

USING OUT OF STATE ORDERS OF PROTECTION IN TENNESSEE



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**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 legal power (jurisdiction) over the people and the case.
- You had a court hearing **OR** the court has set a date for a hearing so the abuser can tell his or 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 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 is 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 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)

OFFICE HOURS AND LOCATION

Legal Aid of East Tennessee offices are
open from 8:30 A.M. to 5:00 P.M.
Monday through Friday.

Executive Director, David Yoder
(865)637-0484

Associate Director - Eric Miller

311 W. Walnut Street Johnson City, TN 37604 (423)928-8311 1(800)821-1312 Fax (423)928-9488	1001 W. 2nd North St. Morristown, TN 37814 (423)587-4850 1(800)821-1309 Fax (423)587-4857
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Associate Director - Debra House

502 South Gay Street Suite 404 Knoxville, TN 37902 (865)637-0484 Fax (865)525-1162	Compton Place 307 Ellis Avenue Maryville, TN 37801 (865)981-1818 Fax (865)981-1816
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Knoxville Family Justice Center
400 Harriet Tubman
Knoxville, TN 37914
(865)215-6830

Associate Director - Russell Fowler

535 Chestnut Street Suite 360 Chattanooga, TN 37402 (423)756-4013 1(800)572-7457 Fax (423)265-4164	85 Central Ave., NW, Cleveland, TN 37311 (423)479-8577 1(800)445-3219 Fax (423)339-3282
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Linea Gratis en Español 1(866)408-6573

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This pamphlet is intended for general information only. The circumstances of every case are different and need to be dealt with on a case-by-case basis. This is not a substitute for the advice of a lawyer. Also, the law may change and may be different from county to county.

