

Interjurisdictional Service in Virginia

A Resource from the
Pandemic Rapid Response Team

December 2022



	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	Virginia Code § 16.1-253.4 , 16.1-253.1 , 16.1-279.1 ¹	
Terminology	Emergency Protective Order Preliminary Protective Order	Protective Order
Length of Order	Emergency Order: Up to 3 days after the order is issued (or until the next court business day). Preliminary Order: Up to 15 days after filing the petition.	Up to 2 years.
Available Relief	<p><i>Emergency Protective Order:</i> This order may provide the following relief:</p> <p>Order the restrained party to:</p> <ul style="list-style-type: none"> • Refrain from acts of family abuse or criminal offenses that result injury to person or property • Refrain from contacting the petitioner or family/household members • Leave the household -or- provide suitable alternative housing for the petitioner or family/household members (if appropriate) <p>Grant the petitioner:</p> <ul style="list-style-type: none"> • Possession of the residence • Possession of companion animals <p>The court may also order other relief.</p>	<p>In addition to relief provided by an emergency or preliminary order:</p> <p>Order the restrained party to:</p> <ul style="list-style-type: none"> • Restore or refrain from terminating insurance, registrations, and taxes for the petitioner’s vehicle • Participate in treatment, counseling, or other programs <p>The court may also order:</p> <ul style="list-style-type: none"> • Temporary custody/visitation rights • Temporary child support • Attorney fees and court costs • Other relief

¹ This statute refers to protective orders in cases against a family or household member.

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Available Relief (cont'd)	<p><i>Preliminary Protective Order:</i> In addition to the relief provided by an emergency order:</p> <p>Order the restrained party to:</p> <ul style="list-style-type: none"> • Restore or refrain from terminating necessary utility services to the petitioner's residence • Refrain from using electronic devices to locate the petitioner <p>Grant the petitioner:</p> <ul style="list-style-type: none"> • Exclusive use/possession of cellular phones or electronic devices • Possession of the vehicle (if solely or jointly owned by the petitioner) <p>The court may also order other relief.</p>	
Protected Parties	<ul style="list-style-type: none"> • Current or former spouse • In-laws who live in the same home • Have child in common • Current or former (within the past year) cohabitants 	
Requirements for Service	<ul style="list-style-type: none"> • The court will send the order to law enforcement by the end of the business day on which the order was issued. • Law enforcement will: <ul style="list-style-type: none"> ○ Enter the order into the Virginia Criminal Information Network. ○ Personally serve the order on the respondent <ul style="list-style-type: none"> ▪ If personal service is not possible, the order may be served by mail. ○ Enter service details into the Network 	
Registration Required for Enforcement	Not required.	

<p>Military Jurisdictions</p>	<p>Military Bases:</p> <ul style="list-style-type: none"> • 192 FW • DLA McNamara HQC • Defense Supply Center Richmond • Fort Belvoir • Fort Lee • Fort Myer (Joint Base Myer - Henderson Hall) • Henderson Hall (Joint Base Myer - Henderson Hall) • Joint Base Langley-Eustis • Joint Expeditionary Base Little Creek-Fort Story • MCCA Hampton Roads • Marine Corps Base Quantico • Naval Air Station Oceana • Naval Air Station Oceana Dam Neck Annex • Naval Medical Center Portsmouth • Naval Station Norfolk • Naval Support Activity Hampton Roads • Naval Support Activity Hampton Roads Northwest Annex Naval Support Activity South Potomac (NSF Dahlgren) • Naval Weapons Station Yorktown • Newport News Shipyard • Norfolk Naval Shipyard • Surface Combat Systems Center Wallops Island • USAREC, Richmond Recruiting Battalion <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>
<p>Tribal Jurisdictions</p>	<p>Federally Recognized Tribes:</p> <ul style="list-style-type: none"> • Pamunkey Indian Tribe • Chickahominy Indian Tribe • Chickahominy Indian Tribe-Eastern Division • Upper Mattaponi Tribe • Rappahannock Tribe, Inc. • Monacan Indian Nation • Nansemond Indian Tribe

<p>Tribal Jurisdictions (cont'd)</p>	<p>State Recognized Tribes:</p> <ul style="list-style-type: none"> • Cheroenhaka (Nottoway) • Chickahominy Tribe • Eastern Chickahominy Tribe • Mattaponi • Monacan Nation • Nansemond • Nottoway of Virginia • Pamunkey • Pattawomeck • Rappahannock • Upper Mattaponi Tribe <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 Fees²:

None

For more information, please contact State Point of Contact Madelynn Herman (mherman@vacourts.gov).

If you would like to provide suggestions/feedback on this Profile, visit:
https://ncsc2.iad1.qualtrics.com/jfe/form/SV_eQzzYCcGK38Q64C

² 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.