

Interjurisdictional Service in
North Carolina
A Resource from the
Pandemic Rapid Response Team

December 2022



	Ex Parte Domestic Violence Protective Order (Temporary/Emergency)	Domestic Violence Protective Order
Statute	North Carolina General Statutes § 50B	
Terminology	Ex Parte Order	Domestic Violence Protective Order
Length of Order	10 days from issuance of the order, or until further order of the court	Up to 1 year.
Available Relief	<p>Order the defendant to:</p> <ul style="list-style-type: none"> • Refrain from: <ul style="list-style-type: none"> ○ Threatening, abusing, or following the other party ○ Harassing the other party, including by telephone, visiting the home or workplace, or other means ○ Cruelly treating or abusing pets • Leave the residence of the petitioner or provide suitable alternate housing • Refrain from purchasing or possessing firearms, ammunition, or related permits for a time fixed in the order • Attend an abuser treatment program • Provide financial spousal and/or child support <p>Grant the victim:</p> <ul style="list-style-type: none"> • Grant possession of the residence or household of the parties • Possession of pets owned, possessed, kept or held by either party / minor child <p>The court may also:</p> <ul style="list-style-type: none"> • Order temporary custody and visitation for minor children • Order either party to make payments for support of a minor child and/or a spouse as required by law 	

Available Relief (cont'd)	<ul style="list-style-type: none"> • Grant either party possession of specific property (e.g., automobile, personal documentation, etc.) • Other relief
Protected Parties	<ul style="list-style-type: none"> • Current or former spouse • Parents • Children • Have a child in common • Persons of opposite sex who currently or formerly lived together • Current or former household members • Persons who are in or have been in a dating relationship
Requirements for Service	<ul style="list-style-type: none"> • The clerk of court will send (electronically or by fax) the summons, complaint, notice of hearing, an ex parte order (if issued) and other documents to the sheriff's office in the county where the defendant is to be served. • If the defendant is ordered not to enter a child's school, the sheriff's office will provide a copy of the court order to that school's principal. • If the defendant cannot be successfully served by a sheriff's deputy, the court may order an alternate means of service.
Registration Required for Enforcement	Not required.
Military Jurisdictions	<p>Military Bases:</p> <ul style="list-style-type: none"> • Fort Bragg • Marine Corps Air Station New River • Seymour Johnson Air Force Base • Air Station Elizabeth City • Marine Corps Camp Lejeune • Air Station Cherry Point • Pope Army Airfield <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>

Tribal Jurisdictions	<p>Federally Recognized Tribe:</p> <ul style="list-style-type: none"> • Eastern Band of the Cherokee Nation <p>State Recognized Tribes:</p> <ul style="list-style-type: none"> • Coharie • Lumbee • Haliwa-Saponi • Sappony • Meherrin • Occaneechi Band of the Saponi Nation • Waccamaw-Siouan <p>Processes on Tribal Jurisdictions: Contact the individual tribal jurisdiction for service process details.</p>
<p>Other Information</p>	<p>None</p>

Out of State Service Fees¹:

None

For more information, please contact State Point of Contact Stephanie Satkowiak (stephanie.e.satkowiak@nccourts.org).

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.