
Increasing Your Safety: Full Faith and Credit for Protection Orders

, National Center on Protection Orders and Full Faith & Credit, Battered Women's Justice Project

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Table of Contents

About This Guide	3
Do you have a protection order or are you thinking about applying for one? And,	3
If you answer “yes” to any of the above questions, then this guide is for you.	3
What is a protection order?	3
What is full faith and credit?	3
Names for Protection orders	4
How do I know if my protection order is valid?	4
Be Prepared	5
Practical Tips for Implementation of Your Protection Order	5
Enforcement of Your Protection order	6
Practical tips for dealing with Law enforcement	7
Practical Tips for Dealing with Prosecutors and Courts	7
Other Important Areas for Consideration	7
Relocating to a New Jurisdiction	7
International Moves or Leaving the United States	8
Immigration or Citizenship Issues	8
Confidentiality	8
Internet Prohibition	9
Custody Issues	9
Protection Orders and Military Installations	10
Restrictions on Firearm Use and Possession	10
Who is not allowed to have firearms?	10
Tribal Protection Orders, Tribal Law Enforcement, and Tribal Courts	13
Frequently Asked Questions	13
What does it mean for the abuser to receive notice or be served with a protection or- der?	13
Are emergency or ex parte orders valid and enforceable under federal law?	14
Will I be charged a fee to obtain a protection order?	14
What if I have a mutual protection order?	14
Do I have to register or file my protection order in the new jurisdiction to get it en- forced?	15
I am a petitioner in a protection order hearing. Am I able to purchase or possess a fire- arm?	15
May I turn in my firearms?	16
Safety Planning	16
Your safety is most important	16
Safety planning can include, but is not limited to the following:	16
Resources and Help	17
Resources	18

About This Guide

Do you have a protection order or are you thinking about applying for one? And,

- Are you moving to a different community?
- Do you work and live in different locations?
- Are you going to school out of state or off tribal land?
- Are you planning a vacation or extended travel?
- Do you shop in another state or off the military installation?
- Are you going to an event outside the community where you reside?

If you answer “yes” to any of the above questions, then this guide is for you.

This guide is for you, or someone you know who has, or plans to seek, a protection order and may travel across county, state, territorial, tribal, or international lines, on to military installations, or within U.S. maritime jurisdictions. This information is intended to help you understand the full faith and credit provision of the Violence Against Women Act (VAWA), 18 U.S.C. § 2265 (2006), by explaining the federal law and offering ideas about how to get help if you have problems with the enforcement of your protection order.

What is a protection order?

Under VAWA, a “protection order” is defined as “. . . any injunction, restraining order, or any other order issued by a civil or criminal court for the purpose of preventing violent or threatening acts or harassment against, sexual violence, or contact or communication with or physical proximity to, another person” This expansive definition also includes “any support, child custody or visitation provisions, orders, remedies or relief issued as part of any protection order, restraining order or injunction.” 18 U.S.C. § 2266(5).

What is full faith and credit?

A valid protection order issued in one state, tribe, or territory must be enforced throughout the country.

The full faith and credit provision of VAWA, 18 U.S.C. § 2265, states that a valid protection order issued in one state, tribe, or territory must be enforced throughout the country. That means if you obtain a valid protection order in your state, it is enforceable in your state as well as in any other jurisdiction you may travel to in the United States. This includes protection orders issued by judicial

officers in all 50 states, tribal lands, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, American Samoa, the Northern Mariana Islands, and Guam.

Names for Protection orders

Orders issued to prevent domestic violence, sexual assault, dating violence, or stalking may be called many things, including:

- Stay away order;
- No contact order;
- Restraining order;
- Harassment order;
- Protection from abuse order;
- Stalking protection order;
- Injunction for protection; or
- Emergency, temporary, or *ex parte* order.

A divorce or dissolution agreement may include protective provisions. Bail, probation, or parole conditions may include provisions not to abuse, harass, or contact. These provisions and conditions are also considered protection orders.

These orders may be on a form or handwritten. They may be issued orally by a judge or judicial official. Orders also vary in length and content.

How do I know if my protection order is valid?

Any protection order that is issued by a state, tribe, territory, or the District of Columbia is valid and entitled to full faith and credit if:

- The issuing court had authority over the survivor and the abuser (i.e. personal jurisdiction), and had the authority to hear the case (i.e. subject matter jurisdiction); and
- The abuser was given notice of the order, the date of the hearing, the right to appear, and the opportunity to be heard should the abuser wish to offer testimony in opposition to the entry of a final order.

If you have a temporary, emergency, or *ex parte* order, it is also entitled to full faith and credit if it meets certain requirements. See page 14 of this guide for more information.

Be Prepared

The legal process can be very confusing and complicated. A domestic violence advocate can help you understand the legal process and provide you with information about what to expect and how to prepare if you choose to seek assistance from the court. Advocates can also help you with a safety plan tailored to protect you and your family. Look for an advocate who works for a domestic violence, sexual assault, dating violence, or stalking program. You may also call the National Domestic Violence Hotline at 800-799-SAFE (7233); TTY: 800-787-3224.

For assistance with protection order issues or the enforcement of your protection order, please call the National Center on Protection Orders and Full Faith & Credit (NCPOFFC) at 800-903-0111, prompt 2, or visit www.fullfaithandcredit.org [<http://www.fullfaithandcredit.org>]. NCPOFFC staff can also assist you with finding advocacy services where you are currently residing, or in any area where you plan to relocate.

Practical Tips for Implementation of Your Protection Order

- Review your protection order to make sure that it contains the relief that the judge granted. If something is missing or incorrect, bring it to the attention of the court before leaving or having copies made.
- Get certified copies of your protection order and carry at least one copy with you at all times. The court must provide free copies.
- Provide copies of the protection order to any law enforcement agency that you may ask to enforce your protection order, to your employer, friends and relatives, to your child's school or day care facility, and to other people as appropriate.
- Obtain information (written or oral) regarding whether the order has been served on the abuser. This information may be provided by law enforcement, the agency that served the order, or the court that issued the order.
- Keep track of all the abuser's violations of the order. It is important to document all contact that the abuser initiates with you. This includes phone calls, messages sent through other people, visits to home or work, and e-mail or text messages. Keeping track of violations will help law enforcement take steps to protect you. This record of the abuser's behavior may be used to provide evidence of the abuser's conduct in future legal proceedings.
- Discuss with an advocate the procedures you may have to follow to get your protection order enforced in your community. If you move to another community, find out its procedures for enforcing protection orders. This is important because procedures for enforcement vary.
- Understand the pros and cons of filing or registering your order in another jurisdiction. Filing or registration may enhance enforcement but may also reveal your presence in that jurisdiction.

- Make safety plans and routinely update them to include changes as they occur in your life.
- Contact the local domestic violence program in any community where you may live short- or long-term.
- Go to a shelter, if necessary.
- Contact a legal services office in your area for help with legal matters.

Enforcement of Your Protection order

Law enforcement officers, prosecutors, and the courts are required to enforce all protection orders, whether issued in their jurisdiction or in another state, tribe, or territory.

Under the full faith and credit provision, law enforcement officers, prosecutors, and the courts are required to enforce all protection orders, whether issued in their jurisdiction or in another state, tribe, or territory. That means if police are authorized to arrest someone for violation of a local order, they may also arrest for violation of a non-local order. If law enforcement has warrantless arrest authority in the enforcing location, they should arrest for all violations they observe or believe occurred there. If the abuser has left the scene of the violation, law enforcement may seek a warrant and arrest the abuser when the abuser is located. The provision also means prosecutors may charge the crime of violation of protection order and any other illegal conduct that occurred in their jurisdiction. Judges will hear the case according to the laws where the violation occurred.

It will be easier to enforce your protection order if the information on the order is clear and is known by you. This information includes:

- The name of each party clearly identified. This means your name, the abuser's name, and the other parties who are covered by the protection order.
- The date the order was issued.
- The date the order expires, if your order has an expiration date.
- The name of the judicial officer who signed the order.
- The signature of the judge or judicial officer who granted the order.
- The terms and conditions of the order that limit or mandate certain conduct of the abuser.
- The location and phone number of the issuing court.

It is also helpful to know the date of birth, Social Security number, motor vehicle registration, or driver's license number of your abuser. Additional information that can aid in service or enforcement of your protection order includes:

- Your abuser’s home and work addresses;
- A description of your abuser, including tattoos and other distinctive features; and
- A description of your abuser’s car and license plate number.

Although the information is not required for enforcement under federal law, knowledge of the above may help in the service or enforcement of your protection order.

Practical tips for dealing with Law enforcement

It will help law enforcement if you:

- Keep a copy of your protection order with you at all times to show law enforcement when you report violations.
- Provide information regarding whether your order was served or your abuser had notice of the order.
- Keep a picture or a description of the abuser handy and be ready to provide personal information about your abuser, such as Social Security number, driver’s license number, and date of birth.
- If you move, it is important to discuss the protocol in the new location with local law enforcement and advocates familiar with the local protection order enforcement process.

Practical Tips for Dealing with Prosecutors and Courts

Your state, tribal, or local prosecutor should know how to pursue charges for violation of an order of protection issued in another judicial district. However, if prosecutors do not know about full faith and credit, it will be helpful if you:

- Provide the prosecutor and the court with a certified copy of your protection order.
- Keep a copy of this guide with you when you meet with prosecutors and when you appear before a judge at a hearing.
- Bring an advocate who works for a domestic violence, stalking, sexual assault, or dating violence program with you for support and assistance when dealing with prosecutors and the courts.

Other Important Areas for Consideration

Relocating to a New Jurisdiction

You may choose to move to a new location for many different reasons. It is important to consider whether it is necessary or preferred to get a protection order prior to moving to the new location. Some states have laws that will allow you to flee violence and petition their courts for an order of

protection when you arrive in the new location. Other states do not have this type of statute, meaning you need to get a protection order where the violence occurred, before moving. Some states have laws that limit your ability to move with children unless you notify or have the consent of the other parent. It is important to act within the law so your actions will not be used against you in future court proceedings. If you plan to relocate with your child, speak with an advocate or attorney to discuss custody and visitation issues.

It is especially important to consider these factors before relocating if you have children:

- Does your protection order have a custody or visitation provision?
- Are your children listed as protected parties on the protection order?
- Do you have any family court orders regarding custody or visitation?
- Is your move permanent or temporary?
- Will you need to obtain a passport or visa for yourself or your children?

International Moves or Leaving the United States

You should seek legal advice before you leave the country. If you plan to move to another country, or plan to leave the United States for vacation, your protection order will probably not be enforceable in the other country. Full faith and credit means that protection orders are honored as long as you are in one of the 50 states, on tribal land, in U.S. territories, or within U.S. maritime jurisdictions. International child custody laws are quite different from state, tribal, or territorial custody statutes. The legal relationships of other countries with the United States can be quite complex. Legal issues may need to be addressed before you leave the United States. It is extremely important to talk to an attorney or advocate well versed in international law to protect your interests. It is also important to adjust your safety plan to factor in international travel.

Immigration or Citizenship Issues

If you are not currently a citizen of the United States or lawfully within the country, you are still allowed to access civil courts to petition for protective relief. Every abused person, regardless of citizenship, is entitled to apply for a protection order. Non-citizens should consult an attorney knowledgeable in immigration law before seeking a protection order from the courts. Legal issues related to immigration status may arise during issuance or enforcement. Note: While it is not necessary, it may be helpful to file an immigration application before or at the same time as seeking a protection order.

Confidentiality

There are many organizations available to help you navigate your situation. You will be asked to discuss your situation with many different people, and at times you may provide personal informa-

tion. Some of the people with whom you speak are required by law to keep communications between the two of you confidential. This is called a communication privilege. Communications with your attorney are confidential. Your attorney will not disclose information that you provide without your agreement. Advocates working for community-based domestic violence or sexual assault organizations usually are bound to confidentiality unless you waive the privilege in writing. Communications with health workers are generally confidential, but a court may require that some of your medical records and communications with health care providers be disclosed in court.

Other discussions may not be confidential. Information provided in discussions with government-based professionals may be relayed to other people and may not remain private. If a person is employed by a government agency (such as a victim specialist in a law enforcement agency, prosecutors, a victim/witness coordinator in a prosecutor's office, or a court clerk), your communications with them will not be confidential. Before disclosing any information, if you are uncertain whether communications will remain confidential, feel free to ask professionals with whom you are speaking whether your communications are confidential and whether they will diligently protect your information from disclosure.

Internet Prohibition

With the increased use of technology to share information among law enforcement agencies and the courts, it is common for jurisdictions to place information regarding civil and criminal cases, including protection orders, in secure governmental databases or on websites to allow for easy access to case information. VAWA limits the personal information that can be publicly posted on the Internet. It specifically prohibits information “regarding the registration, filing of a petition for, or issuance of a protection order, restraining order, or injunction in either the issuing or enforcing” jurisdiction, if such information “would be likely to publicly reveal the identity or location of the party protected under such order.” 18 U.S.C. § 2265(d). Many state laws and procedures prohibit the disclosure of the fact that you have obtained a protection order from being posted on public websites. Talk to an advocate about laws in your jurisdiction.

Custody Issues

In many jurisdictions, you can ask for child custody, visitation, or support as part of the relief awarded in your protection order. Custody, visitation, and support provisions in protection orders are entitled to full faith and credit, and enforceable in other locations. This means a custody award, including visitation and support provisions, that is part of your protection order must be enforced elsewhere as if your order was issued in that other state, tribe, or territory.

Custody provisions in protection orders are entitled to full faith and credit, and are enforceable in other locations.

If a violation does occur, enforcement action may be taken by law enforcement or through the civil court system. Law enforcement officers may be able to assist you by treating your order as if it were issued in their jurisdiction. Depending on the laws and policies of that jurisdiction, officers may be allowed to pick up children, or even arrest for violation of the custody provision in your

protection order. An advocate will be able to give you information regarding the law enforcement response in the jurisdiction.

You may also ask the civil court system to enforce your protection order. To do so, file papers with the local court describing how the custody provision of the protection order has been violated. The court will make a determination based on your request that may include imposing fines or other penalties, or compelling the violator to comply with the order. Keep in mind that you may need a civil attorney to assist you in bringing this case to the courts, especially if you are seeking enforcement of the custody provision in a jurisdiction other than the one that issued the protection order.

Protection Orders and Military Installations

There are some differences between military and civilian protection orders. Military protection orders are enforceable only on the base where they are issued. These orders do not meet the due process requirements for full faith and credit because the abuser is not given notice and the opportunity to be heard. Since military protection orders cannot be enforced off the installation, you may want to consider also getting a civil protection order in a judicial district near the military installation. If you live off base, go off base regularly, are moving off base, or are relocating to a new base, a civil protection order issued by a civilian court can offer you protection in the new location. Civilian protection orders must be enforced on base. Many abused individuals have both a military protection order and a civilian protection order.

If you are thinking about getting a military protection order, there are a few things you should consider. Remember that reporting incidents of abuse to military personnel, other than clergy, is not typically confidential. Anything you say to military personnel regarding violence or abuse to yourself or your children must be reported to command staff. If you need to tell someone something confidential, ask the person if your conversation is protected by confidentiality requirements.

Restrictions on Firearm Use and Possession

Who is not allowed to have firearms?

The Gun Control Act, 18 U.S.C. § 922(g), (n), prohibits possession, purchase, transportation, or shipment of firearms and ammunition by the following:

- Those convicted of a felony;
- Fugitives from justice;
- Unlawful users of, or those addicted to, illegal drugs;
- People who a court has found to be mentally ill or who have been committed to a mental institution;

- Undocumented immigrants, refugees who have overstayed their length of stay, or those admitted into the United States under a nonimmigrant visa, unless the non-immigrant meets certain exceptions to the Gun Control Act;
- People dishonorably discharged from the Armed Forces;
- People who have renounced their U.S. citizenship;
- Individuals subject to a qualifying protection order;
- Those convicted of a qualifying misdemeanor crime of domestic violence; and
- People under indictment for a crime punishable by incarceration for more than one year.

Persons against whom protection orders have been granted may be prohibited from purchasing, possessing, or using firearms or ammunition.

Persons against whom protection orders have been granted may be prohibited from purchasing, possessing, or using firearms or ammunition by federal, state, tribal, or territorial law for the duration of the protection order. The federal gun law requires (as do many state, territorial, and tribal laws) that the protection order was entered to safeguard the abuser's intimate partner or the child of either the abuser or the abused person. In addition, under federal law the order must prohibit the abuser from harassing, stalking, or threatening the intimate partner or the child of the partner or the abuser, or from engaging in behavior that puts the intimate partner or the child in reasonable fear of bodily injury. 18 U.S.C. § 922(g)(8)(A). The order must include either a written finding that the abuser presents a credible threat to the intimate partner's safety or that of the child, or a written prohibition against the use, attempted use, or threat of physical force that could cause physical injury. 18 U.S.C. § 922(g)(8)(B)-(C).

Qualifying relationships are cases where the petitioner is:

- A spouse or former spouse of the respondent or defendant;
- A person who lives or who has lived with the respondent or defendant (i.e., who resides or resided together in a sexual or romantic relationship);
- A child of the respondent or defendant, a child of the intimate partner, or a child in common of the respondent or defendant and the intimate partner (including where parental rights have been terminated);
- A person with whom the respondent or defendant has or had a child in common (regardless of whether they were married or cohabitated).

A qualifying relationship does not include:

- Boyfriends or girlfriends who do not live together or have never lived together;

- Elder abuse;
- Brothers who abuse siblings, uncles who abuse nieces and nephews, grandparents who abuse grandchildren, etc.;
- Roommates, neighbors, or strangers.

Note: These lists of relationships are not exhaustive and are examples used to illustrate the types of relationships that may trigger the federal firearm prohibition. See 18 U.S.C. § 921(a)(32) and 18 U.S.C. § 922(g)(8).

Federal law also requires the abuser to have actual notice of the hearing on the order and the opportunity to be heard at that hearing. If the abuser does not appear at a hearing of which the abuser had prior notice, the abuser may still be federally prohibited from possessing a firearm or ammunition.

Judicial Notification Regarding Federal Firearm Prohibitions

Courts are now required to notify all domestic violence offenders of the two federal domestic violence-related gun prohibitions. Courts must inform all domestic violence offenders that they may be subject to federal firearm prohibition(s). The notification should also inform the abuser of applicable state, tribal, or territorial laws that may limit purchase or possession of firearms and ammunition. It is important that offenders are aware of these prohibitions. With this notification by the courts, either in writing or orally, offenders are provided notice that they may be at risk of federal prosecution if they possess firearms or ammunition, or attempt to purchase either one.

If an abuser who is subject to a protection order is a police officer, in the military, or works for a government agency that requires the abuser to carry a firearm while on duty, there is an exception to the gun prohibition known as the “official use exemption.” 18 U.S.C. § 925(a)(1). This exemption only applies to weapons carried during working hours. These weapons must be surrendered to the government agency at the end of the work day. The abuser is still prohibited from having personal weapons for the duration of the protection order.

An abuser convicted of a misdemeanor crime of domestic violence may be prohibited from possessing a firearm by federal law. 18 U.S.C. § 922(g) (9). The abuser must have been a current or former spouse of the victim; a parent or guardian of the victim; have a child in common with the victim; cohabit or have cohabited with the victim as a spouse, parent, or guardian; or be a person similarly situated to a spouse, parent, or guardian. The abuser must be convicted under a part of a misdemeanor statute that specifies that the criminal conduct is the use or attempted use of physical force, or threatened use of a deadly weapon.

Other firearm prohibitions may also apply. In many jurisdictions, abusers who are subject to a valid protection order, or who have been convicted of a misdemeanor, may be prohibited from possessing, purchasing, or transferring firearms and ammunition under state, tribal, or territorial

law. The laws may also prohibit individuals from possessing firearms if they are under a firearm restriction in a different jurisdiction. Ask your advocate about laws that may prohibit your abuser from possessing or using a firearm, or contact NCPOFFC at 800-903-0111 prompt 2, or visit the website at www.fullfaithandcredit.org [<http://www.fullfaithandcredit.org>].

Tribal Protection Orders, Tribal Law Enforcement, and Tribal Courts

I have a tribal court protection order, but I am leaving tribal lands to live, work, or visit somewhere else. Is my protection order valid? State and territorial law enforcement and courts are mandated under the full faith and credit provision of VAWA to fully enforce protection orders issued by tribal courts. Enforcement may be by civil law or criminal prosecution, or both. Your protection order from a tribal court is required to receive the same kind of response outside Indian Country as it is would be inside Indian Country. Other tribes are also required to enforce your order.

I have a state protection order, but I am moving to, living on, or visiting an Indian reservation. Is my protection order valid? The full faith and credit provisions of VAWA require tribal courts to recognize and enforce protection orders from all states, tribes, and territories. If you have a state or territorial protection order and you are living or staying in Indian Country, you should know that most tribal courts have the authority to enforce all protection orders issued through civil or criminal proceedings. It may be advisable to check with tribal law enforcement to find out about their policies for enforcing foreign orders.

There is one major exception: tribal courts do not have the authority to impose criminal sanctions against non-Indians. However, tribal police can take non-Indian perpetrators into custody and transport them to state or federal authorities. Tribal courts can exclude non-Indian violators from tribal lands, use their civil laws to compel non-Indians to complete tasks required by protection orders, and impose fines against non-Indian abusers.

If you need additional assistance with a tribal protection order, please look in the resources section of this guide for an appropriate technical assistance provider.

Frequently Asked Questions

What does it mean for the abuser to receive notice or be served with a protection order?

Personal service or being personally served means that the abuser was given a copy of the petition or pleading requesting the order and the protection order. If a court hearing has been scheduled, the abuser will also be informed about the hearing date and the rights of accused persons. Law enforcement usually, but not always, serves petitions and orders. The individual serving the petition and order on the abuser completes a proof of service and submits the proof to the court for entry into the court records. Notice is a broader concept that essentially means that the abuser was told about or shown the protection order or otherwise knew about it, or otherwise knew about the order, its term, and its conditions.

Are emergency or ex parte orders valid and enforceable under federal law?

Ex parte orders are emergency or temporary orders issued at the request of the victim without prior notice to the abuser. They are valid from the time of issuance until expiration. For example, an *ex parte* order that is issued for 15 days before a hearing must be held would be valid in any other community for 15 days. Whether the order is enforceable by arrest, however, will depend on whether the abuser has been served with the order or received notice of the order's existence.

Will I be charged a fee to obtain a protection order?

Jurisdictions receive certain federal funding that prohibits them from charging the petitioner fees for filing a petition for a protection order, costs related to issuance, registration, and service of protection orders related to domestic violence, sexual assault, or stalking. All 50 states, U.S. territories, and some tribes receive this funding. If you are having trouble filing a petition for a protection order, getting the order served, or obtaining copies of your order free of charge, contact your local domestic violence, sexual assault, stalking, and dating violence prevention program or NCPOFFC for assistance.

What if I have a mutual protection order?

One order that contains prohibitions restraining both you and the abuser from doing certain things is called a mutual order. Mutual protection orders are treated differently under the federal full faith and credit law, and can be hard to enforce. They are strongly discouraged.

Practical Tips on Service and Notice

Most police officers will not enforce *ex parte* orders unless they can verify that the abuser had notice or was served with the order.

- Keep at least one copy (or two copies if your order has not been served) of your protection order with you at all times and show it to the police when you report a violation.
- Show the police any proof you have that the order was served or that the abuser had notice of the order. You may obtain a proof of service from the issuing court once the abuser has been served.
- If the order has not been served on the abuser before you report a violation, or the officer is unable to verify notice, ask the officer to serve the order on the abuser and arrest the abuser for any other crimes the abuser committed in the enforcing jurisdiction.
- Ask the officer to notify the issuing jurisdiction that the protection order was served and to provide the issuing jurisdiction information on whether an arrest was effected for violation of the protection order in the enforcing jurisdiction.

If your abuser files for a protection order first, you may want to file a counter-petition against him or her. If the court issues a mutual order at the final hearing, request that the court include specific findings that both you and the abuser are entitled to protection. Another option is to file for a separate protection order. Note: If you are the first to file, a protection order issued should be enforceable in any judicial district to protect you, but it is not enforceable against you outside the issuing jurisdiction unless the abuser filed a counter-petition and the court made specific findings that the abuser is also entitled to protection. 18 U.S.C. § 2265(c). Contact an advocate for information about the problems associated with enforcing mutual protection orders.

Do I have to register or file my protection order in the new jurisdiction to get it enforced?

Federal law requires law enforcement and the courts to enforce your protection order even if you have not registered or filed it in the new jurisdiction. You may want to consider registering or filing your protection order if you relocate. Listed below are some risks and benefits to registration.

- Registration or filing can help law enforcement and courts to verify your order's existence, as well as proof of service, and may increase the likelihood of enforcement.
- Although federal law clearly indicates that registration is not required for enforcement, many jurisdictions still have law enforcement practices that require registration or filing for enforcement to occur.
- You or your advocate may want to remind court or law enforcement personnel who handle the filing or registration of your protection order that federal law prohibits jurisdictions from sending notice to the abuser, unless you request notice to be sent.
- Filing or registration may be impossible or impractical in some circumstances. For example, if you have to travel a great distance to file your order, the cost may be too great. If your abuser is stalking you across state or tribal lines, you may want to keep your whereabouts confidential, and registration of your order may risk disclosure of your residence in the new jurisdiction.

You may want to talk to a domestic violence advocate who can explain the process and help you decide whether filing or registration is a good decision for you.

I am a petitioner in a protection order hearing. Am I able to purchase or possess a firearm?

As long as you are not prohibited by state, tribal, territorial, or federal law, you have the right to own and possess any firearm that is legally purchased by or transferred to you. You are also legally able to purchase and possess ammunition. Keep in mind that possession of a firearm does not guarantee your safety, and a weapon obtained for personal protection may be used against you.

May I turn in my firearms?

You may be able to temporarily store firearms that were legally purchased or transferred to you or the abuser with your local law enforcement agency. Criminal penalties may arise from possessing illegal firearms. Some law enforcement agencies have created waivers on criminal punishment when illegal guns are surrendered. You may want to inquire whether you are immune from prosecution for surrendering illegal firearms before deciding how to rid yourself of illegal firearms. To get directions on how to turn over firearms (either for surrender or storage), you may want to consult with your attorney, advocate, local law enforcement agency, or the Bureau of Alcohol, Tobacco, Firearms and Explosives.

Safety Planning

Your safety is most important

Safety planning is very important for you and your loved ones. To learn about safety planning, contact your local domestic violence, sexual assault, stalking, and dating violence prevention program or visit their website, where there may be links to safety planning guides. A protection order is only one part of a safety plan and one tool that you can use to escape violence. *No one thing can guarantee your safety at all times.* Safety planning is an ongoing process. Part of the process is risk assessment—considering how, where, and when your abuser might use violence against you or your children. Another part of the safety planning process is finding allies who will help you develop plans to avoid violence or who will help safeguard you when your abuser becomes violent. If your employer has an Employee Assistance Program, you may wish to speak with a representative about security at the workplace and any assistance the program may provide. You can ask for help and support from an advocate at a local domestic violence, sexual assault, stalking, or dating violence prevention program. Many tools and resources are available to help increase your safety and protect your children.

Safety planning can include, but is not limited to the following:

- Thinking of a safe place to go if an argument occurs.
- Making a list of safe people to contact.
- Memorizing important phone numbers.
- Establishing a code word or sign so that family, friends, teachers, or co-workers know when to call for help.
- Thinking about what you will do or say to your abuser if he or she becomes violent.
- Changing your phone number.
- Screening calls.

- Saving and documenting all contact, messages, injuries, or other incidents involving the abuser.
- Changing locks, if the abuser has a key.
- Planning how to get away if confronted by an abusive partner.
- Varying your routine.
- Notifying school and work contacts about the abuse, and actions you would like them to take if the abuser comes on site.
- Thinking about what you can do to keep your children safe.
- Getting to know the local domestic violence, sexual assault, stalking, and dating abuser program staff and the resources they offer.
- Avoiding staying alone.
- Choosing to meet your abuser only in safe public places.

If you leave the relationship or are thinking of leaving, you should take important papers and documents with you to enable you to apply for benefits or take legal action. Papers you should take include Social Security cards, passports, documents regarding citizenship, and birth certificates for you and your children; your marriage license; leases or deeds; your checkbook, bank statements, charge cards, and charge account statements; insurance policies; proof of income for you and your abuser (pay stubs or W-2s); pictures of your abuser; and any documentation of past incidents of abuse (photos, police reports, medical records, etc.).

Safety plans vary from person to person. You are the expert on your abuser's behavior, use of violence, and what you need to be safe. Choose the tools and resources that best meet your needs.

Resources and Help

Here are some organizations that can help you and your advocate. Some of these numbers are free to call (those that start with 800, 866, 877, or 888), and some are not. Remember that the abuser may trace the phone numbers you call. Take care to use a phone that the abuser cannot check for calls dialed and received. Many organizations also maintain websites where you can find valuable information to help you. Use safe computer practices or use a public computer to ensure your safety while navigating the Internet. To learn about safe computer and Internet practices, go to www.nnedv.org/internetsafety.html [<http://www.nnedv.org/internetsafety.html>]. You should also keep this guide in a place where the abuser cannot find it.

For Immediate Help

For help in developing a safety plan, finding a local domestic violence, sexual assault, stalking, or dating violence prevention program, or for information about protection

orders and how to get one, contact the National Domestic Violence Hotline at 800-799-SAFE or 800-799-7233 (multilingual advocates and interpreters are available); TTY: 800-787-3224. You can also visit the National Domestic Violence Hotline website, www.thehotline.org [<http://www.thehotline.org>], to find information on safety planning and links to resources in your area. The Teen Dating Violence Helpline can be found at www.loveisrespect.org [<http://www.loveisrespect.org>]. Both the Hotline and the Helpline are available 24 hours a day, 7 days a week to assist you. If you wish to be connected to a local rape crisis center please call 800-656-4673 or visit www.rainn.org.

Resources

Expertise on Full Faith and Credit and Federal and State Firearm Laws

National Center on Protection Orders and Full Faith & Credit (NCPOFFC)

800-903-0111, prompt 2

703-312-7922

www.fullfaithandcredit.org [<http://www.fullfaithandcredit.org>]

ncffc@bwjp.org [<mailto:ncffc@bwjp.org>]

Advocacy for Survivors

Battered Women's Justice Project

800-903-0111, prompt 1; 612-824-8768; www.bwjp.org [<http://www.bwjp.org>]

Advocacy for Battered Women Charged with Crimes

National Clearinghouse for the Defense of Battered Women

800-903-0111, prompt 3; 215-351-0010; www.ncdbw.org [<http://www.ncdbw.org>]

Expertise on Custody Issues

National Council of Juvenile and Family Court Judges

Family Violence Department

800-52-PEACE or 800-527-3223; www.ncjfcj.org [<http://www.ncjfcj.org>]

expertise on Interstate Custody Issues

Legal Resource Center on Violence Against Women

800-556-4053; 301-270-1550; www.lrcvaw.org [<http://www.lrcvaw.org>]

Expertise on Stalking Issues

National Center for Victims of Crime

Stalking Resource Center

Helpline 8:30 a.m.–8:30 p.m. EST (M–F)

800-FYI-CALL or 800-394-2255

202-467-8700; TTY: 800-211-7996; www.ncvc.org/src [<http://www.ncvc.org/src>]

Expertise on Tribal Issues

Mending the Sacred Hoop

888-305-1650; 218-623-4667; www.msh-ta.org [<http://www.msh-ta.org>]

Sacred Circle

877-733-7623; <http://www.sacred-circle.com> (Inactive, checked 1/23/12)

Southwest Center for Law and Policy

520-623-8192; www.swclap.org [<http://www.swclap.org>]

Tribal Law and Policy Institute

651-644-1125; www.tribalprotectionorder.org [<http://www.tribalprotectionorder.org>]

Expertise on Animal Abuse/Pet Safety

American Humane Association

Pets and Women's Shelters (PAWS) Program

703-836-PETS or 703-836-7387

www.americanhumane.org [<http://www.americanhumane.org>]