

Interjurisdictional Service in Rhode Island  
A Resource from the  
Pandemic Rapid Response Team

December 2022



	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	2021 Rhode Island General Laws § <a href="#">8-8.1</a> , <a href="#">8-8.3</a> , <a href="#">15-15</a> and <a href="#">15-15.1</a>	
Terminology	Temporary Extreme Risk Protection Order Temporary Protective Order	Extreme Risk Protection Order Protective Order
Length of Order	Temporary Extreme Risk Order: Up to 14 days after the order is issued  Temporary Order: Up to 21 days after petition submission.	Extreme Risk Order: Up to 1 year.  Protective Order: Up to 3 years.
Available Relief	Ordering that the defendant: <ul style="list-style-type: none"> <li>• Be restrained and enjoined from contacting, assaulting, molesting, sexually exploiting, or interfering with the plaintiff at home, on the street, or elsewhere</li> <li>• Vacate the household immediately (if not solely owned by the defendant) and provide for the safety and welfare of household pets</li> <li>• Within 72-hours after being served the order, to surrender physical possession of all firearms in his or her possession, care, custody, or control and not to purchase or receive, or attempt to purchase or receive, any firearms while the protective order is in effect</li> </ul> Awarding the plaintiff custody of the minor children of the parties, if any.	In addition to relief provided by an order of protection prior to a hearing: <ul style="list-style-type: none"> <li>• The court may order either party to make child support payments</li> </ul>

Protected Parties	<ul style="list-style-type: none"> <li>• Spouse/former spouse</li> <li>• Minor children, stepchildren</li> <li>• Plaintiff parent's minor child(ren) to which the defendant is not a blood relative or relative by marriage</li> <li>• Minor children of substantive dating partners</li> <li>• Persons who are related by blood or marriage</li> <li>• Parents with child in common</li> <li>• Current or former cohabitants (within the past three years)</li> </ul>
Requirements for Service	<ul style="list-style-type: none"> <li>• Temporary Extreme Risk Protection Orders may <u>only</u> be filed by law enforcement.</li> <li>• The clerk of court will immediately forward (upon receipt) the temporary order to the law enforcement agency designated by the plaintiff. <ul style="list-style-type: none"> <li>○ County Sheriff</li> <li>○ Certified constable</li> </ul> </li> <li>• Law enforcement will serve/give notice of the complaint and order to the defendant.</li> <li>• The deputy sheriff or certified constable will submit return of service/notice to the clerk of court prior to the hearing date indicated on the complaint. <ul style="list-style-type: none"> <li>○ If service has not been made, the deputy sheriff or constable shall indicate in the summons the reason and the attempts made to serve the defendant.</li> <li>○ At the same time, the deputy sheriff or certified constable will send a copy of the return of service to the plaintiff and the appropriate law enforcement agency.</li> </ul> </li> <li>• If, at the hearing, the court determines that diligent effort has been made to serve the defendant personally, yet service has not occurred, the judge may order an alternate method of service: <ul style="list-style-type: none"> <li>○ Service by certified and regular mail at defendant's last known address or place of employment</li> <li>○ Leaving copies at the defendant's dwelling or usual place of abode</li> <li>○ By publication in a newspaper for two consecutive weeks.</li> </ul> </li> </ul>
Registration Required for Enforcement	Not required.
<a href="#">Military Jurisdictions</a>	<p>Military Bases:</p> <ul style="list-style-type: none"> <li>• 143 AW</li> <li>• Naval Station Newport</li> </ul> <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>

<a href="#">Tribal Jurisdictions</a>	<p>Federally Recognized Tribe:</p> <ul style="list-style-type: none"> <li>• Narragansett Indian Tribe</li> </ul> <p>Processes on Tribal Jurisdictions: Contact the individual tribal jurisdiction for service process details.</p>
<p>Other Information</p>	<p>Rhode Island has <a href="#">Sexual Assault Protective Orders</a> which do not require relationships with family or household members.</p>

### Out of State Service Fees<sup>1</sup>:

None

For more information, please contact State Point of Contact Veronica Hobbs (vhobbs@courts.ri.gov).

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.