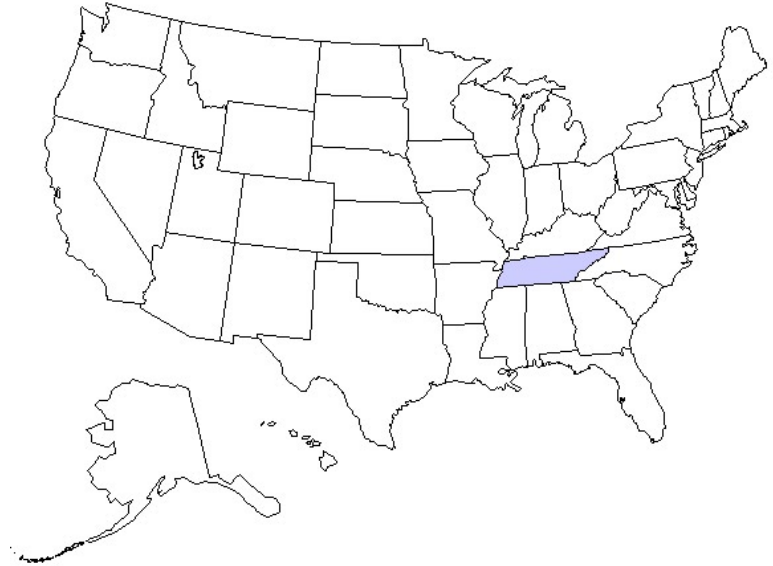
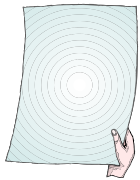


# Using Out of State Orders of Protection in Tennessee



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

Developed by Legal Aid Society of Middle Tennessee. Revised September 1999.



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

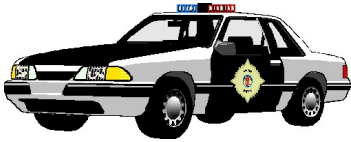
**Your Order of Protection from another state is good in Tennessee IF everything on this list is true:**

- 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 violating 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

## **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)**

# Tennessee Legal Aid/Legal Services Offices

## **Legal Aid Society**

**of Middle Tennessee and the Cumberlands**

**1-800-238-1443**

**Offices in Clarksville, Columbia, Cookeville,  
Gallatin, Murfreesboro, Nashville, Oak Ridge,  
and Tullahoma**

## **West Tennessee Legal Services**

**Jackson Office 1-800-372-8346**

**Dyersburg Office (731) 285-8181**

**Huntingdon Office (731) 986-8975**

**Selmer Office (731) 645-7961**

## **Memphis Area Legal Services**

**Memphis Office 1-888-207-6386**

**Covington Office (901) 476-1808**

## **Legal Aid of East Tennessee**

**Knoxville Office (865) 637-0484**

**Johnson City Office 1-800-321-5561**

**Kingsport Office 1-800-821-1309**

**Chattanooga Office 1-800-572-7457**

**Cleveland Office 1-800-445-3219**