enforcement agencies may not use the statewide system for protection orders and may need to rely on a paper copy of an order for enforcement.</p>

Other Information	None
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### Out of State Service Fees<sup>1</sup>:

None

For more information, please contact State Point of Contact Melia Garza (melia.garza@courts.state.mn.us).

If you would like to provide suggestions/feedback on this Profile, visit:  
[https://ncsc2.iad1.qualtrics.com/jfe/form/SV\\_eQzzYCcGK38Q64C](https://ncsc2.iad1.qualtrics.com/jfe/form/SV_eQzzYCcGK38Q64C)

<sup>1</sup> Courts should not charge a victim of domestic violence, dating violence, stalking, or sexual assault any costs associated with the filing, issuance, registration, or service of protection orders, whether issued by civil or criminal courts, including intra- and inter-jurisdictional orders. This no-cost provision also applies to any fees or costs associated with a criminal matter related to domestic violence, stalking, dating violence, and sexual assault (42 U.S.C. § 3796 hh(c)(4)). Charging any of these costs will render a jurisdiction ineligible for certain VAWA funds.

