

Interjurisdictional Service in Oregon

A Resource from the
Pandemic Rapid Response Team

December 2022



	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	Oregon Revised Statutes § 107.700 through 107.735	
Terminology	Family Abuse Prevention Act (FAPA) Restraining Order	
Length of Order	Up to 1 year, but it can be renewed annually	
Available Relief	<p>Grant petitioner:</p> <ul style="list-style-type: none"> • Temporary custody of the children of the parties • Use of the residence, if not solely owned by the respondent • Custody of any service, therapy, or other companion animal <p>Order respondent to:</p> <ul style="list-style-type: none"> • Move from the residence, if not solely owned by the respondent • Refrain from entering, or attempting to enter, a reasonable area surrounding the petitioner’s residence, workplace, or other areas frequented by the petitioner • Refrain from attempting to intimidate, harass, molest, interfere with or menace the petitioner or any children in their custody • Provide emergency monetary assistance • Have no contact with the petitioner in person, by telephone, or by mail 	<p>In addition to relief provided by an ex parte order:</p> <p>Order the respondent to refrain from possessing a firearm or ammunition</p> <p>The court may also order other relief</p>

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Available Relief	The court may also: <ul style="list-style-type: none"> • Establish custody and visitation arrangements • Order other relief 	
Protected Parties	<ul style="list-style-type: none"> • Spouse/former spouse • Adults related by blood, marriage, or adoption • Presently or formerly living together • Currently or formerly in a sexually intimate relationship within the past two years • Have a child in common 	
Requirements for Service	<ul style="list-style-type: none"> • The court will send the order to the county sheriff to serve on the respondent, unless the petitioner chooses to have a private party personally serve the order. • Law enforcement may serve the order personally or via fax or electronic mail. • If, after 10 days, law enforcement has been unable to serve the respondent, law enforcement will notify the petitioner. • If, after 10 days, the petitioner does not respond, law enforcement will hold the order for future service. • Law enforcement will send a return of service to the clerk indicating whether or not service was not completed. • Upon completion of service, law enforcement will also enter the order into the Law Enforcement Data System and National Crime Information Center. 	
Registration Required for Enforcement	Not required.	
Military Jurisdictions	<p>Military Bases:</p> <ul style="list-style-type: none"> • 142 FW • 173 FW • USAREC, Portland Battalion <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>	

<p><u>Tribal Jurisdictions</u></p>	<p>Federally Recognized Tribes:</p> <ul style="list-style-type: none"> • Burns Paiute Tribe • Confederated Tribes of the Coos, Lower Umpqua and Siuslaw Indians of Oregon • Confederated Tribes of the Grand Ronde Community of Oregon • Confederated Tribes of the Siletz Reservation • Confederated Tribes of the Umatilla Indian Reservation • Confederated Tribes of the Warm Springs Reservation of Oregon • Coquille Indian Tribe • Cow Creek Band of Umpqua Tribe of Indians • Fort McDermitt Paiute and Shoshone Tribes of the Fort McDermitt Indian Reservation (Nevada and Oregon) • Klamath Tribes <p>State Recognized Tribes: None</p> <p>Processes on Tribal Jurisdictions: Contact the individual tribal jurisdiction for service process details. Changes to ORS 24.105 have improved service in tribal jurisdictions.</p>
<p>Other Information</p>	<p>Oregon has other protection orders which do not require family or household relationships:</p> <ul style="list-style-type: none"> • Sexual Abuse Protection Ord • Elderly Persons/Persons with Disabilities Protection Order • Stalking Protection Order • Extreme Risk Protection Order

Out of State Service Fees¹:

None

For more information, please contact State Point of Contact Amy Benedum (amy.e.benedum@ojd.state.or.us).

If you would like to provide suggestions/feedback on this Profile, visit:
https://ncsc2.iad1.qualtrics.com/jfe/form/SV_eQzzYCCgK38Q64C

¹ 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.