



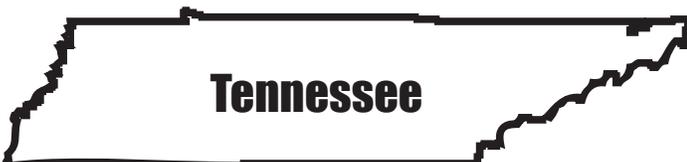
Using Out of State Orders of Protection in Tennessee



Your Order of Protection from another state is good in Tennessee IF everything on this list is true:

- A judge signed the Order of Protection.
- The judge had jurisdiction (legal power over the people and case).
- You have had a court hearing **OR** a hearing has been set to give the abuser a chance to tell his/her side of the story.

Police must treat Orders of Protection the same no matter what state they are from. The punishment for breaking an Order of Protection is the same in Tennessee, no matter where the order is from.



How do I get an Order of Protection from another state enforced in Tennessee?

There are two ways:

1. **Call any police officer or sheriff if your abuser disobeys the Order.** When the police get there, show them a copy of your Order. The officer is supposed to follow the Order just as if it came from Tennessee.



OR

2. **Register** your out-of-state Order with the county court clerk's office where you live.

How do I register my out-of-state Order of Protection?

Take your copy of the Order to the office of the county court clerk. Tell them that you want to register it in Tennessee.

You will have to sign a statement (affidavit) and swear that it is true. The statement says that this is an up-to-date and correct copy of the Order. It also says that you will tell the court if the other state changes the Order.

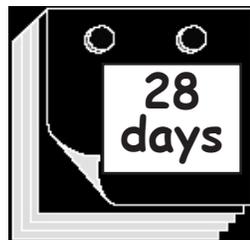


If you have a **certified copy** of the Order, the Tennessee clerk will take your order to a judge. A certified copy is signed or initialed by the clerk of the court that gave you the Order. It usually has some kind of court stamp.



The Judge will decide what protections your Order gives you. These facts will go into the Tennessee Crime Information Bureau computer. Your Order stays in that computer until the Order ends. Having the information in the computer means the police can look up the information about your Order even if you don't have a copy of your Order with you.

If your copy is **NOT** a certified one, the Tennessee court will try to get a certified copy from the other state. If they get a certified copy, the Order stays in the computer until the Order ends. If they do **not** get one, it only stays in the computer for 28 days.



The court clerk will tell you if they cannot get a certified copy of your Order. That way, you will know if the Order is about to be taken out of the computer. If this happens, try to think of anyone one in that state who could help you get a certified copy. Friends, family members or a lawyer might be able to help.



IMPORTANT!

You can still get your Order of Protection enforced even if it is **NOT** registered in the computer. **But you have to show a copy of your Order to the police.**

What if the out-of-state court tells Tennessee that my Order has been changed or is no good?

If this happens, the court in Tennessee will tell you. If your Order was changed and no one in



the other state told you, you will have to go back to the other state to do something about it. You may need a lawyer or a domestic violence advocate to help you. If your Order has ended, Tennessee police cannot follow it.

What if my out-of-state Order is ex parte (temporary)?

You can register it in Tennessee and the police will follow it. If the abuser was given a copy by the court or sheriff, Tennessee police can enforce it until the Order ends.

If the abuser was not given a copy of the Order and comes here, show Tennessee police your Order. They can give the abuser a copy. **If your abuser does not obey it after he or she has a copy of it, the police can make an arrest.**

An **ex parte** (temporary) Order only lasts until the hearing. If you need it to continue after the hearing date, you will need to go to a hearing in the state where you got the Order. A lawyer or domestic violence advocate may be able to help you get the hearing set on a day you can be there.

OR

You may be able to get an Order of Protection from Tennessee instead. A Tennessee court clerk or domestic violence advocate can tell you if you can do this.



WARNING!

If you ask for a Tennessee Order, the court must tell your abuser that you are here. Your abuser would have a chance to come to the court hearing. You need to decide if this is safe for you.



Important Phone Numbers

NOTE: This pamphlet is not meant to take the place of legal advice. All cases are different and need individual attention.

Court Clerk

In the state where you got the order _____

In Tennessee _____

Domestic Violence Program/Hot Line

In the state where you got the order _____

In Tennessee _____

State Police

In the state where you got the order _____

In Tennessee _____

Local Police

In the state where you got the order _____

In Tennessee _____

Your Lawyer

In the state where you got the order _____

In Tennessee _____

National Domestic Violence 24 hour HOT LINE

1-800-799-SAFE (7233)

1-800-787-3224 (TDD/TTY)



Legal Aid Society
of Middle Tennessee & the Cumberland

Working Together. Doing Justice. Restoring Hope.

1-800-238-1443

It's a free call.

On the internet at: **www.las.org**

Legal Aid does not allow anyone to be treated unfairly because of what nation they are from, what sex they are, what age they are, what race they are or because they have disability.

This project is funded under an agreement with the Department of Finance and Administration, Office of Criminal Justice Programs.

Cut on dotted lines. Fold on straight line.
Then fold 2 more times so it fits in your wallet.

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In Tennessee _____

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Your Lawyer

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National Domestic Violence
24 Hour HOT LINE
1-800-799-SAFE (7233)
1-800-787-3224 (TDD/TTY)

Keep a copy of your Order of Protection with you at all times.

Call the police or sheriff if the abuser disobeys the Order.

Your out-of-state Order of Protection is good in Tennessee **if everything on this list is true:**

- A judge signed the Order of Protection.
- The judge had legal power (jurisdiction) over the people and the case.
- There has been a court hearing OR a hearing is scheduled to give the abuser a chance to tell his/her side of the story.

If your Order has ended, Tennessee police cannot follow it. If your Order was changed and no one from that state told you, you have to go back to the state where you got it to do something about it.

Tennessee police have to follow the Order of Protection no matter where it is from. You can also register your out-of-state Order with the county court clerk's office where you live. This puts the Order in Tennessee computers so the police can get information on it quicker.

What if my out-of-state Order is ex parte (temporary)?

You can register it in Tennessee and the police will follow it. OR you may be able to get an Order of Protection from Tennessee instead. A Tennessee court clerk or domestic violence advocate can tell you if you can do this.



WARNING!! If you ask for a Tennessee Order of Protection, the court must tell the abuser that you are here. The abuser would have a chance to come to the court hearing. You need to decide if this is safe for you.

Remember, police have to follow an Order of Protection no matter where it is from. If the abuser violates the Order, call the police.