

Interjurisdictional Service in Oklahoma

A Resource from the
Pandemic Rapid Response Team

December 2022



	Ex Parte Protective Order (Temporary/Emergency)	Final Protective Order
Statute	22 Oklahoma Statutes § 60 through 60.61 ¹	
Terminology	Emergency Temporary Order of Protection ² Emergency Ex Parte Order of Protection	Final Protective Order
Length of Order	Up to 14 days after submitting petition, unless otherwise ordered by the court.	Up to 5 years, unless granted a continuous order of protection (see 60.4(G)(1)(b)).
Available Relief	<p>Order the defendant to:</p> <ul style="list-style-type: none"> • Avoid contact that harasses or intimidates the petitioner, including at the home, work, or school of the petitioner, public places, in person, by phone, in writing, by electronic communication or device, etc. • Avoid the residence of or any premises temporarily occupied by the petitioner • Surrender firearms or other dangerous weapons • Taking, transferring, encumbering, concealing, molesting, attacking, striking, threatening, harming, or otherwise disposing of a household pet 	<p>In addition to relief provided by emergency temporary order of protection:</p> <p>Order the defendant to:</p> <ul style="list-style-type: none"> • Not impersonate or adopt the personification of the petitioner online or otherwise, including purchases, posting information on social media, etc. • Obtain domestic abuse counseling or treatment • Use an active, real-time, twenty-four-hour Global Positioning System (GPS) monitoring device

¹ Oklahoma’s forms provide up-to-date statutory information for Domestic Violence. Access those forms [here](#).

² Emergency Temporary Orders are available when the court is NOT open for business. Emergency *Ex Parte* Orders are available when the court is OPEN

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Available Relief (cont'd)	Grant petitioner: <ul style="list-style-type: none"> • Temporary custody of children • Exclusive possession of household pets 	The court order may also: <ul style="list-style-type: none"> • Direct wireless service providers or public utility providers to transfer to the petitioner the billing responsibility and rights to any wireless telephone numbers or household utility accounts of any minor children in the care of the petitioner • Order the Defendant to pay court costs, service of process fees, and/or attorney's fees 										
Protected Parties	<ul style="list-style-type: none"> • Current or former spouse • Currently or formerly in a dating relationship • Have a child in common • Current or former household member (lived together within the past year) • Family member <ul style="list-style-type: none"> ○ Parents/Grandparents/Stepparents/Adoptive/Foster ○ Child/Grandchild/Stepchild/Adoptive/Foster ○ Otherwise related by blood or marriage • Any adult victim of a crime, including: <table border="0"> <tr> <td>○ Rape</td> <td>○ Kidnapping</td> </tr> <tr> <td>○ Sex offense</td> <td>○ First degree murder of an immediate family member</td> </tr> <tr> <td>○ Assault</td> <td>○ Stalking (a police report may be required)</td> </tr> <tr> <td>○ Battery with a deadly weapon</td> <td></td> </tr> <tr> <td>○ Forcible sodomy</td> <td></td> </tr> </table> 		○ Rape	○ Kidnapping	○ Sex offense	○ First degree murder of an immediate family member	○ Assault	○ Stalking (a police report may be required)	○ Battery with a deadly weapon		○ Forcible sodomy	
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<p>Requirements for Service</p>	<ul style="list-style-type: none"> • For Emergency Temporary Orders of Protection: <ul style="list-style-type: none"> ○ Upon issue of the order, law enforcement will personally serve the order on the defendant. ○ Law enforcement will send the courts the return or service. ○ If unable to serve the defendant, the court may reschedule the hearing. • For Final Protective Orders: <ul style="list-style-type: none"> ○ Within 24 hours of the issue of the order, the clerk will send orders to law enforcement. ○ Law enforcement will send the courts the return or service. • Law enforcement will enter the order into the National Crime Information Center Database. • A copy of the final order of protection shall be transmitted, either electronically or by certified mail, to the registered agent of the wireless service provider or public utility provider. 		
<p>Registration Required for Enforcement</p>	<p>Not required.</p>		
<p>Military Jurisdictions</p>	<p>Military Bases:</p> <ul style="list-style-type: none"> • 137 SOW • 138 FW • Altus AFB • Fort Sill • McAlester Army Ammunition Plant • Tinker AFB • USAREC, Oklahoma City Battalion • Vance AFB <p>Processes on Military Jurisdictions: Contact the individual military jurisdiction for service process details.</p>		
<p>Tribal Jurisdictions</p>	<p>Federally Recognized Tribe:</p> <table border="0"> <tr> <td> <ul style="list-style-type: none"> • Absentee-Shawnee Tribe of Indians • Alabama-Quassarte Tribal Town • Apache Tribe of Oklahoma • Caddo Nation of Oklahoma • Cherokee Nation • Cheyenne and Arapaho Tribes • The Chickasaw Nation • The Choctaw Nation of Oklahoma • Citizen Potawatomi Nation • Comanche Nation </td> <td> <ul style="list-style-type: none"> • Delaware Nation • Delaware Tribe of Indians • Eastern Shawnee Tribe of Oklahoma • Fort Sill Apache Tribe of Oklahoma • Iowa Tribe of Oklahoma • Kaw Nation • Kialegee Tribal Town • Kickapoo Tribe of Oklahoma • Kiowa Indian Tribe of Oklahoma • Miami Tribe of Oklahoma • Modoc Tribe of Oklahoma </td> </tr> </table>	<ul style="list-style-type: none"> • Absentee-Shawnee Tribe of Indians • Alabama-Quassarte Tribal Town • Apache Tribe of Oklahoma • Caddo Nation of Oklahoma • Cherokee Nation • Cheyenne and Arapaho Tribes • The Chickasaw Nation • The Choctaw Nation of Oklahoma • Citizen Potawatomi Nation • Comanche Nation 	<ul style="list-style-type: none"> • Delaware Nation • Delaware Tribe of Indians • Eastern Shawnee Tribe of Oklahoma • Fort Sill Apache Tribe of Oklahoma • Iowa Tribe of Oklahoma • Kaw Nation • Kialegee Tribal Town • Kickapoo Tribe of Oklahoma • Kiowa Indian Tribe of Oklahoma • Miami Tribe of Oklahoma • Modoc Tribe of Oklahoma
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<p><u>Tribal Jurisdictions</u> (cont'd)</p>	<ul style="list-style-type: none"> • Muscogee (Creek) Nation • The Osage Nation • Ottawa Tribe of Oklahoma • Otoe-Missouria Tribe of Indians • Pawnee Nation of Oklahoma • Peoria Tribe of Indians of Oklahoma • Ponca Tribe of Indians of Oklahoma • Quapaw Tribe of Indians • Sac & Fox Nation <p>State Recognized Tribes: None</p> <p>Processes on Tribal Jurisdictions: Contact the individual tribal jurisdiction for service process details.</p>	<ul style="list-style-type: none"> • Seminole Nation of Oklahoma • Seneca-Cayuga Nation • Shawnee Tribe • Thlopthlocco Tribal Town • Tonkawa Tribe of Indians of Oklahoma • United Keetoowah Band of Cherokee Indians in Oklahoma • Wichita and Affiliated Tribes (Wichita, Keechi, Waco and Tawakonie) Wyandotte Nation
<p>Other Information</p>	<p>None</p>	

Out of State Service Fees³:

None

For more information, please contact State Point of Contact Jari Askins (jari.askins@oscn.net).

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

³ 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.